

## Equal Pay Act and Pay Equity - Past and Future

---

August 3, 2017 Laura O'Donnell

---

**PRACTICES** Wage and Hour Litigation, Employment Litigation, Labor and Employment

---

President John F. Kennedy signed the Equal Pay Act of 1963 (EPA) with the hope that this act would draw attention to “the unconscionable practice of paying female employees less wages than male employees for the same job.”<sup>1</sup> To that end, the act prohibits payment of different wages to men and women who perform equal work in the same workplace. Yet, more than 50 years since the law’s enactment, most commentators agree that the EPA has proven ineffective in eradicating gender-based wage discrimination.

An April 2016 congressional report of the Joint Economic Committee concluded that a full-time working woman earns \$10,800 less per year than a man based on median annual earnings. On a percentage basis, this difference means that an average woman earns only 79 percent of what a man earns or less than \$4 for every \$5 paid to a man. Over a career, these differences can add up to pay gap estimates of \$430,000 for white women, as much as \$877,000 for African-American women, and a whopping \$1,007,000 for Latina women as compared to white men.<sup>2</sup>

Nevertheless, a perfect storm is brewing for great strides to be made in the area of pay equity and for the act to have a resurgence of relevancy.

This article will: (1) summarize the act and the mechanisms for bringing EPA cases as compared to other pay discrimination cases; (2) discuss pay equity developments nationwide, both at the federal and state levels; (3) explain why EPA cases may increase in the near future; and (4) make recommendations for preparing for and defending against pay equity challenges.

**To read the full article, click on the PDF linked below.**

[Equal-Pay-Act-and-Pay-Equity.PDF](#)

---

<sup>1</sup> Gerhard Peters & John Woolley, John F. Kennedy: Remarks Upon Signing the Equal Pay Act, June 10, 1963, Am. Presidency Project, [www.presidency.ucsb.edu/ws/?pid=9267](http://www.presidency.ucsb.edu/ws/?pid=9267) (last visited Mar. 29, 2017).

<sup>2</sup> Staff of Joint Econ. Comm., 114th Cong., Gender Pay Inequality: Consequences for Women, Families & the Economy (Comm. Print 2016).