

The Fight for Pay Equity: A Federal Road Map

Updated September 2019

In 2018, median annual earnings in the U.S. for men working full time, year-round were \$55,291, compared to just \$45,097 for women, according to the most recent census data. **That means women were paid just 82% percent of men's earnings — a gap of 18 percent.** The gap narrowed over the past half-century, but progress has stalled in recent years. Our federal equal pay laws need an update and agencies can do more to ensure women bring home the pay they have rightfully earned.



Pass federal bills advancing pay equity. Congress must take action to close the gender pay gap by passing legislation that will enable all women to take home a fair paycheck.

- ☐ The **Paycheck Fairness Act** would protect workers by updating and strengthening the Equal Pay Act of 1963.
- ☐ The **Pay Equity for All Act** would prohibit employers from seeking salary history during the hiring process.
- ☐ The **Fair Pay Act** would require employers to provide equal pay for work of equivalent value.



Implement and enforce agency actions. Agencies must take action to help identify and close gender and race-based pay gaps by implementing meaningful executive branch actions.

- ☒ Prohibit retaliation against employees of federal contractors who discuss or disclose their wages.
- ☒ Require employers to annually collect and report summary pay data by gender, race, and ethnicity.
- ☐ Ensure more salaried employees receive appropriate overtime pay.

Texas: Tell your member of Congress you want fair pay!

Current Member of Congress	District	Men (2018)	Women (2018)	Earnings Ratio (2018)	Ranking in State*	Current Member of Congress	District	Men (2018)	Women (2018)	Earnings Ratio (2018)	Ranking in State *
Gohmert (R)	TX-01	\$46,104	\$33653	73.0%	29	Arrington (R)	TX-19	\$45,489	\$34,380	75.6%	25
Crenshaw (R)	TX-02	\$62,304	\$52482	84.2%	8	Castro (D)	TX-20	\$40,598	\$34,443	84.8%	6
Taylor (R)	TX-03	\$79,121	\$52387	66.2%	33	Roy (R)	TX-21	\$58,870	\$47,801	81.2%	13
Ratcliffe (R)	TX-04	\$51,298	\$37433	73.0%	29	Olson (R)	TX-22	\$68,227	\$52,195	76.5%	21
Gooden (R)	TX-05	\$46,506	\$35994	77.4%	19	Hurd (R)	TX-23	\$45,065	\$36,030	80.0%	16
Wright (R)	TX-06	\$50,961	\$43161	84.7%	7	Marchant (R)	TX-24	\$60,795	\$48,800	80.3%	14
Fletcher (D)	TX-07	\$57,780	\$50068	86.7%	4	Williams (R)	TX-25	\$58,800	\$44,796	76.2%	22
Brady (R)	TX-08	\$57,884	\$44891	77.6%	18	Burgess (R)	TX-26	\$69,183	\$50,965	73.7%	27
Green (D)	TX-09	\$36,660	\$32443	88.5%	3	Cloud (R)	TX-27	\$46,691	\$35,803	76.7%	20
McCaul (R)	TX-10	\$62,467	\$47414	75.9%	24	Cuellar (D)	TX-28	\$40,466	\$31,812	78.6%	17
Conaway (R)	TX-11	\$50,882	\$36182	71.1%	30	Garcia (D)	TX-29	\$36,101	\$29,734	82.4%	9
Granger (R)	TX-12	\$59,315	\$43593	73.5%	28	Johnson (D)	TX-30	\$41,592	\$38,609	92.8%	1
Thornberry (R)	TX-13	\$48,105	\$35640	74.1%	26	Carter (R)	TX-31	\$56,086	\$45,818	81.7%	11
Weber (R)	TX-14	\$60,345	\$41924	69.5%	31	Allred (D)	TX-32	\$56,915	\$50,895	89.4%	2
Gonzalez (D)	TX-15	\$39,591	\$32562	82.2%	10	Veasey (D)	TX-33	\$35,318	\$28,324	80.2%	15
Escobar (D)	TX-16	\$39,937	\$32598	81.6%	12	Vela (D)	TX-34	\$36,668	\$27,853	76.0%	23
Flores (R)	TX-17	\$48,926	\$39117	80.0%	16	Doggett (D)	TX-35	\$40,346	\$37,430	92.8%	1
Jackson Lee (D)	TX-18	\$41,929	\$36288	86.5%	5	Babin (R)	TX-36	\$56,992	\$39,500	69.3%	32

Source: U.S. Census Bureau, American Community Survey, 2018.

*The congressional districts are ranked from smallest wage gap to largest wage gap.



The Fight for Pay Equity: A State Road Map for Texas

In 2018, median annual earnings for men in Texas were \$50,394 compared to \$40,499 for women — **an earnings ratio of just 80 percent, or 23rd out of all states and the District of Columbia**, according to the most recent census data. The gap is worse for most women of color and working mothers. With Congressional gridlock at the federal level, states are working to enact their own legislation. Check out which provisions Texas still needs to pass to help close the gap.

☐ Protections

- ☒ Include equal pay or employment discrimination provision
- ☐ Cover all or most employees
- ☒ Include protected classes in addition to sex
- ☒ Prohibit retaliation/discrimination for taking legal action to secure equal pay
- ☐ Prohibit retaliation/discrimination for discussing/disclosing wages
- ☐ Prohibit using salary history in hiring
- ☐ Make salary range available
- ☐ Prohibit job tracking based on sex
- ☐ Prohibit reducing another employee's pay to comply with law

☐ Occupational Segregation

- ☐ Include comparable work/substantially similar standard
- ☐ Include mechanism to guide and enforce pay adjustments

☐ Defenses/Rebuttals

- ☐ Narrow reasons employers can use to justify pay differences
- ☐ Require consideration of less discriminatory practices
- ☐ Prohibit agreement to a lesser wage as a defense

☐ Remedies

- ☐ Require liable employer to pay employee's damages
- ☐ Require liable employer to pay additional penalties for multiple violations
- ☐ Require liable employer to pay employee's costs and attorney's fees

☐ Procedures

- ☐ Permit class action lawsuits or joined claims
- ☐ Explicitly reset statute of limitations if continuing violation
- ☒ Include private right of action

☐ Preventative Measures

- ☐ Require employers to keep records of wages
- ☐ Require employers to collect data on pay gap
- ☐ Create state advisory committee on pay equity
- ☐ Sponsor state education and training programs, such as salary negotiation

To learn more, check out AAUW's helpful resources at www.aauw.org/fairpay.