

Opening Statement of Chair Suzanne Bonamici (OR-01), Subcommittee on Civil Rights and Human Services

Joint Subcommittee on Civil Rights and Human Services and Workforce Protections Hearing
The Paycheck Fairness Act (H.R. 7): Equal Pay for Equal Work
2175 Rayburn House Office Building
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In 1963, President Kennedy signed the Equal Pay Act and our country enshrined into law a fundamental concept: “equal pay for equal work, regardless of sex.” Because of this landmark law, Title VII of the Civil Rights Act of 1964, and more recently, the Lilly Ledbetter Fair Pay Act, we have made tremendous progress in reducing inequities for women in the workplace.

Unfortunately, loopholes and insufficient enforcement have allowed wage discrimination to persist. The Equal Pay Act has been law for more than a half century, but in 2019 equal pay for equal work is not always a reality.

Today, women earn, on average, 80 cents on the dollar compared to white men in substantially equal jobs. The wage gap is even worse for women of color. For example, Black women earn an average of 61 cents on the dollar, Native women earn an average of 58 cents on the dollar, and Latina women earn an average of 53 cents on the dollar compared to white men in substantially equal jobs. The wage gap persists in nearly every line of work, regardless of education, experience, occupation, industry, or job title. This has severe consequences for the lives of working women and families and for our economy.

The lack of easily accessible data on wages makes discrimination difficult to detect, let alone prevent. Even when wage discrimination is discovered, working women still face significant barriers to meet the heavy burden of proof for holding employers accountable for discrimination. Not only is it difficult to prove a pay disparity between employees, identifying an employee of the opposite sex in an equal position who is paid more in the exact same physical location can be impossible in many situations. This is even more challenging when information about wages and pay raises is often kept secret, and in many cases, even barred from being shared between coworkers.

The roadblocks to enforcing pay equity help explain why pay inequity still exists for women – even with the Equal Pay Act. Several states have acted to address pay inequities, including bipartisan efforts in my home state of Oregon, but it is time for Congress to address persistent wage discrimination nationwide. Today’s legislative hearing will focus on H.R. 7, the Paycheck Fairness Act, a proposal to confront and eliminate loopholes that allow for gender-based wage discrimination.

The Paycheck Fairness Act would require employers to prove that a pay disparity exists for legitimate reasons. It would ban retaliation against workers who discuss their wages and allow more workers to participate in class action lawsuits against systemic pay discrimination. It would prohibit employers from seeking the salary history of prospective employees, which despite

ongoing legal disputes, is in line with existing precedent. The bill would also develop wage data collection systems and provide assistance to businesses to improve equal pay practices.

With this legislation we have the opportunity to disrupt a national cycle of discriminatory pay that keeps too many women and families in poverty. And we have the opportunity to finally make equal pay for equal work a reality by passing the Paycheck Fairness Act.

Thank you and I now yield to the Ranking Member, Mr. Comer.