

# WOMEN OF COLOR DESERVE EQUAL PAY TOO!

## DID YOU KNOW THAT OUR EQUAL PAY LAWS DO NOT PROTECT PEOPLE OF COLOR OR PEOPLE WITH DISABILITIES?

A woman of color making less than her white female colleague, doing the same job, would not have an equal pay claim.

Despite the fact that The Equal Pay Act is 60 years old and Vermont's own equal pay laws date back to 2002, the gender pay gap continues. White, non-Hispanic women stand to lose more than \$500,000 over their career compared to white, non-Hispanic men. It is even worse for Black and Latine women. Black women would lose over \$900,000; Latine women would lose more than one million dollars. Similar statistics exist for women with disabilities and transgender women after transition.

**EQUAL PAY IS A HUMAN RIGHT, AND IT BELONGS TO EVERYBODY** When we exclude race, national origin, disability, etc. from our equal pay laws, we deny women with intersecting identities protection under the law.

We deny them the choice, opportunities, and the chance to improve their circumstances. Passing laws that prohibit discrimination in housing, businesses or employment has minimal effect if the laws do not also ensure people can earn the wages necessary to buy in the neighborhood of their choice or to purchase the goods and services they need. There is no equality without equal pay.

## CAN'T THESE GROUPS JUST BRING A DISCRIMINATION CLAIM?

Discrimination cases are hard to prove because a plaintiff must show her employer intended to discriminate against her. On the other hand, equal pay claims do not require a showing of intent. Equal pay laws address a historical problem with the wage gap regardless of an individual employer's beliefs or stereotypes about women.

## IS EQUAL PAY HARMFUL TO EMPLOYERS?

No. The equal pay laws have been in place for 60 years and employers generally support equal wages for employees doing the same work. Furthermore, Vermont's equal pay law permits employers to pay differential wages based on a seniority system, a merit system, a system in which earnings are based on quantity or quality of production and a bona fide factor. Thus, it allows employers to address systemic discrimination while ensuring the health of their operations and profits. In fact, paying

all women more not only benefits the employee and employer, but it also lifts up state's economies as well.

## WHICH STATES HAVE LED THE WAY?

At least two-thirds of states across the country are revisiting their equal pay laws in an effort to make them more inclusive. Several states have passed equal pay laws that specifically aim to protect the rights of all women in the workplace. These laws prohibit employers from paying employees of different genders or races differently for substantially similar work. Some of the states with these laws include California, New York, and Massachusetts.

## WHAT IS VERMONT DOING?

The Vermont Legislature is currently considering amendments to the equal pay laws that would expand our laws to prohibit wage discrimination on the basis of race, national origin, disability and gender identity. Learn more about H.116 and S.103 at [legislature.vermont.gov](http://legislature.vermont.gov).

## HAVE QUESTIONS? NEED HELP?

If you think you have been the victim of discrimination, contact us:

**Vermont Human Rights Commission  
(VHRC)**

☎ 802-828-2480

☎ 800-416-2010 (in-state only)

✉ [human.rights@vermont.gov](mailto:human.rights@vermont.gov)

To learn more, visit:  
**HRC.VERMONT.GOV**

12 Baldwin Street, Montpelier, VT 05633  
☎ 802-828-2480 or 800-416-2010 (in-state only)  
✉ [human.rights@vermont.gov](mailto:human.rights@vermont.gov)

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