

## 2022 AAUW-WA WA Quick Facts on Pay Equity

*For AAUW-WA, Economic Security for women is non-negotiable. Equal Pay, Paid Family and Medical Leave, Workplace Protections from Sexual Harassment, Student Debt, and Reproductive Rights are some of the key issues that play a role in economic security for women. See [AAUW Research Reports](#) on our website.*

### Pay Equity

We need to know a candidate's position on **equal pay** and the **gender pay gap** for the 2022 elections. The **gender pay gap** persists across all racial and ethnic groups, at different levels of educational attainment, and it is found in every state and virtually every occupation.<sup>i</sup>

Washington state has been a leader in establishing equal pay laws, but that doesn't mean we are anywhere close to equal pay. In some districts in WA state the pay gap was 67.9% before the pandemic (2019). Find your district pay gap data using the [AAUW Check list for WA state](#).<sup>ii</sup>

AAUW has a check list of legislation needed for each state to reach equal pay. In 2021 we "checked off" one more box with the passage of the salary history ban bill [HB 1696](#). In 2022, we checked off another box with the passage of the wage and salary transparency law ([SB 5761](#)). We still have seven more boxes to check off.

We see an alarming trend in the past 5 years that suggests we are moving toward a majority of state legislators who oppose new equal pay legislation.

- In 2018, the Gender Pay Equity bill [HB1506](#) passed with broad bipartisan support.
- In 2019, the salary history ban bill [HB 1696](#) passed with only partisan support.
- In 2022, the wage and salary transparency law ([SB 5761](#)) passed, but with strong bipartisan and business lobbyists opposition.

In 2022, 51 legislators across the state opposed the wage and salary transparency bill. There was opposition from business association lobbyists: the Washington Retail Association; the Independent Business Association; and the Association of Washington Business (AWB).

A misleading argument made by some business groups and legislators opposing equal pay is that the equal pay laws hurt small businesses despite WA state laws passed with exemptions for small business. We can work together to make equal pay work for people and businesses (who are NOT people<sup>iii</sup>).

AAUW is confident that Equal Pay and Supporting Business is a win-win. Let your legislators know about AAUW's close work with businesses to ensure equal pay works for people and companies. Let them know we expect them to support equal pay for women. See AAUW's [Why Gender Equity is Good for Employers](#) for talking points. See AAUW's [Employer Guide: Sexual Misconduct](#). See also [Best Practice's Playbook](#) report pdf.

You can find other equal pay talking points by reading AAUW reports on Equal Pay found on our [Public Policy Publications](#) webpage or searching national AAUW website: <https://www.aauw.org/>.

One way to translate pay gap data into real-life experience is to apply the pay gap differential to your own job and location. AAUW provides pay gap data by state congressional districts (CD).<sup>iv</sup> In Washington state, the gender pay gap in 2019 was 82%. For every dollar a man makes a woman makes 82 cents. The gender pay gap ranged from 67.9% to 87% across our state congressional districts.

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Ask your legislator to apply the gender pay gap scenario to a legislator's salary.

A state legislator salary for 2022 is \$57,268 a year. If we apply the gender pay gap differential to the state legislative salary, a male legislator will make \$57,268, whereas a female legislator in CD1 will make \$39,819, a female legislator in CD2 will make \$43,233 and a female legislator in CD7 will make \$43,870.<sup>v</sup>

**Ask the Question:** What factors do you think contribute to the gender pay gap? Do you support passage of legislation to strengthen and improve the effectiveness of existing civil rights laws aimed at closing the pay gap between men and women?

Ask your legislator to apply the gender / racial pay gap scenario to a legislator's salary.

The gender pay gap persists across all racial and ethnic groups, at different levels of educational attainment, and is found in every state and virtually every occupation.<sup>vi</sup> The pay gap for women in the US was 83% in 2021, for Black women it was 63% and for Latinas it was 58%.<sup>vii</sup>

If we apply the national pay gap differential to legislators of color in the Washington state, a Black female legislator will make \$36,462 and a Latina female legislator \$33,568 a year. A Black male legislator will make \$42,828, a white male legislator will make \$57,268.

**Ask the Question:** What factors do you think contribute to a racial pay gap? What policies would you support to close the racial pay gap in Washington state. For example, would you support amending the Gender Pay Equity law [49.58.020](#) to include Gender and Racial Pay Equity?

### Federal Equal Pay Legislation

See AAUW's History of [Equal Pay legislation timeline](#). AAUW provides a checklist of state legislation needed to close the pay gap.<sup>viii</sup> But many big companies' employ people in multiple states. We need federal equal pay legislation. The House passed the [Paycheck Fairness Act](#) in April 2021; and only 7 of our 10 WA legislators supported the bill. CD3 Herrera-Buetler, CD4 Newhouse, and CD5 McMorris-Rodgers voted against the bill.

**Candidate Question:** What federal policies would you support, or oppose, to help close the pay gap? Do you support our state Gender Pay Equity Act?

### Local Equal Pay Legislation

AAUW has worked with cities to pass equal pay resolutions and ordinances. See AAUW report on the [Pay Gap in 25 Major Cities](#).

### Salary History Ban

An employer's reliance on salary history can introduce bias into the hiring process. This practice contributes to and perpetuates the pay gap many women and people of color face in their careers.<sup>ix</sup>

**In Washington**, the Equal Pay and Opportunities Act (EPOA) prohibits Washington employers from inquiring about an applicant's salary history. This sounds good but there are two significant loopholes. Employers cannot ask about salary history in the initial interview, but an applicant can volunteer their salary history AND an employer can ask and consider salary history after an initial hiring offer. This places the burden on the applicant to know the legal loopholes in our state laws. Some state laws include a requirement for employers to "post" information about labor laws or include the information in an employee handbook.

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**Question:** Would you support legislation to close the loopholes in our salary history legislation? What role should the state have in educating employees about state labor laws?

**Federal legislation:** The Pay Equity for All Act would prohibit employers from using salary history to set pay but like so many pay equity bills it is not moving forward. In March 2022, President Biden issued an Executive Order regarding proposed rules prohibiting federal contractors from seeking or using salary history in employment decisions.<sup>x</sup>

**Federal Question:** Do you support a federal rule targeted to federal contractors that bans salary history or a more general rule that applies to a wider group of employers? Should small businesses be exempt? If so, how would you define a small business and why should they be exempt?

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<sup>i</sup> See AAUW [Gender Equity is Good for Business](#).

<sup>ii</sup> Equal pay laws missing in WA state: Protections - Prohibit reducing another employee's pay to comply with law; Occupation Segregation - Include mechanism to guide and enforce pay adjustments; Defense/rebuttals - Require consideration of less discriminatory practices and Prohibit agreement to a lesser wage as a defense; Prevention measures - Require employers to keep records of wages, Require employers to collect data on pay gap, and Sponsor state education and training programs, such as salary negotiation.

[https://ww3.aauw.org/aauw\\_check/pdf\\_download/show\\_pdf.php?file=Gender\\_Pay\\_Gap\\_Washington](https://ww3.aauw.org/aauw_check/pdf_download/show_pdf.php?file=Gender_Pay_Gap_Washington)

<sup>iii</sup> Businesses are NOT people why do we give them individual rights? See The Brennan Center report: <https://www.brennancenter.org/our-work/research-reports/citizens-united-explained>

<sup>iv</sup> See [AAUW 2020 Washington State Pay Gap report](#).

<sup>v</sup> AAUW-WA data analysis available on request.

<sup>vi</sup> See AAUW [Gender Equity is Good for Business](#).

<sup>vii</sup> EOI report 2022 report. <https://www.opportunityinstitute.org/blog/post/equal-pay-day-2022-work-still-remains-to-advance-gender-equity/>

<sup>viii</sup> See [AAUW 2020 Washington State Pay Gap report](#).

<sup>ix</sup> See AAUW [State and Local Salary History bans](#).

<sup>x</sup> March 15, 2022 Presidential Actions: [Salary History](#).