



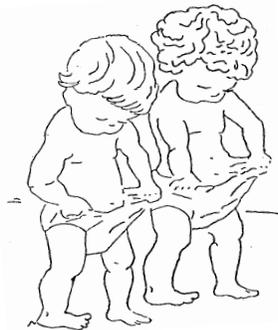
## CALL TO ACTION: A PAY EQUITY RESOURCE GUIDE

### The Problem

It has been nearly five decades since President Kennedy signed the Equal Pay Act into law, making it illegal for employers to pay unequal wages to men and women who hold the *same* job and perform the *same* work.

Yet unequal pay still exists because job titles filled predominately by women and people of color have been under paid due to historic discrimination. For example clerical workers, nurses and teacher's aides may be paid less than groundskeepers and security staff. These lost earnings and pension benefits are particularly painful for workers and their families who fall below the poverty line because they are not fairly paid. According to the WAGE project, if women and people of color were to receive wages equal to those of men for comparable jobs, working families would gain a staggering \$200 billion in family income annually, with each working woman's family gaining more than \$4,000 per year.

What can we do ensure economic equity for women and people of color here in New York and nationwide? We can pass legislation that requires comparable pay for job-titles requiring comparable levels of skills and responsibilities. In Minnesota there are laws requiring this type of pay equity for all public sector job titles. *In Minnesota the wage gap between men and women employed in the public sector is virtually eliminated.*



*"Does that explain the differences in our salaries?"*

### The Solution: Comparable Worth/Pay Equity

**Comparable Worth** (also called job title pay equity) - A reform effort to pay different job titles fairly based on their value to their employer regardless of the gender/race predominance of those working in such titles.

At the heart of comparable worth or job title pay equity is the fact that jobs traditionally done by women and people of color have been systematically undervalued in the marketplace. The net result is that these jobs are paid less than comparable jobs with the same levels of skills and responsibilities but commonly held by white males. This bias can be demonstrated and subsequently eliminated by assessing the economic value of different jobs through the use of a gender-neutral job evaluation system. For example, food service, nurse, maintenance, dispatcher, supply clerk and drafting jobs can be compared using job evaluation factors such as the *education/training necessary, the working conditions and the responsibility (for budgets, supervision, health and safety, etc.) required.*

Pay equity studies seek to differentiate legitimate job title wage differences from those that are solely a function of the gender/race of the typical employee. Some job title salary inequities are blatant. For instance, some school districts pay secretaries and teaching assistants (job titles that require associate degrees) less than the cleaners. School nurses in the West Islip school district once started at \$27,000, while groundskeepers started at \$29,000. In Denver, nurses were found to make less than gardeners. To establish and eliminate such job title salary inequities, the comparable value of these dissimilar job titles is established using a job evaluation system and the job titles are then paid accordingly

*"A key problem is that society undervalues the work women do... That's why those who care for our young children earn less than those who care for our cars, our pets, our lawns."  
Ellen Bravo, **Taking on the Big Boys***



## But How Can You Compare Apple Job Titles and Orange Job Titles?

Apples and oranges can be compared by using any common denominator such as vitamins, juice content or calories, etc. For over 70 years, most, if not all, large employers have had job evaluation wage-setting processes in place to relate the common denominator requirements of vastly different job titles to their salaries. Now you know what personnel/human resource departments do. Most job evaluation systems are composed of nine to twelve factors that include:

- **Job knowledge** (the education and experience required)
- **Accountability** (responsibility for people, budgets, resources, reputations)
- **Human relationship skills** (the communication abilities required)
- **Management/Supervision** (the responsibility for the work of others)
- **Working conditions** (the amount of exposure to discomfort and hazards)

The pay equity reform movement proposes that the same tool, the job evaluation system, be used to compare all job titles, regardless of the gender and race of those working in them, and pay job titles accordingly. Currently, many employers use slightly different job evaluation systems to evaluate job titles in different occupational groups so that comparisons cannot be made across blue collar, white collar, professional and administrative groups. But, as demonstrated in the many countries and jurisdictions that have passed pay equity reform, it is possible to evaluate all job titles fairly using the same job evaluation system and set salaries accordingly. **Pay equity is good personnel policy.**

Equal pay can never exist if it is possible to ghettoize women and people of color (and many white men as well) into traditionally female jobs and, therefore, pay them less than their work is worth. This is a family issue that impacts pensions and social security as well as current household income.

## Reducing Poverty with Pay Equity

Pay equity policies, which aim to realign wages, are designed to reduce the gender-based wage gap and lift women and people of color out of poverty. Pay equity does this by revaluing traditionally under-valued female occupations. Although critics argue that pay equity would benefit only the middle-class and single women without children, research has shown this is not true – pay equity has the potential to lift many workers, especially women out of poverty.<sup>1</sup>

In a study of pay equity's potential to reduce race-based, as well as gender-based discrimination, pay equity reduced poverty among the working poor while alleviating race- and gender-based wage discrimination. Across occupations, for women of color, pay equity reduced the percentage of workers earning poverty-level wages for a family of 3 by nearly half (49%). The comparable figure for white women was 40%; for men of color, 37.1%; and for white men 31.8%. Among the working poor in occupations dominated by people of color, pay equity raised 60% of them above the poverty threshold for a family of 3, and in occupations dominated by women of color, lifted 52% out of poverty.<sup>2</sup> Combined with access to affordable child care and other anti-discrimination measures, pay equity can provide most women with the ability to earn enough money to sustain their families and to drastically reduce the percentage of women and people of color living at or below the poverty level.

Research also indicates that pay equity may have a far greater impact than the living wage in helping women achieve economic self-sufficiency, thereby helping them transition off public assistance. In job titles typically dominated by people of color, where workers earn approximately 66% of what white men earn, pay equity decreased that disparity almost completely, bringing the earnings ratio up to approximately 94%; by contrast, living wage policy had little impact on gender or race differentials.<sup>3</sup> Pay equity reform has the power not only to drastically decrease the number of people living at or below the poverty line and to assist those transitioning off public assistance, but also to eliminate the race and gender-based job and wage discrimination that has kept working women, especially women of color, at the bottom of the pay scale.

<sup>1</sup> Figart, Deborah M. and June Lapidus. 1996. "The Impact of Comparable Worth on Earnings Inequality." *Work and Occupations* 23:297-318.

<sup>2</sup> Lapidus, Jane and Deborah M. Figart. 1998. "Remedying 'Unfair Acts': U.S. Pay Equity by Race and Gender." *Feminist Economics* 4(3): 7-28.

<sup>3</sup> Stone, Pamela and Arielle Kuperberg. 2005. "Anti-Discrimination vs. Anti-Poverty? A Comparison of Pay Equity and Living Wage Reforms." *Journal of Women, Politics & Policy* 27:23-29. Reported in *Women, Work, and Poverty: Women Centered Research for Policy Change* (Hawthorne Press).

*Lisa Ackerly, doctoral student, wrote the above Reducing Poverty section. She worked with Professor Pamela Stone, Dept. of Sociology, Hunter College and the Graduate Center, CUNY.*

## How We Know

### Comparable Worth is Worth It

In 1987 comparable worth adjustments (reclassification of job titles where women and people of color predominate to higher salary grades based on comparison with male dominated job titles of comparable value) were made to 239 NY State Civil Service job titles. All of the employees in these job titles, over 47,000 of them, received raises.

Let's look at just 6 of these job titles and imagine the impact on the lives and families of those receiving these increments over 20 years.

Title	Number in Job Title in 1987	Before Salary Grade	After Salary Grade	Before Salary Grade Job Rate	After Salary Grade Job Rate	One Year Salary Increase at Job Rate	Estimated* Income Gain Per Person After 20 Yrs
Library Clerk2	208	7	9	\$18,449	\$20,521	\$2,072	\$55,675
Library Clerk3	45	11	14	\$22,946	\$27,033	\$4,087	\$109,819
Food Service Worker 2	813	7	9	\$18,449	\$20,521	\$2,072	\$55,675
Food Service Worker 3	57	9	13	\$20,521	\$25,585	\$5,064	\$136,072
File Clerk, Typist, Clerk	6325	3	6	\$15,071	\$17,472	\$2,401	\$64,516
Principle Clerk	372	11	14	\$22,946	\$27,033	\$4,087	\$109,819

\*Includes a 3% across-the-board annual increase

The chart above shows that 208 people working in the job title Library Clerk 2 were raised from salary grade 7 to salary grade 9 increasing their annual income over \$2000 for an estimated 20 years earnings increase of over \$55,000. The 45 Library Clerk 3s were found to have more salary disparity and were raised from salary grade 11 to 14 for an annual increase of over \$4000 and a 20 year estimated increase of over \$109,000. The same patterns are true for the Food Service job titles. Three clerical job titles, File Clerk, Typist and Clerk, were raised from salary grade 3 to 6, increasing the salaries of over 6000 state employees by more than \$2400 a year for a 20 year gain of more than \$64,000. Little wonder that research studies done at universities have documented that job-title pay equity reform substantially improves the incomes of those working in low wage jobs.

The State can be proud that it made these job-title pay equity adjustments and so can the counties, cities and other employers that have done so. An examination of the current NYS Civil Service job rates indicates little, if any, gender bias across job titles has reemerged. But many employers have not made job-title pay equity adjustments.

Those who work in job titles traditionally done by women and people of color, approximately 20% of whom are men, who have not received job-title pay equity adjustments, are losing both money and the related feelings of value and self esteem, daily. We need to pass legislation requiring job-title pay equity as has been done in many other countries.

*International Perspective* - Just across New York State's northern border, the Canadian provinces of Ontario and Quebec (where two-thirds of Canadians reside) require that job title salaries be established using gender-neutral job evaluation systems in both the public and private sectors. U.S. companies that are providing job-title pay equity for *their Canadian employees are free to discriminate against their employees in New York State.*

Lois Haignere, Ph.D. of NYSPEC is the primary author of the above sections of this Guide.

We thank Bev Neufeld of the NY Women's Agenda for the initial set up and formatting of this guide. She also contributed to writing the Problem section, and wrote the first edition of the section on Solutions and the last page.

## We Need Legislative Solutions!

New York State: Despite the one-time pay equity adjustments negotiated during Gov. Mario Cuomo's administration, passage of legislation assuring job-title pay equity has eluded advocates. Fair Pay bills which would protect NY State employees in both the private and public sectors have been passed with bi-partisan support by the State Assembly each year in this century. (We thank the Assembly bill sponsors, Assembly members and Speaker Sheldon Silver.) Due in large part to the efforts of NYSPEC and EPCNYC, 27 Senators co-sponsored the NYS Fair Pay Act in 2009 and moved it out of the Labor Committee.

**New York State Pay Equity Bills: The bill numbers/sponsors in the below section are from March 2011.**

**A6130/S2200- NYS Fair Pay Act** - provides that **all** who work *in* NY State, in both the *public and private* sectors, in job titles that are disproportionately performed by women and/or people of color will receive equal pay with job titles evaluated to be of comparable worth in which white males predominate. This bill incorporates strong enforcement mechanisms. Sponsors: Assembly-Keith Wright, Senate-Liz Krueger. Senator Krueger's sponsorship gives hope for a future successful push for passage in the Senate.

Like the Fair Pay bill, the Rosenthal /Montgomery bill (**A1780/S248**) covers both race and gender and builds in a strong enforcement mechanism. But this bill applies only to employees that work for NY State. Many NYS job titles received comparable worth adjustments in 1987 but no law was put in place to require the State to continue to provide equal pay for job titles of comparable worth. Bill **A1780/S248** would require the State to maintain equal pay for comparable worth for the employees in job titles where women and people of color predominate.

Two other pay equity bills passed the Assembly in 2011. These bills need to be improved so that they address the race as well as gender bias and have adequate enforcement mechanisms.

### Federal Legislation:

The Lilly Ledbetter Fair Pay Act was signed into law in January of 2009 but it does *not* require equal pay for comparable worth? The Ledbetter Act restored the 1964 Civil Rights Act *equal-pay* protections for those doing the same work (i.e. they are in the same job title) after the Supreme Court rendered it meaningless by requiring victims of pay discrimination to file a complaint within six months of their *first* discriminatory pay check whether they knew it was discriminatory or not.

**Federal PAYCHECK FAIRNESS ACT (H.R.1338/S.766)** would strengthen the Equal Pay Act by increasing penalties, prohibiting retaliation against workers who disclose information about wages, providing compensatory damages, back pay and guidelines on eliminating discrimination.

# What you can do!

## HELP PASS NEW YORK STATE PAY EQUITY LAWS!

Information on our blog: [www.EqualPayNewYork.org](http://www.EqualPayNewYork.org)

## HELP CHANGE NEW YORK CITY WAGE POLICIES!

Contact Beverly Neufeld at [info@nywa.com](mailto:info@nywa.com)

## HELP PASS PAYCHECK FAIR PAY ACT: Go to the national

Fair Pay Campaign - <http://www.nwlc.org/fairpay/>

## CALCULATE YOUR WAGE GAP:

[http://www.wageproject.org/content/gap\\_calc/](http://www.wageproject.org/content/gap_calc/)

**START A WAGE CLUB:** A WAGE Club holds strategy sessions on and what to do if you are being paid unfairly.

[http://www.wageproject.org/content/get\\_even/howtostart.php](http://www.wageproject.org/content/get_even/howtostart.php)

**SHARE YOUR STORY & YOUR OPINION** on our blog

[www.EqualPayNewYork.org](http://www.EqualPayNewYork.org)

## CONDUCT A WORKPLACE PAY EQUITY STUDY

[payequityresearch.com](http://payequityresearch.com)

## RESEARCH and BOOKS:

- The Shriver Report, Maria Shriver/Heather Boushey
- WCECA Self-Sufficiency Study, Merble Reagon
- AAUW - Beyond the Gender Gap
- Institute for Women's Policy Research - Best and Worst States
- Economic Status of Women – NY Women's Foundation, 2008
- Paychecks: a Guide to Conducting Salary Equity Studies for Higher Education Faculty, [payequityresearch.com](http://payequityresearch.com)
- Taking on the Big Boys by Ellen Bravo, 2007
- Women Are Getting Even by Evelyn Murphy, 2006

## RESOURCES:

- American Association of University Women [www.aauw.org](http://www.aauw.org)
- Institute for Women's Policy Research [www.iwpr.org](http://www.iwpr.org)
- League of Women Voters of NY [www.lwvny.org](http://www.lwvny.org)
- National Committee on Pay Equity [www.pay-equity.org](http://www.pay-equity.org)
- New York Women's Agenda [www.nywaconnect.org](http://www.nywaconnect.org)
- Women Work [www.womenwork.org](http://www.womenwork.org)

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YWCA: Kelli Owens - [kellywca@earthlink.net](mailto:kellywca@earthlink.net)



### Statewide Members

Amer Assn University Women(AAUW)  
Coalition Labor Union Women  
DC 37 (AFLCIO/AFSCME)  
League of Women Voters, NYS  
Nat'l Assn for Female Executives  
National Org. for Women, NYS  
NYS Girl Scout Legislative Network  
NYS Nurses Association  
NYS United Teachers (NYSUT)  
New York State Women, Inc.  
Public Employee Federation (PEF)  
Service Employee Int'l Union (SEIU)  
United Public Service Employees Union (UPSEU)  
United University Professions  
Women's Sports Foundation  
YWCA Northeast Council

### Regional Members

AAUW - Albany Branch  
Capital District Labor-Religion Coalition  
Coalition of Black Trade Unionists –  
Nassau County & Capital District  
CSEA Nassau Local 830  
Long Island Fund for Women & Girls  
Long Island Women's Agenda  
Long Island Progressive Coalition  
NAACP, Islip Town Branch & Saratoga  
County Branches  
NYS Women, Inc. - Capital District III Chapters

### Founding Member

#### Women on the Job Task Force

*In 1997, after 10 years of investigation, the Division of Human Rights informed Women on the Job (WOJ) that the clerical staff of the Sachem School District could not get fair pay (they were paid less than the groundskeepers and security staff) because there was no law against unequal pay for jobs of comparable worth. So WOJ and Lois Haignere founded the NYS Pay Equity Coalition (NYSPEC) to educate the public and legislators so as to pass fair pay laws.*



## Equal Pay Coalition NYC

A Better Balance  
AAUW–Manhattan | AAUW–NYC  
Asian Women In Business  
Catalyst Inc.  
Center for the Women of New York  
Coalition of Prof. Women in the Arts & Media  
50/50 in 2020  
Human Rights Project/Urban Justice Center  
Institute of the Puerto Rican/Hispanic Elderly  
Junior League of the City of New York  
League of Professional Theatre Women  
League of Women Voters of the City of New York  
Legal Momentum  
Manhattan Chamber of Commerce –  
Women's Business Committee  
9-5: National Association of Working Women  
NOW-NYC & NOW-NYS  
NOW-Brooklyn/Queens Chapter National  
Association of Female Executives  
Nat'l Assoc. of Women Business Owners NYC  
National Organization of Italian American Women  
New York Coalition of 100 Black Women  
New York Women's Agenda (Coordinator)  
New York Women's Foundation  
100 Black Men  
Roundtable of Food Professionals NYC  
Women in Development-New York  
Women in Health Management  
Women on the Job Taskforce | NYSPEC  
Women's City Club of New York  
Women's Center for Education and Career Advancement  
YWCA Brooklyn & YWCA Orange County  
Zonta Club of Greater Queens

*A consortium of civic organizations, advocates and experts working together for Pay Equity in NY, EPCNYC was created in 2007 by the Government Affairs Committee of NYWA, a New York nonprofit charitable corporation, in response to growing concern and mounting evidence of the continuing economic discrimination suffered by New York's women and minorities and their families.*

**eliminating racism  
empowering women**  
ywca

*YWCA is dedicated to eliminating racism, empowering women and promoting peace, justice, freedom and dignity for all*



*The League of Women Voters of New York State is a unique, multi-issue, nonpartisan, political organization. It encourages the informed and active participation of in government and influences public policy through education and advocacy.*

