



WORKPLACE JUSTICE

THE WAGE GAP: THE WHO, HOW, WHY, AND WHAT TO DO

Women in the U.S. who work full time, year round are typically paid only 80 cents for every dollar paid to their male counterparts.¹ The wage gap has stagnated, with very little change since 2007.² This gap in earnings translates into \$10,086 less per year in median earnings, leaving women and their families shortchanged. This disparity is the top concern of working women.³ Although enforcement of the Equal Pay Act and civil rights laws and other progress, including increased access to reproductive health care, have helped narrow the wage gap over time, addressing the significant pay disparities that remain is critical for women and their families.

Equal Pay is Crucial for All Women

Women of color are paid less than white, non-Hispanic men.

- Black women working full time, year round typically make only 63 cents for every dollar paid to their white, non-Hispanic male counterparts. For Latinas this figure is only 54 cents, for Native Hawaiian and Pacific Islander women it is 59 cents, and for Native women it is 57 cents.⁵ While Asian women working full time, year round are typically paid only 87 cents for every dollar paid to their white, non-Hispanic male counterparts, the wage gap is substantially larger for some subgroups of Asian women. The wage gap translates into an annual loss of \$21,698 for Black women, \$26,403 for Latinas, \$24,007 for Native women, and \$7,310 for Asian women. Closing the wage gap is, therefore, particularly important for Black, Latina, and Native women who have lower incomes, and are more likely to be in poverty than white, non-Hispanic women and Asian women.

Mothers are paid less than fathers.

- In 2015, the most recent year for which we have data, mothers who worked full time, year round typically had lower earnings than fathers (\$40,000 compared to \$55,000), meaning mothers only make 71 cents for every dollar paid to fathers.⁷ Mothers of every race are typically paid less than white, non-Hispanic fathers.⁸

The wage gap affects single women without children, as well.

- Never-married women without children who work full time, year round are typically paid 76 cents for every dollar paid to men who work full time, year round.⁹

Women are affected by the wage gap as soon as they enter the labor force.

- The wage gap is smaller for younger women than older women, but it begins right when women enter the labor force. Women ages 15-24 working full time, year round are typically paid 88 cents for every dollar their male counterparts are paid.

NOTES
<i>What closing the wage gap would mean to me this year:⁴</i>
• Three months' supply of groceries \$1,927.50
• Three months' child care payments \$2,179.74
• Three months' rent \$2,840.16
• Three months' health insurance premiums \$1,239.00
• Five months' student loan payments \$1,665.00
• Five tanks of gas \$237.15
Total: \$10,088.55



- Among older women, the gap is larger. Women ages 45-64 working full time, year round are typically paid only 76 cents for every dollar their male counterparts are paid. For women still working at age 65 and older the figure is 67 cents.¹⁰

Older women also experience a wage gap in retirement income, due in large part to the wage gap they experienced during their working years.

- Based on today's wage gap, a woman who worked full time, year round would typically lose \$403,440 over a 40-year career.¹¹ This woman would have to work nearly ten years longer than her male counterpart to make up this lifetime wage gap. These lost wages severely reduce women's ability to save for retirement.
- As a result of lower lifetime earnings and different work patterns, the average Social Security benefit for women 65 and older is about \$14,044 per year, compared to \$18,173 for men of the same age.¹²

Lesbian women make less than men, regardless of their sexual orientation.

- According to the most recent analysis available, women in same-sex couples have a median personal income of \$38,000, compared to \$47,000 for men in same-sex couples and \$48,000 for men in different-sex couples.¹³

Transgender women make less after they transition.

- One study found that the average earnings of transgender women workers fall by nearly one-third after transition.¹⁴

Women with disabilities experience a wage gap.

- Women with disabilities working full time, year round are typically paid just 73 cents for every dollar men without disabilities working full time, year round are paid.¹⁵ When compared to their male counterparts with disabilities, this figure is 76 cents.

Women at all education levels experience a wage gap.

- Among full time, year round workers, women who started, but did not finish high school, make 73 cents for every dollar their male counterparts make.¹⁶
- In 2016, women in the United States with only high school diplomas working full time, year round were typically paid only 75 cents for every dollar paid to their male counterparts.
- Among workers with a Bachelor's degree or more, women typically make 75 cents for every dollar men make.¹⁷
- Even when women earn a Bachelor's degree, they still make less than what men with an Associate's degree make (\$52,032 v. \$52,121, respectively)—and men with only a high school degree but no college education typically make more

than women with an Associate's degree (\$40,218 v. \$41,263, respectively).¹⁸

Women in nearly every occupation face a wage gap.

- There is a gender wage gap in 98 percent of occupations.¹⁹
- Even workers in low-wage occupations²⁰ face a wage gap, with women who work full time, year round typically making only 75 percent of what men working in low-wage occupations make.²¹

Causes of the Wage Gap

Despite the fact that women have made enormous gains in educational attainment and labor force involvement in the last several decades—gains which have helped close the wage gap over time²²—unequal pay remains pervasive. Below are some of the reasons why.

Women are paid less for the same work.

- Numerous research studies show that compared to men, women are less likely to be hired, particularly for high-wage jobs, or are likely to be offered lower salaries.²³ For example, a recent experiment revealed that when presented with identical resumes, one with the name John and one with the name Jennifer, science professors offered the male applicant for a lab manager position a salary of nearly \$4,000 more, additional career mentoring, and judged him to be significantly more competent and hireable.²⁴
- Recent research reveals that even controlling for race, region, unionization status, education, work experience, occupation, and industry leaves 38 percent of the pay gap “unexplained.”²⁵ Discrimination is thought to be a major cause of this unexplained gap.

Women are overrepresented in low-wage jobs and underrepresented in high-wage ones.

- Women make up nearly six in ten (58 percent) workers in low-wage jobs that typically pay less than \$11 per hour, and seven in ten (69 percent) of those the lowest-wage jobs – those that typically pay less than \$10 per hour.²⁶ They disproportionately hold low-wage jobs like child care workers, home health aides, and fast food workers.²⁷
- Conversely, women are underrepresented in higher wage occupations.²⁸ This underrepresentation is due in part to the fact that women are discouraged from entering better paying fields, such as STEM.²⁹ Sometimes this discouragement is subtle, but other times it is very overt, in the form of harassment and other forms of discrimination.

Women's work is devalued because women do it.

- “Women's” jobs often pay less precisely because women



do them.³⁰ A study of more than 50 years of data revealed that when women moved into a field in large numbers, wages declined, even when controlling for experience, skills, education, race and region.³¹

Caregivers are discriminated against and face barriers that result in lower pay.

- Mothers are paid less than fathers and the motherhood wage penalty, which grows by an estimated seven percent for each child,³² is larger for low-wage workers.³³
- Employers' negative stereotypes about mothers harm mothers' job and salary prospects. In comparing equally qualified women candidates, one study revealed that mothers were recommended for significantly lower starting salaries, perceived as less competent, and less likely to be recommended for hire than non-mothers. The effects for fathers were just the opposite—fathers were recommended for significantly higher pay and were perceived as more committed to their jobs than men without children.³⁴
- Mothers' wages are also affected by a lack of support for women's disproportionate caregiving responsibilities. The high cost of child care and a lack of paid leave make it less likely that women with caregiving responsibilities are able to stay in the workforce.³⁵ This time out of work negatively impacts mothers' wages,³⁶ though policies like paid leave make it more likely that women will continue to work after having children, strengthening their connection to the workforce.³⁷
- Relatedly, increased access to contraception is one reason the gender wage gap closed in the last few decades of the 20th century. This access allowed women to control their fertility so that they could invest in education and increase their representation in non-traditional occupations, resulting in higher wages.³⁸

Women in unions experience smaller wage gaps—but rates of unionization are low.

- Less than 11 percent of the workforce belongs to a union, but those women who are members of unions experience

greater wage equality. The overall gender wage gap for union members is 53 percent smaller than the wage gap for non-union workers and wages for women who are members of unions, especially Latinas, are higher than those of their female counterparts who are not represented by unions.³⁹

- Unions not only bargain for higher wages, they reduce inequality by increasing pay transparency. For example, a recent analysis by a journalists' union of their wage data revealed pervasive pay inequality in the industry,⁴⁰ prompting a promise of immediate action by at least one national newspaper.⁴¹

What We Need To Do To Achieve Equal Pay

In order to finally achieve equal pay, we need to:

- Strengthen our equal pay laws so that women are better able to fight back against pay discrimination.⁴²
- Build ladders to better paying jobs for women by removing barriers to entry into male-dominated fields.⁴³
- Lift up the wages of women in low-wage jobs by raising the minimum wage and ensuring that tipped workers receive at least the regular minimum wage before tips.⁴⁴
- Increase the availability of high-quality, affordable child care.⁴⁵
- Help prevent and remedy caregiver discrimination, and protect workers from pregnancy discrimination.⁴⁶
- Establish fair scheduling practices that allow employees to meet their caregiving responsibilities and other obligations.⁴⁷
- Provide paid family and medical leave.⁴⁸
- Ensure women's access to the affordable reproductive health care they need.⁴⁹
- Protect workers' ability to collectively bargain.

**Every Woman Matters.
Every Dollar Matters.
Equal Pay Matters.**

1 National Women's Law Center (NWLC) calculations based on U.S. CENSUS BUREAU, *Current Population Survey, 2017 Annual Social and Economic Supplement* [hereinafter CPS, 2017 ASEC], Table PINC-05, available at <https://www.census.gov/data/tables/time-series/demo/income-poverty/cps-pinc/pinc-05.html> (last visited Sept. 12, 2017). Women working full time, year round had median annual earnings of \$41,554 in 2016. Men working full time, year round had median annual earnings of \$51,640 in 2016.

2 In 2016, the median earnings of women working full time, year round was \$41,554 and for men it was \$51,640. The ratio of these earnings was 80.47 cents. When rounded to a whole number, this ratio was 80 cents. In 2015, the median earnings of women working full time, year round was \$40,724 and for men it was \$51,212. The ratio of these earnings was 79.55 cents. When rounded to a whole number, this ratio was also 80 cents. For this reason, the rounded wage gap ratio remained at 80 cents in 2016, although the wage gap closed by nearly one penny between 2015 and 2016, the first statistically significant difference since 2007.

3 Fifty-eight percent of women in the U.S. surveyed cited equal pay as their primary workplace concern. *Gender pay gap is top workplace concern for U.S. women*, Thomson Reuters Foundation (2015), available at <http://www.womenatworkpoll.com/i/?id=7ebb7b13-3791-457d-ab6f-730ebd6c598f>. See also, Lydia Wheeler, *Equal pay top issue for working women, survey finds*, The Hill (Mar. 17, 2016), available at <http://>



thehill.com/regulation/labor/273414-equal-pay-top-issue-for-working-women-survey-finds, regarding a non-random survey of 25,000 working women by the AFL-CIO.

- 4 **Working** - U.S. DEP'T OF AGRICULTURE (USDA), *Official USDA Food Plans: Cost of Food at Home at Four Levels, U.S. Average, July 2017* (2017), available at <https://www.cnpp.usda.gov/sites/default/files/CostofFoodJul2017.pdf>. (last visited Sep. 12, 2017). Calculation is based on the USDA thrifty food plan for a family of four (two adults 19-50 and children 6-8 and 9-11) estimated at \$642.50 per month. **Child Care** - *Child Care Aware of America, Parents and the High Cost of Child Care: 2016 Report, Appendix III*, available at http://usa.childcareaware.org/wp-content/uploads/2016/12/cca_High_Cost_Appendices_2016.pdf. Average costs for child care in a center in Florida for a four-year-old \$8,719 annually in 2016 or \$726.58 per month). Florida's cost for this type of child care falls at the median of all state averages (including the District of Columbia). **Rent Payments** - U.S. CENSUS BUREAU, *American Housing Survey: 2015*, using American Housing Survey Table Creator (last visited Sep. 12, 2017). Median housing costs for renters was \$923 per month in 2015). Adjusted for inflation (http://www.bls.gov/data/inflation_calculator.htm) to 2017, this figure is \$946.72. **Health Insurance Premiums** - U.S. DEP'T OF HEALTH AND HUMAN SERV., AGENCY FOR HEALTHCARE RESEARCH AND QUALITY, *Medical Expenditure Panel Survey: 2016*, Table II.D.2 (2016) Average total employee contribution (in dollars) per enrolled employee for family coverage at private-sector establishments that offer health insurance by firm size and State: United States, 2016, available at https://meps.ahrq.gov/data_stats/summ_tables/insr/state/series_2/2016/tiid2.htm. Average monthly employee contribution for employer-based family coverage (\$4,956 annually or \$413.00 per month). **Loan Payments** - THE INSTITUTE FOR COLLEGE ACCESS AND SUCCESS, THE PROJECT OF STUDENT DEBT, *STUDENT DEBT AND THE CLASS OF 2015* (Oct. 2015), available at http://ticas.org/sites/default/files/pub_files/classof2014.pdf. Average monthly payment for a class of 2014 bachelor's degree graduate with the average student debt of \$28,950 for students who had loans. Calculation assumes ten-year standard repayment plan and all debt in the form of direct unsubsidized loans and single taxpayer status (6.8 percent interest). Initial monthly payment of \$333 calculated using the Department of Education's loan repayment calculator available at <https://studentloans.gov/myDirectLoan/mobile/repayment/repaymentEstimator.action>. **Tanks of Gas** - Calculations based on average tank of gas in 2017 and a 17 gallon gas tank. Gas prices from U.S. ENERGY INFORMATION ADMINISTRATION, *Weekly Retail Gasoline and Diesel Prices*, available at http://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_nus_w.htm (last visited Sep.12, 2017). Average cost of all grades of gasoline in September 2017 rounded to \$2.79 per gallon. At this price, it would cost \$47.43 to fill up a 17 gallon tank.
- 5 Figures for Black women, Latina women, and Asian women are NWLC calculations based on CPS, 2017 ASEC, *supra* note 1, Table PINC-05. Figures for Native Hawaiian and Pacific Islander women and Native women are NWLC calculations based on American Community Survey 2016 [hereinafter ACS 2016], Tables B20017H, B20017C, and B20017E, available at <https://www.census.gov/programs-surveys/acs/> (last visited Sept. 14, 2017). White, non-Hispanic women who work full time, year round make 79 cents for every dollar made by their white, non-Hispanic male counterparts (CPS, 2017 ASEC, *supra* note 1, Table PINC-05).
- 6 NWLC, *THE WAGE GAP AND ASIAN WOMEN* (Mar. 2017), available at <https://nwlc.org/resources/the-wage-gap-and-asian-women/>.
- 7 Jasmine Tucker, NWLC, *Equal Pay for Mothers is Critical for Families* (May 2017), available at <https://nwlc.org/resources/equal-pay-for-mothers-is-critical-for-families/>.
- 8 *Id.*
- 9 NWLC calculations based on CPS, 2017 ASEC using CPS Table Creator, *supra* note 1. Figure is the ratio of median annual earnings of women who have never been married without children under 18 in the home, compared to median annual earnings of men regardless of marital status and number of related children under 18 living in the home.
- 10 NWLC calculations, CPS, 2017 ASEC, *supra* note 1, Table PINC-05.
- 11 *Id.* These calculations were not adjusted for inflation and assume a constant gap of \$10,086 annually, calculated by subtracting women's median earnings (\$41,554) from men's (\$51,640).
- 12 NWLC calculations based on U.S. Social Security Administration, Annual Statistical Supplement to the Social Security Bulletin, 2016 (Feb. 2016), Table 5.A16, available at <https://www.ssa.gov/policy/docs/statcomps/supplement/2016/5a.html#table5.a16>. The average monthly benefit for all female beneficiaries 65 and older was \$1,170.33, or about \$14,044 per year as of December 2015, compared to \$1,514.42 per month, or \$18,173 per year for all male beneficiaries 65 and older. Benefits are slightly higher for both women and men receiving benefits as retired workers.
- 13 Gary J. Gates, THE WILLIAMS INSTITUTE, *Same-sex and Different-sex Couples in the American Community Survey 2005-2011* (Feb. 2013), available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/acs-2013.pdf>. Figures only include people in labor force. Due to data limitations, they do not include lesbian or gay individuals who are not part of a couple. These figures are median annual personal income for all workers in the labor force - these figures differ from the median annual earnings for full-time, year-round workers reported for the wage gap and are not directly comparable.
- 14 Kristen Schilt & Matthew Wiswall, *Before and After: Gender Transitions, Human Capital, and Workplace Experiences*, THE B.E. JOURNAL OF ECONOMIC ANALYSIS & POLICY 1 (Sept. 2008), available at <http://www.degruyter.com/view/j/bejeap.2008.8.1/bejeap.2008.8.1.1862/bejeap.2008.8.1.1862.xml>.
- 15 NWLC calculations from CPS, 2017 ASEC using CPS Table Creator, *supra* note 6. Ratio of median person earnings for men and women working full time, year round, with and without a disability.
- 16 NWLC calculations from CPS, 2017 ASEC, *supra* note 1, Table PINC-03. This compares median earnings for men and women 25 and older who worked full time, year round who have some high school education but did not graduate or receive a GED.
- 17 *Id.* Figures are for full time, year round workers.
- 18 *Id.* Figures are for full time, year round workers.
- 19 NWLC calculations based on U.S. Census Bureau, Table Packages, (2016), Table 1, available at http://www.census.gov/people/io/publications/table_packages.html?eml=gd&utm_medium=email&utm_source=govdelivery.
- 20 "Low-wage jobs" or the "low-wage workforce" could be defined in many different ways. This analysis defines low-wage jobs as those that paid a median hourly wage of less than \$11 in 2016. Median hourly wages for occupations were determined using U.S. Department of Labor, Bureau of Labor Statistics, May 2016 National Occupational Employment and Wage Estimates, available at https://www.bls.gov/oes/current/oes_nat.htm.
- 21 NWLC calculations based on U.S. Census Bureau, 2016 Current Population Survey, using Sarah Flood et al., Integrated Public Use Microdata Series (IPUMS), Current Population Survey: Version 4.0 [dataset]. Minneapolis: University of Minnesota, 2015. Figures are for full time, year round workers.



- 22 Francine Blau & Lawrence Kahn, *The Gender Wage Gap: Extent, Trends and Explanations*, NAT'L BUREAU OF ECONOMIC RESEARCH 3 (Jan. 2016), available at <http://www.nber.org/papers/w21913.pdf>.
- 23 See Blau & Kahn, *supra* note 24 at 33 for a review.
- 24 Corrine A. Moss-Racusin, et al., *Science faculty's subtle gender biases favor male students*, PROCEEDINGS OF THE NAT'L ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA (Aug. 2012), available at <http://www.pnas.org/content/109/41/16474.abstract#aff-1>.
- 25 Blau & Kahn, *supra* note 24 at 8, 72.
- 26 Jasmine Tucker & Kayla Patrick, NWLC, CHART BOOK: WOMEN IN LOW-WAGE JOBS MAY NOT BE WHO YOU EXPECT (Aug. 2017), available at <https://nwlc.org/resources/women-in-low-wage-jobs-may-not-be-who-you-expect/>.
- 27 NWLC, UNDERPAID & OVERLOADED: WOMEN IN LOW-WAGE JOBS (July 2014), available at <https://nwlc.org/resources/underpaid-overloaded-women-low-wage-jobs/>.
- 28 NWLC, 50 YEARS & COUNTING: THE UNFINISHED BUSINESS OF ACHIEVING FAIR PAY 6 (June 2013), available at <http://nwlc.org/resources/50-years-counting-unfinished-business-achieving-fair-pay/>.
- 29 Dawn Johnson, *Campus Racial Climate Perceptions and Overall Sense of Belonging Among Racially Diverse Women in STEM Majors*, JOURNAL OF COLLEGE STUDENT DEVELOPMENT 336 (March/April 2012), available at http://muse.jhu.edu/login?auth=0&type=summary&url=/journals/journal_of_college_student_development/v053/53.2.johnson.html.
- 30 Philip N. Cohen, *Devaluing and Revaluing Women's Work*, HUFFINGTON POST, (May 25, 2011), available at http://www.huffingtonpost.com/philip-n-cohen/devaluing-and-revaluing-w_b_444215.html.
- 31 Asaf Levanon, Paula England & Paul Allison, *Occupational Feminization and Pay: Assessing Causal Dynamic Using 1950-2000 U.S. Census Data*, SOCIAL FORCES (Dec. 2009), available at <http://sf.oxfordjournals.org/content/88/2/865.short>.
- 32 Michelle J. Budig & Paula England, *The Wage Penalty for Motherhood*, AMERICAN SOCIOLOGICAL REVIEW 213 (Apr. 2001), available at <http://www.jthomasni.u.org/class/781/Assigns/budig-wage.pdf>.
- 33 Michelle J. Budig & Melissa J. Hodges, *Differences in Disadvantage: Variation in the Motherhood Penalty across White Women's Earnings Distribution*, AMERICAN SOCIOLOGICAL REVIEW 1 (Oct. 2010), available at https://www.researchgate.net/profile/Michelle_Budig/publication/241644194_Differences_in_Disadvantage_Variation_in_the_Motherhood_Penalty_across_White_Womens_Earnings_Distribution/links/0deec52d6c3611b301000000.pdf; Tucker, *Equal Pay for Mothers is Critical for Families*, *supra* note 8.
- 34 Shelley J. Correll, Stephan Benard, & In Paik, *Getting a Job: Is There a Motherhood Penalty*, AMERICAN JOURNAL OF SOCIOLOGY (Mar. 2007), available at https://sociology.stanford.edu/sites/default/files/publications/getting_a_job-_is_there_a_motherhood_penalty.pdf.
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- 37 Houser & Vartanian, *supra* note 37 at 6-7.
- 38 Martha J. Baily, Brad Hershbein, & Amalia R. Miller, *The Opt-In Revolution? Contraception and the Gender Gap in Wages*, NAT'L BUREAU OF ECONOMIC RESEARCH, 2-3 (June 2012), available at <http://www.nber.org/papers/w17922.pdf>.
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- 45 See generally Karen Schulman & Helen Blank, NWLC, *Building Blocks: State Child Care Assistance Policies 2015* (Oct. 2015), available at <http://nwlc.org/resources/building-blocks-state-child-care-assistance-policies-2015/>; NWLC, SET UP FOR SUCCESS: SUPPORTING PARENTS IN LOW-WAGE JOBS AND THEIR CHILDREN: AN AGENDA FOR ACTION 17-22 (July 2016), available at <https://nwlc.org/resources/set-up-for-success-why-early-care-and-education-policies-must-address-low-wage-working-parents-needs-2/>.
- 46 NWLC, THE PREGNANT WORKERS FAIRNESS ACT: MAKING ROOM FOR PREGNANCY ON THE JOB (May 2017), available at <https://nwlc.org/resources/pregnant-workers-fairness-act-making-room-pregnancy-job/>; NWLC, IT SHOULDN'T BE A HEAVY LIFT: FAIR TREATMENT FOR PREGNANT WORKERS (June 2013), available at <http://www.nwlc.org/resource/it-shouldnt-be-heavy-lift-fair-treatment-pregnant-workers>.
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- 48 NWLC, PAID LEAVE IS CRUCIAL FOR WOMEN AND FAMILIES (Dec. 2013), available at <http://www.nwlc.org/resource/paid-leave-crucial-women-and-families>.
- 49 NWLC, REPRODUCTIVE HEALTH IS PART OF THE ECONOMIC HEALTH OF WOMEN AND THEIR FAMILIES (Feb. 2016), available at <http://nwlc.org/resources/reproductive-health-part-economic-health-women-and-their-families/>, and NWLC, MOVING WOMEN & FAMILIES FORWARD: A STATE ROADMAP TO ECONOMIC JUSTICE (March 2016), available at http://nwlc.org/wp-content/uploads/2015/02/final_nwlc_2016_StateRoadmapv2.pdf.

