

Equal Employment Opportunity Commission Launches Equal Pay Social Media Campaign #LevelThePayingField

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The U.S. Equal Employment Opportunity Commission (“EEOC”) is commemorating the 60th anniversary of the Equal Pay Act of 1963 by launching a social media campaign called “Level The Paying Field.” The #LevelThePayingField campaign is intended to educate social media users about gender pay inequality and help ensure equal pay for all workers. The campaign started on June 9 and will last through August 20, to coincide with the FIFA Women’s World Cup 2023. Last year, the U.S. Women’s National Team Players Association signed a historic equal pay agreement to ensure pay equity for its players.

The Equal Pay Act requires that men and women in the same workplace be given equal pay for equal work in jobs that require substantially equal skill, effort, and responsibility under similar working conditions. Actual job duties, not job titles or classifications, determine whether jobs are substantially equal. The EEOC looks at whether both jobs require the same skill, effort and responsibility.

Skill is measured by factors such as the experience, ability, education and training required to perform a specific job. Possession of a skill not needed to meet the requirements of the job should not be considered. Effort is the amount of physical or mental exertion needed to perform job. Responsibility is usually defined as the degree of accountability required in performing a job. Working conditions usually consist of two factors: surroundings and hazards.

All forms of pay are covered, including salary, overtime pay, bonuses, stock options, profit sharing and bonus plans, life insurance, vacation and holiday pay, cleaning or gasoline allowances, hotel accommodations, reimbursement for travel expenses, and benefits. If there is inequality in wages between men and women, employers may not reduce the wages of either sex to equalize their pay. Equal wages must be paid in the same form. For example, an employer cannot pay a higher hourly wage to a male employee and then attempt to equalize the difference by periodically paying a bonus to a female employee.