



## Paycheck Fairness Act – S. 86

*“On average, full-time working women earn just 77 cents for every dollar a man earns.”*  
President Obama, 2014

Fact: While the 77 cent myth makes a good talking point, that number ignores the variables that are unique to the choices women make, which differ from men, in their work/life balance. Those variables affect how women are compensated, including women’s decision regarding education, industry, area of expertise, experience and how much time is taken off.

The Equal Pay Act of 1963 and Title VII of Civil Rights Act of 1964 make paying women less for equal work illegal.<sup>1</sup>

### What Women Want: Flexibility

- Ability to negotiate appropriate contracts with their employers in pursuit of work/life balance.
- 37 percent of women have left work voluntarily (off-ramping) during their careers, and among women with children it jumps to 43 percent.<sup>2</sup>

### The Paycheck Fairness Act:

- Discourages flexible working arrangements by creating a one-size-fits-all policy.
- Introduces more laborious government control in the free market by creating additional oversight by the Equal Employment Opportunity Commission (EEOC) and Department of Labor.
- Sidetracks businesses from their primary mission, which could lead to fewer job opportunities.
- Leaves employers vulnerable to liability and lawsuits by requiring the employees to opt-out of class action suits filed against their employer. Currently employees have to give consent to be included in a class action suit.<sup>3</sup>
- Since each employee would represent another potential lawsuit, businesses would have less incentive to employ additional workers, especially women.

### The Solution

- Good public policy should promote “work/life balance” and recognize that women want working circumstances that will allow them flexibility.
- Loosen up existing workplace regulations and give hourly workers the option to receive comp time, instead of extra pay, for hours worked in excess of a 40-hour week.

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<sup>1</sup> <http://beta.congress.gov/bill/113th-congress/senate-bill/84?q=%7B%22search%22%3A%5B%22S.84%22%5D%7D>

<sup>2</sup> <http://hbr.org/2010/06/off-ramps-and-on-ramps-revisited/ar/1>

<sup>3</sup> <http://www.iwf.org/publications/2788151/Paycheck-Fairness-Act>