

Pay Equity Advocates' Priorities for the Biden Administration

As a coalition of organizations that promote economic equity for women and vigorous enforcement of worker protection laws, we urge timely and critical actions on the issue of equal pay. Decades of a stagnant wage gap mean that women—and the families who depend on their income—are facing dire circumstances, exacerbated by the Trump Administration's relentless attacks on basic workplace protections and supports, and the economic and health consequences of the ongoing pandemic. Given that the wage gap is largest for women of color, immediate and decisive action to combat compensation discrimination and pay inequity is not only a matter of economic security, but also gender and racial equity.

Longstanding issues that contribute to the wage gap are front and center in this crisis—the devaluing of work performed by women, the inadequate federal minimum wage, occupational segregation, reduction of hours, undermining the right to organize, unequal access to and underpayment of overtime hours, caregiving responsibilities—as well as compounding factors like bias, stereotyping and discrimination. Many women, and particularly Black women and Latinas, are the primary or sole breadwinners for their families. [They are also the majority of workers in many frontline jobs deemed essential during this crisis and in industries shedding jobs](#), including in health care, grocery stores, restaurants, and child care. Yet they are being consistently undervalued and underpaid. In the absence of affordable and accessible child or elder care, health insurance, or paid family and medical leave, many women have been forced to cut back on their hours or drop out of the workforce entirely, which also exacerbates wage gaps and economic insecurity. Indeed, [865,000 women dropped out of the labor force in September 2020](#). Generations of pay discrimination, gender and racial wage gaps and the subsequent wealth gaps mean many families are unable to weather this current economic and health crisis.

We welcome and applaud the commitments to pay equity that President Biden has already made, including reinstating employer pay data collection and disclosure, supporting the [Paycheck Fairness Act](#), raising the federal minimum wage, and strengthening pay equity enforcement and accountability through increased capacity for the Equal Employment Opportunity Commission (EEOC), the U.S. Labor Department's Office of Federal Contract Compliance Programs (OFCCP), and the U.S. Department of Justice's Civil Rights Division. We hope the power of the White House will be routinely and repeatedly used to underscore that ending pay discrimination and closing the wage gap are key components of economic recovery from the COVID-19 pandemic. Gender and racial wage gaps have been important tools for highlighting structural inequities and should be a sign post for monitoring the recovery. Full economic recovery presents an opportunity to confront systemic problems in the workplace and economy that have plagued our nation for generations. We must strengthen pay equity protections, raise the federal minimum wage, provide comprehensive paid family and medical leave, combat workplace harassment, implement fair scheduling reforms, and address the child care crisis.

We strongly recommend the President and his new administration consider the following executive actions to promote equal pay:

Day 1

- **Announce new White House initiatives to promote pay equity and to close gender and racial wage gaps, including issuing an executive order prohibiting federal contractors from relying on job applicants' salary history to set pay and requiring federal contractors to include salary ranges in job announcements.** This must include a commitment to providing adequate funding for these initiatives to be fully implemented and enforced.

- **Amend Executive Order 13658 to raise the minimum wage for all workers on federal construction and service contracts to at least \$15 per hour and require federal contractors to pay tipped workers the same minimum wage as any other worker, before tips.** This increased wage rate should be implemented in the subsequent round of contracts, and it should thereafter be indexed to median wage growth and increased accordingly on an annual basis. The minimum wage for federal contract workers should always be at least 10% more than the federal minimum wage.

100 Days

- **Require employers to collect and report compensation data by race, ethnicity and gender to the EEOC and OFCCP,** including but not limited to reinstatement of the EEO-1 Component 2 pay data collection.
- **Require federal contractors to publicly disclose gender and race wage gaps** and display that information on an easily accessible public website.
- **In addition to the commitment to double the EEOC's budget, similarly double the budget of OFCCP and significantly increase the Department of Labor's budget overall** to ensure robust civil rights enforcement, education and outreach activities. This will also support new capacity within the EEOC and the Department of Labor to analyze pay data, publish analyses of wage and wage gap information by industry and locality, and use the data to identify and root out pay discrimination.
- **Reinstate the National Equal Pay Task Force** to facilitate interagency coordination on data and research, enforcement, education and stakeholder engagement efforts.
- **Create a designated role within the office of the Secretary of Labor to prioritize gender and racial equity issues across departments and programs.** This should be a senior level position with the authority to coordinate data collection and reporting across departments, as well as evaluation and promotion of promising programs.
- **Reinstate the Women's Bureau's grants program,** developed during the Obama Administration, to support the study of state and local initiatives that promote workplace equity and inclusion. This would build on the impactful Women's Bureau grants made to 17 states and municipalities between 2014 and 2016 to study paid leave programs.
- **Initiate a Women's Bureau-led study to analyze changes in gender and racial wage gaps during and following the COVID-19 pandemic,** including the impact of unemployment, time out of the workforce, and child care and other caregiving responsibilities.

We appreciate the work of the transition team and are grateful for the attention to our requests. We look forward to working together to build a more equitable country where those most impacted by pay inequity receive just wages for their work and the support they need to recover from this health and economic crisis. Please do not hesitate to contact Kate Nielson, Director of Public Policy and Legal Advocacy at the American Association of University Women at (202) 728-7617 or nielsonk@aauw.org or Emily Martin, Vice President for Education & Workplace Justice at the National Women's Law Center at (202) 588-5180 or emartin@nwlc.org with any questions.

A Better Balance: The Work & Family Legal Center
 American Association of University Women (AAUW)
 AnitaB.org
 Center for Advancement of Public Policy
 Clearinghouse on Women's Issues
 Equal Pay Today

Equal Rights Advocates
Family Forward Oregon
Feminist Majority
Gender Justice
In Our Own Voice: National Black Women's Reproductive Justice Agenda
Institute for Women's Policy Research
Jewish Women International
Justice for Migrant Women
KWH Law Center for Social Justice and Change
Labor Council for Latin American Advancement
Legal Aid at Work
Methodist Federation for Social Action
MomsRising
MS Black Women's Roundtable
National Committee on Pay Equity
National Council of Jewish Women
National Domestic Violence Hotline
National Domestic Workers Alliance
National Education Association
National Employment Law Project
National Employment Lawyers Association
National Network to End Domestic Violence
National Partnership for Women and Families
National Women's Law Center
NewsGuild-CWA
Pennsylvania AFL-CIO
People For the American Way
Philadelphia Coalition of Labor Union Women
PowHer New York
Service Employees International Union
Southwest Women's Law Center
TIME'S UP
United Food and Commercial Workers International Union (UFCW)
Women Employed
Women's Law Project
YWCA Allentown
YWCA USA