

February 08, 2018

NW18-004

To: Northwest Council Delegates

From: Northwest L&PA Committee

Subject: **PRESUBMITTED NEW BUSINESS:** Motion to Support Passage of Washington Senate Bill 5140 – Gender Pay Equity

Background

It's time to update Washington State Equal Pay Law.

In each of the past three years, the state's House has passed an equal pay bill with bipartisan majorities, but those bills have died in committee in the Senate. On January 17, 2018, the House again passed their version of the legislation, HB 1506, on a bipartisan 69-28 vote. With Senate committees now under new leadership, the 2018 effort has a greater chance for success, but the possibility of efforts to derail or weaken the corresponding Senate bill (SB 5140) still exist.

Despite existing state and federal equal pay laws, women are still paid less than men in almost every occupation, and workers of color are paid less than White workers. Washington first prohibited discrimination in pay based on gender in 1943, and Congress passed the Equal Pay Act in 1963.

Women in the state who worked full-time year-round in 2016 made on average 76.5% of men's earnings. The Institute for Women's Policy Research estimates that at the current rate of progress, Washington's gender wage gap will not close until 2070.

Most states have passed stronger equal pay laws than Washington. At least 40 prohibit retaliation against employees for taking legal action, 35 make employers liable for damages, 18 protect employees' rights to discuss wages, and 4 prohibit employers from requiring job applicants to provide salary history.

Recent advances in Washington will help reduce the gender wage gap, including the new pregnancy accommodation law that took effect in July 2017, the paid family and medical leave program that will begin in 2020, and the voter-approved initiative that raises the state minimum wage and institutes paid sick and safe leave statewide in January 2017.

Senate Bill 5140, subject "Concerning enforcement of the equal pay act and worker communications about wages and employment opportunities", will move our state an additional step forward by:

- Prohibiting companies from imposing pay secrecy policies;
- Requiring bona fide business-related reasons such as education, experience, or productivity, for differences in pay and access to job opportunities;
- And allowing the state to investigate and rule on unfair pay practices, in addition to the right for workers to sue in court and recover damages and costs for discrimination.

For additional details, see <http://waworkandfamily.org/>

Motion

It is moved that the Northwest Council supports pay equality. The Council encourages activists and staff to lobby in support of Senate Bill 5140, and to educate SPEEA members about such legislation and encourage them to support it.

Pros: Supports working families and strengthens the labor movement by improving pay and access to employment for women.

Cons: Will require some state expenditure for enforcement of the new rules.

Total affirmative vote cast must be at least a simple majority of the total number of seated Council Representatives. Council Representatives who are employed beyond 50 statute air miles from the meeting and are unable to attend are excluded from the total number required.