



MEMORANDUM IN SUPPORT: NEW YORK STATE EQUAL PAY LEGISLATION

AN ACT to amend the labor law, in relation to the prohibition of differential pay because of sex; A.6075 (Titus)/S.1 (Savino).

The National Organization for Women – New York strongly supports the New York State Equal Pay Bill, which aims to end pay discrimination for women in our state. This legislation will make it easier for women to find out whether or not they are being paid fairly and strengthen the ability to enforce pay discrimination laws and hold employers accountable.

Background: In New York State, women earn only 86% of what men earn, and this wage gap is even larger for women of color: African-American women earn only 66% and Hispanic women earn only 54% of what men earn. Overall, the gap between full-time working women and men in New York State is more than \$8,000 annually, or what could be the equivalent of several months of rent or mortgage payments, critical savings toward the purchase of a home or a child’s education, or even a full year of grocery bills. Despite the persistent wage gap, current laws fail to adequately protect employees.

The New York State Equal Pay Legislation will:

- Outlaw wage secrecy policies and prevent employer retaliation for sharing wage information. A majority of private sector U.S. employees – 61% – say that their employers discourage or prohibit any discussion of wage or salary.
- Strengthen the enforcement of equal pay laws, by closing a current loophole in the law that makes it easier for employers to justify paying women less. Similar to the federal Paycheck Fairness Act, this bill will raise the bar on the affirmative defense that employers use in justifying pay differentials, changing the law from “any other factor other than sex” to “a bona fide factor other than sex.”
- Establish that employees who work for the same employer but at different workplaces must be paid equal wages (within the same county). Currently only employees at the same physical location have to be paid the same wage.
- Hold employers accountable, by increasing damages that an individual who brings and wins a pay discrimination case in court to 300% of unpaid wages.

Why We Need This Bill: Current research shows that mothers are the sole or primary breadwinner in more than 40% of families nationwide. In New York City, 40% of single mothers live below the poverty line. By closing the wage gap, we will help lift families out of poverty and strengthen the economic security of women and their families statewide.

As an advocate for women’s rights and economic justice, NOW New York strongly supports this critical legislation and urges state lawmakers to pass it without delay.