

END PAY DISCRIMINATION

THE PROBLEM

American families are facing an affordability crisis: low-paid workers' wages have [failed to keep up with inflation](#) as the result of decades of policies to suppress wages, making it more and more difficult to make ends meet. Gender and racial pay disparities make this crisis especially acute for women, especially women of color. Women working full time, year-round were paid just [81 cents](#) for every dollar paid to men in 2024, the most recent year for which data is available. The wage gaps experienced by many women of color were even larger than the overall gender wage gap—nationally, [Black women](#), [Indigenous women](#), and [Latinas](#) working full time, year-round, were paid just 65 cents, 58 cents, and 58 cents, respectively, for every dollar paid to their white, non-Hispanic male counterparts. [Asian American, Native Hawaiian, and Pacific Islander \(AANHPI\) women](#) working full time, year-round typically are paid only 95 cents for every dollar paid to their white, non-Hispanic male counterparts, but the wage gap was [substantially larger for some subgroups of Asian American women](#). This amounts to tens of thousands of dollars in lost wages every year, and hundreds of thousands over a lifetime—wages that could have gone towards paying for basic needs like [housing, child care, and health care](#). And because women, especially Black women, Indigenous women, and Latinas, increasingly serve as [sole or co-breadwinners](#) for their families, the wage gap causes real, concrete harms to their families as well.

[Several factors work together to cause the pay gap](#)—including the undervaluing of jobs predominantly held by women; lack of support for caregiving responsibilities, which women disproportionately bear; and barriers to reproductive health care—but discrimination plays a decisive role. Pay discrimination persists in part because of outdated stereotypes that continue to influence workplace decision making, such as the idea that families do not rely on women's income and that women do not need higher pay, which stand in stark contrast to the economic reality for women and their families. Stereotypes about appropriate behavior for women also negatively impact earnings for women who do not conform to those stereotypes, including [lesbian women and transgender women](#). And many common employer pay setting practices, like [relying on an applicant's salary history](#) to set pay or [refusing to be transparent about salary ranges](#) with applicants or employees, perpetuate the wage gap. Pay discrimination is difficult to detect, in part because [62% of](#)

[private sector women workers](#) report that discussing their wages is either prohibited or discouraged by employers—despite the fact that such prohibitions are often already illegal under the [National Labor Relations Act](#). And even when working people discover unfair pay, loopholes in the law make it difficult to hold employers responsible for pay discrimination.

THE SOLUTION

- Prohibit employers from requiring job applicants to provide their [salary history](#) in the hiring process and from relying on applicants' salary history to set pay.*
- Require employers to be transparent about pay ranges in job announcements and with employees.*
- Prohibit employers from retaliating against employees who discuss pay information with co-workers or applicants.
- Strengthen equal pay laws to explicitly include pay discrimination based on other protected characteristics such as race, ethnicity, gender identity, or disability, in addition to sex. This will give employees even more tools to address the full array of pay discrimination, including intersectional discrimination that they may experience based on their membership in multiple protected classes (e.g., race, disability, national origin).
- Require equal pay for “substantially similar” or “comparable” work to ensure that jobs that are similar in terms of skills, responsibility, and working conditions are compensated equally.
- Require employers to prove that any gender-based pay differences are truly caused by something, other than sex, that is consistent with a business necessity and that accounts for the entire differential.
- Specify that the deadline to pursue an equal pay claim starts over each time an employee receives a paycheck that is lower because of discrimination.
- Allow employees with successful pay discrimination claims to recover compensatory and punitive damages to fully compensate for their losses.
- Require the state to [collect data](#) from employers about what their employees are paid by job category. Ensure this data is broken down by gender and other protected categories, such as race and ethnicity.
- Require all companies that bid for and/or receive government contracts, as a condition of receiving the contract, to analyze their pay practices for wage gaps, report race and gender wage gaps and commit to addressing them, and certify ongoing compliance with pay equity laws and principles.
- Increase funding and authority for labor and [civil rights enforcement](#) agencies.

TALKING POINTS ON THE SOLUTION

- Ending pay discrimination will make it more possible for workers to afford basic necessities, support their families, and live with dignity. The [majority of working women](#) (56%) reported in a February 2026 poll that the amount they get paid is a major source of stress in their lives. Bringing women's earnings in line with men's would typically bring in an [additional \\$13,570 a year](#) to support a family and pay for three months' supply of groceries, three months' child care payments, three months' rent, three months' family health insurance premiums, two months' student loan payments, and three tanks of gas.
- Closing the wage gap is particularly important for Black, Latina, and Indigenous women, who tend to be paid less than white, non-Hispanic women. Bringing Black women's earnings in line with white, non-Hispanic men's would typically bring in an additional [\\$28,340](#) per year. For Latinas, it would bring in an additional [\\$33,620](#), and for Indigenous women an additional [\\$31,818](#). In practice, this means thousands of dollars every year—and [hundreds of thousands over the course of one's career](#)—that could have gone toward investing in further education, building a retirement fund, or saving for a financial emergency.
- Taking steps to address equal pay is crucial to employee recruitment and retention. Equal pay measures, including salary range transparency, help reassure employees and job applicants that their salary accurately values their work and give employers the tools to efficiently, effectively, and fairly hire the best workers.
- Pay range transparency requirements can help level the negotiating playing field and incentivize employers to proactively review and evaluate their compensation practices and address any unjustified disparities between employees.

Public Popularity

- [Seven in 10 voters](#) (70%) said it's important for the government to take action to close the gender pay gap in a November 2024 poll. A July 2023 survey showed [support](#) extends across partisan and demographic lines.
- A November 2022 poll demonstrated that [nearly all workers](#) (98%) believe employers should disclose salary ranges in their job postings, and more than half (53%) would refuse to apply for a job that does not disclose the salary range. When looking for a job, [nearly three in five adults](#) (58%) preferred job postings that include a pay range for the position in a September 2023 poll. More than a third have applied for a job they would not have otherwise interested them because of the pay range listed alongside it.
- [A majority of adults](#) (66%) said requiring employers to disclose how much a job pays in job announcements would help them and their families in an April 2026 poll.

State-Specific Data

- Click [here](#) for the wage gap for all 50 states with state rankings for [women overall](#), [Black women](#), [Latinas](#), [Indigenous women](#), [Asian women](#), and [Native Hawaiian and other Pacific Islander women](#).
- Click [here](#) for the lifetime wage gap (the amount of money a woman stands to lose to the wage gap over a forty-year career) by state for [women overall](#), [Black women](#), [Latinas](#), [Indigenous women](#), [Asian women](#), and [Native Hawaiian and other Pacific Islander women](#).

Examples of State and Local Policies

- Seventeen states and the District of Columbia have passed [pay range transparency laws](#) so job applicants can know how much they can expect to be paid when they apply for a position. And 21 states and the District of Columbia have enacted laws protecting employees from retaliation for [discussing their pay](#).
- Eighteen states and the District of Columbia have enacted laws prohibiting both private and public employers from seeking a job applicant's [prior salary](#) and/or relying on salary history to set pay: [California](#), [Colorado](#), [Connecticut](#), [Delaware](#), [Hawai'i](#), [Illinois](#), [Maine](#), [Maryland](#), [Massachusetts](#), [Minnesota](#), [Nevada](#), [New Jersey](#), [New York](#), [Oregon](#), [Rhode Island](#), [Vermont](#), [Virginia](#), [Washington](#).
- [California](#) and [Illinois](#) have enacted laws requiring employers to report their pay data broken down by sex and race.
- [Since 2019](#), 11 states have passed or amended their equal pay laws to extend to other protected classes, or require equal pay for "substantially similar" or "comparable work," or close loopholes in employers' available defense, adjust the statute of limitations, or increase available damages.

*Contact stategenderpolicy@nwlc.org for our pay range transparency advocacy toolkit and salary history model legislation.