



NHCSL

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS

RESOLUTION

No. 2019-09

Equal Pay

Reported to the Caucus by the NHCSL
Labor and Workforce Development Task Force
Sen. Omar Aquino (IL), Chair

**Sponsored by Sen. Cristina Castro (IL), Sen. Omar Aquino (IL)
and Sen. Iris Martínez (IL)**

Unanimously ratified by the Caucus on December 5, 2019

1 **WHEREAS**, there has been a persistent gender wage gap in the United States; and,
2
3 **WHEREAS**, in 2017 women made up most minimum-wage employees at 58.4
4 percent, compared to 41.6 percent for their male counterpart;¹ and,
5
6 **WHEREAS**, the gender divide for workers paid under the minimum wage is even
7 wider, with the percentage of women paid under the minimum wage at
8 approximately 64.7 percent, compared to men at 35.3 percent;² and,
9
10 **WHEREAS**, controlling for factors such as education, training, marital status, and
11 hours worked,
12 college-educated women still earn seven percent less than men one year after
13 college;³ and,

¹ Bureau of Labor Statistics <https://www.bls.gov/opub/reports/minimum-wage/2017/home.htm>

² Ibid

³ American Association of University Women <https://www.aauw.org/what-we-do/public-policy/aauw-issues/gender-pay-gap/>

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15 **WHEREAS**, men have three times more retirement savings than women, which can
16 dramatically affect the quality of life for different genders after retirement;⁴ and,

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18 **WHEREAS**, the percentage of families with children headed by a single mother
19 increased from 14.6 percent in 1974 to 25.2 percent in 2015;⁵ and,

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21 **WHEREAS**, 64 percent of mothers are the primary, sole, or co-breadwinners for their
22 families, which conveys that women’s income has become a large factor in supporting
23 families and their children;⁶ and,

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25 **WHEREAS**, the lowest income quintile and the second lowest income quintile retain
26 the two largest percentages of mother breadwinners at 69.4 and 45.6 percent
27 respectively;⁷ and,

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29 **WHEREAS**, of these two lowest income quintiles for mothers, unmarried women
30 breadwinners accounted for 60.6 percent of the lowest quintile and 32.3 percent for
31 the second lowest income quintile;⁸ and,

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33 **WHEREAS**, women of color are more likely to be single mothers, with 53 percent of
34 Hispanic childbirths being to unmarried women, as compared to 29 percent of non-
35 Hispanic white women;⁹ and,

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37 **WHEREAS**, a “motherhood penalty” is attributed to women who become mothers in
38 which mothers are paid less and are less likely to be hired compared to women
39 without children;¹⁰ and,

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41 **WHEREAS**, in contrast, men get a bonus when they become fathers instead of getting
42 any sort of penalty, which perpetuates the gender roles of women being caretakers
43 and men being the breadwinners;¹¹ and,

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⁴ Inequality.org <https://inequality.org/gender-inequality/>

⁵ Glynn, Sarah Jane. “Breadwinning Mothers Continue to be the U.S. Norm.” Center for American Progress. May 10, 2019. <https://www.americanprogress.org/issues/women/reports/2019/05/10/469739/breadwinning-mothers-continue-u-s-norm/>

⁶ American Association of University Women <https://www.aauw.org/what-we-do/public-policy/aauw-issues/gender-pay-gap/>

⁷ Glynn, Sarah Jane. “Breadwinning Mothers Continue to be the U.S. Norm.” Center for American Progress. May 10, 2019. <https://www.americanprogress.org/issues/women/reports/2019/05/10/469739/breadwinning-mothers-continue-u-s-norm/>

⁸ Ibid

⁹ Ibid

¹⁰ Vagins, Deorah J. “The Simple Truth About the Gender Pay Gap.” Fall 2018 ed. *American Association of University Women*. Fall 2018.

https://www.aauw.org/aauw_check/pdf_download/show_pdf.php?file=The_Simple_Truth

¹¹ Ibid

45 **WHEREAS**, even in women-dominated careers, women still earn an average of \$7,230
46 less than men across the ten largest women-dominated occupations, for an earnings
47 ratio of 80% in those careers;¹² and,

48
49 **WHEREAS**, there is no state in the United States in which the average annual income
50 for women is over 90% of the average annual man’s income;¹³ and,

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52 **WHEREAS**, with every dollar earned by white, non-Hispanic men, Latinas make 53
53 cents;¹⁴ and,

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55 **WHEREAS**, for every dollar a white, non-Hispanic father earns working, Latina
56 mothers only make 46 cents, making Hispanic mothers the lowest-earning mothers
57 among every race and ethnic group;¹⁵ and,

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59 **WHEREAS**, the Equal Pay Act of 1963 federally outlawed pay discrimination based
60 solely based on sex,¹⁶ yet employers have found loopholes to this legislation;¹⁷ and,

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62 **WHEREAS**, many employers base their salary offers for new employees based on
63 their old salaries, which perpetuates a cycle of little improvement for this gender
64 wage gap;¹⁸ and,

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66 **WHEREAS**, Washington, Oregon, California, Hawaii, Massachusetts, Maine, Vermont,
67 Connecticut, Colorado, and Alabama have all implemented a ban on requesting a
68 salary history from all employers, with Illinois just passing legislation on salary
69 bans;¹⁹ and,

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71 **WHEREAS**, women already have a higher poverty rate at 13 percent in 2016 as
72 compared to the poverty rate of men at 10 percent;²⁰ and,

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¹² American Association of University Women <https://www.aauw.org/research/the-simple-truth-about-the-gender-pay-gap/> Based on the calculated values of the median annual income for both men and women, the women’s income was subtracted from men’s income for the ten largest occupations occupied by women. Then these differences were added together before being divided by 10 to get the average difference between these gender incomes.

¹³ National Women’s Law Center <https://nwlc-ci49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/12/Wage-Gap-State-By-State-2018.pdf>

¹⁴ National Women’s Law Center Latinas <https://nwlc-ci49tixgw5lbab.stackpathdns.com/wp-content/uploads/2019/03/Latina-Women-Lifetime-Losses-State-by-State-2019.pdf>

¹⁵ National Women’s Law Center mothers <https://nwlc-ci49tixgw5lbab.stackpathdns.com/wp-content/uploads/2019/06/Moms-EPD-v5.pdf>

¹⁶ United States Equal Employment Opportunity Commission <https://www.eeoc.gov/laws/statutes/epa.cfm>

¹⁷ American Association of University Women <https://www.aauw.org/article/state-local-salary-history-bans/>

¹⁸ National Women’s Law Center <https://nwlc-ci49tixgw5lbab.stackpathdns.com/wp-content/uploads/2019/03/PFA-Closing-the-Loophole-v2.pdf>

¹⁹ American Association of University Women <https://www.aauw.org/article/state-local-salary-history-bans/>

²⁰ Inequality.org <https://inequality.org/gender-inequality/>

74 **WHEREAS**, women of color are even more disproportionately affected as Latinas face
75 poverty at a rate of 18.7 percent, which is over two times higher than the rate for
76 white men at 7 percent.²¹

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78 **THEREFORE, BE IT RESOLVED**, that the National Hispanic Caucus of State
79 Legislators recognizes the inequalities of the gender wealth gap and its severity
80 against women across the United States, especially women of color; and,

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82 **BE IT FURTHER RESOLVED**, that the National Hispanic Caucus of State Legislators
83 urges federal, state, and local policymakers to implement policies similar to those in
84 the states outlined above to ban the use of salary histories to continue the restraints
85 of the gender wealth gap; and,

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87 **BE IT FINALLY RESOLVED**, that the National Hispanic Caucus of State Legislators
88 impels federal, state, and local policymakers to enact legislation that enforces equal
89 pay for employees of the same qualifications across all occupations, regardless of
90 gender.

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92 **THE NHCSL EXECUTIVE COMMITTEE UNANIMOUSLY APPROVED THIS RESOLUTION**
93 **ON AUGUST 2, 2019 AT ITS SUMMER MEETING IN SANTA FE, NM.**

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95 **THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS UNANIMOUSLY**
96 **RATIFIED THIS RESOLUTION ON DECEMBER 5, 2019, AT THE ANNUAL MEETING IN**
97 **SAN JUAN, PR.**

²¹ Ibid