

**Labor and Public Employees Committee**  
**JOINT FAVORABLE REPORT**

**Bill No.:** HB-6380

AN ACT CONCERNING THE DISCLOSURE OF SALARY RANGE FOR A

**Title:** VACANT POSITION.

**Vote Date:** 2/18/2021

**Vote Action:** Joint Favorable

**PH Date:** 2/9/2021

**File No.:**

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**SPONSORS OF BILL:**

LABOR AND PUBLIC EMPLOYEES COMMITTEE

**REASONS FOR THE BILL:**

CT women are earning less than their male counterparts doing the same job.

**RESPONSE FROM ADMINISTRATION/AGENCY:**

NONE SUBMITTED

**NATURE AND SOURCES OF SUPPORT:**

**[LISA ANDREWS, DIRECTOR OF PUBLIC POLICY AND COMMUNICATIONS](#)**

The CT wage gap has women earning \$.84 for every dollar earned by a man and the statistics are even harsher for women of color who earn \$.57 and Latino women earning only \$.48. Women in CT earn between approximately \$530,000 and \$1,488,000 less than men Labor and Public Employees Committee during their careers. Domestic violence is exacerbated by this. Ensuring both salary range transparency and comparable pay for comparable work can positively impact this. When job applicants are informed about the context of negotiations they are more successful at negotiating which increases their earnings and closes the gap. It is also crucial to amend the term "equal pay for equal work" to "comparable work". This addresses a long history of traditionally sex-segregated occupations with different pay scales.

### **JAMES CASE, PRESIDENT, COMMUNICATIONS WORKERS OF AMERICA**

Pay equity continues to be a problem in CT. With more households than ever headed by women, we must eradicate this wage gap and require transparency in disclosing salary ranges. This bill levels the playing field for job applicants with regard to compensation and benefits. By requiring equal pay for equal work, the ongoing problem of wage discrepancies will be ensured and CT women are paid what they deserve.

### **COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES**

This is another step toward closing the gender wage gap in CT by requiring employers to provide salary ranges for vacant positions and requiring equal pay for comparable work. Replacing the "equal pay for equal work" standard with a "comparable work" standard is a crucial part of dealing with the economy's long history of sex-segregated occupations and unequal pay scales for jobs traditionally considered "for women".

### **DEBORAH McKENNA, ATTORNEY, VICE-PRESIDENT, CT EMPLOYMENT LAWYERS ASSOCIATION**

Her testimony identified the difference in the pay scales between men and women and noted that women are those hardest hit by the pandemic. It has been 50 years since the Equal Pay Act was passed, and it is time for some revisions to make them stronger and more effective as well as reflective of the reality of today's workplace. This bill will prevent employers from offering starting salaries that are substantially lower than those offered to other candidates. It expands the definition of "equal work" to comparable work when viewed as a group of skills, effort and responsibility performed under similar working conditions. Requiring employers to be transparent regarding the wages being offered will help CT's working women attain pay equity.

### **CONNECTICUT WOMENS' EDUCATION AND LEGAL FUND**

For many workers, salary is the most important financial decision they will make as it directly impacts every other financial decision. This bill does not prohibit employers from paying outside the disclosed pay range and does not remove the ability for the employer to negotiate. It creates a building block for negotiation with a prospective employee, including but not limited to, market value experience and benefits. Other states have passed legislation requiring employers to include compensation ranges and description of benefits in every job announcement and take reasonable actions to inform current employees of promotion opportunities. This bill will benefit workers and continue efforts to lead in pay equity.

### **SUSAN EASTWOOD, ASHFORD RESIDENT**

Knowing the salary range of a position is important for everyone, but especially for women. Women in CT earn significantly less than their male colleagues across nearly all occupations and industries. Studies show that women ask for less than men when they negotiate even when they are otherwise equally qualified. Yet, when they negotiate, they are successful, which reduces the gender wage gap. The change from "equal" to "comparable" addresses inequity that results from a long history of sex-segregated occupations and different pay scales. This bill is a necessary step to ensure that CT continues as a leader in gender equity and pay transparency.

### **TERRY FITZGERALD, COORDINATOR, YWCA HARTFORD REGION ADVOCACY AND COMMUNITY OUTREACH**

This is important to her because she feels the lack of equality has impacted her career earnings. She once worked as a manager and was promoted to Supervising Manager and given an increase in salary. Then a male employee was brought on as a manager, working under her supervision and given the same salary she was making! He had less experience. When she asked the district manager, she was told the reason was that someday, as a man, he would have a family to support and she, as a woman, would be taken care of! Compensation should be based on qualifications and equal work, not perceptions of male vs. female roles. Having transparency is critical to economic growth.

### **ERIC GJEDE. VICE PRESIDENT, GOVERNMENT AFFAIRS, CT BUSINESS AND INDUSTRY**

CBIA supports wage equality and believes CT citizens deserve equal pay for equal work. Employers typically set salary levels based on their internal needs and external market forces and apply those principles consistently and without bias.

### **ANDREA JOHNSON, DIRECTOR OF STATE POLICY, NATIONAL WOMEN'S LAW CENTER**

Longstanding gender and racial wage gaps have left many women with little to no financial cushion to weather the COVID-19 economic crisis. This bill provides much-needed transparency around salary ranges. Secrecy of salary range information perpetuates gender and racial wage gaps. States are increasingly enacting and considering salary ranges transparency requirements. CT's commitment to practice transparency is a critical addition to the pay protections enacted 5 years ago ensuring employees can discuss their pay with each other. Salary range transparency help businesses more effectively and efficiently set pay. This is a tool that can help an employer more efficiently and accurately match with candidates whose salary requirements are aligned. The bill ensures that CT courts use fair standard to access claims. Many pay discrimination victims will now have the opportunity to have their claims fairly and fully heard by requiring equal pay for "comparable work." Other states have amended their equal pay laws to provide for a broader "substantially similar" standard.

### **SAL LUCIANO, PRESIDENT, CT AFL-CIO**

Women in unions, working under negotiated collective bargaining agreements, are more likely to be paid higher, fairer wages and have better access to health insurance, pensions and other benefits. More must be done to provide these things to non-union workers. Many employers use salary history to screen out job applicants by assuming that someone whose salary is "too high" would not be interested in a lower-paying job or that someone whose salary is "too low" doesn't have sufficient skill, knowledge or experience for the position. Prior salaries are not an accurate measure of an applicant's ability. Providing a salary range empowers applicants to advocate and negotiate for themselves. When informed, they can more successfully negotiate their compensation which helps close the wage gap.

**KELLY McCONNAY MOORE, INTERM SENIOR POLICY COUNSEL, AMERICAN CIVIL LIBERTIES UNION OF CT**

All women should have equal access to employment, free from discrimination. They oppose discrimination based on sex and gender stereotypes as well as in the form of barriers to women working in male-dominated fields and the systemic undervaluing of work usually done in fields dominated by women. The gap in pay between women and men reflects these and other forms of discrimination. The gap is even more prevalent in women of color. This bill tackles the issue by requiring transparency, which is a powerful way to reduce the gender pay gap. This is a step forward to end some of the harms of the past and end the cycle of underpaying women.

**ANDY MARKOWSKI, NATIONAL FEDERATION OF INDEPENDENT BUSINESS**

They have concerns as to how this bill is currently drafted. They feel this could serve to open up small business owners to additional litigation. In Section 2, it seeks to make changes to longstanding existing laws by requiring all employers to provide equal pay based upon "comparable" duties. The one- word change (equal to comparable) opens up or expands one of the comparators when determining if a discriminatory pay variance may exist. It is unclear as to how, and by whom, such a standard would be determined. While no doubt well intended, this bill could adversely impact many small business owners. In lines 56-57 of Section 1, the fact that a failure on the part of even a small employer to affirmatively provide this information to employees not less than annually, could result in a private right of action in civil court. Rather than enacting new laws, a more appropriate focus may be to examine ways to better enforce compliance with the current laws to help ensure gender pay equality.

**MICHELLE NOEHREN**

Providing a prospective employee the salary range of the position they applied for allows that person the ability to negotiate their pay more effectively. Transparency in pay creates a more equitable workforce where employees are compensated fairly.

**CAROL J. WILLIAMS, CHAIRMAN, WOMEN AND GIRLS FUNDS TASK FORCE ON PUBLIC POLICY, COMMUNITY FOUNDATION OF EASTERN CONNECTICUT**

Research shows one year after college graduation, women are earning an unexplained 7% less than their male counterparts. Women are less likely to negotiate for salary increases in the initial stages of being hired. Salary was the most important financial issue these women faced, directly impacting every other financial decision for themselves and their families. Had they access to the salary ranges for a particular job, they would have been more likely to negotiate for a fair wage. More than 170,000 households are headed by women, and many earn below the poverty level, or live within the ALICE threshold earning just above the poverty line, but below what is needed to meet a family's basic needs. Connecticut women should be paid what they deserve.

**STACEY ZIMMERMAN, SEIU, CT STATE COUNCIL**

SEIU supported all the agenda items. These bills have the ability to stabilize work places and address both longstanding and COVID-19 related employment issues.

**NATURE AND SOURCES OF OPPOSITION:**

NO OPPOSITION TESTIMONY WAS SUBMITTED.

**Reported by: Marie Knudsen, Assistant Clerk**

**Date: March 7, 2021**