

WORKPLACE JUSTICE

THE WAGE GAP: THE WHO, HOW, WHY, AND WHAT TO DO

Women in the U.S. who work full time, year round are typically paid only 80 cents for every dollar paid to their male counterparts.¹ The wage gap has stagnated, with very little change since 2007.² This gap in earnings translates into \$10,169 less per year in median earnings, leaving women and their families shortchanged. This disparity is the top concern of working women.³ Although enforcement of the Equal Pay Act and civil rights laws and other progress, including increased access to reproductive health care, have helped narrow the wage gap over time, addressing the significant pay disparities that remain is critical for women and their families.

Equal Pay is Crucial for All Women

Women of color are paid less than white, non-Hispanic men.

- Black women working full time, year round typically make only 61 cents for every dollar paid to their white, non-Hispanic male counterparts.
- For Latinas this figure is only 53 cents, for Native Hawaiian and Pacific Islander women it is 62 cents, and for Native women it is 58 cents.⁵
- While Asian women working full time, year round are typically paid only 85 cents for every dollar paid to their white, non-Hispanic male counterparts, the wage gap is substantially larger for some subgroups of Asian women.⁶
- The wage gap translates into an annual loss of \$23,653 for Black women, \$28,386 for Latinas, \$24,443 for Native women, and \$9,010 for Asian women. Closing the wage gap is, therefore, particularly important for Black, Latina, and Native women who have lower incomes, and are more likely to be in poverty than white, non-Hispanic women and Asian women.⁷

Mothers are paid less than fathers.

- Mothers who worked full time, year round typically had lower earnings than fathers (\$40,000 compared to \$56,000) – mothers were paid only 71 cents for every dollar paid to fathers.⁸ Mothers of every race are typically paid less than white, non-Hispanic fathers.⁹

The wage gap affects single women without children, as well.

- Women who were never-married and without children were paid 83 cents for every dollar their male peers were paid.¹⁰

NOTES
<i>What closing the wage gap would mean to me this year:⁴</i>
• Three months' supply of groceries \$1,933.20
• Three months' child care payments \$2,274.00
• Three months' rent \$3,085.23
• Three months' health insurance premiums \$1,304.49
• Four months' student loan payments \$1,088.00
• About ten tanks of gas \$484.62
Total: \$10,169



Women are affected by the wage gap as soon as they enter the labor force and the gap continues to expand over the course of a woman's career.

- The wage gap is smaller for younger women than older women, but it begins right when women enter the labor force. Women ages 15 to 24, working full time, year round are typically paid 92 cents for every dollar their male counterparts are paid.
- Among older women the gap is larger. Women ages 45 to 64 working full time, year round are typically paid only 76 cents for every dollar their male counterparts are paid.
- For women still working at age 65 or older the figure is 77 cents.¹¹

Older women also experience a wage gap in retirement income, due in large part to the wage gap they experienced during their working years.

- Based on today's wage gap, a woman who worked full time, year round would typically lose \$406,760 over a 40-year career.¹² This woman would have to work nearly ten years longer than her male counterpart to make up this lifetime wage gap. These lost wages severely reduce women's ability to save for retirement and threaten their economic security later in life.
- As a result of lower lifetime earnings and different work patterns, the average Social Security benefit for women 65 and older is about \$14,753 per year, compared to \$18,918 for men of the same age.¹³

Lesbian women make less than men, regardless of their sexual orientation.

- According to the most recent analysis available, women in same-sex couples have a median personal income of \$38,000, compared to \$47,000 for men in same-sex couples and \$48,000 for men in different-sex couples.¹⁴

Transgender women make less after they transition.

- One study found that the average earnings of transgender women workers fall by nearly one-third after transition.¹⁵

Women with disabilities also experience a wage gap.

- Women with disabilities working full time, year round are typically paid just 83 cents when compared to their male counterparts with disabilities.¹⁶

Women at all education levels experience a wage gap.

- Among full time, year round workers, women who started, but did not finish high school, make 74 cents for every dollar their male counterparts make.¹⁷
- In 2017, women in the United States with only high school diplomas working full time, year round were typically paid only 76 cents for every dollar paid to their male counterparts.

- Among workers with a Bachelor's degree or higher, women typically make 75 cents for every dollar men make.¹⁸
- Even when women earn a Bachelor's degree, they still make less than what men with an Associate's degree make (\$52,439 and \$54,700, respectively)—and men with only a high school degree but no college education typically make more than women with an Associate's degree (\$42,440 and \$40,641, respectively).¹⁹

Women in nearly every occupation face a wage gap.

- There is a gender wage gap in 97 percent of occupations.²⁰
- Even workers in low-wage occupations²¹ face a wage gap – based on the most recent year of data women who work full time, year round in low-wage occupations typically make only 85 percent of what men working in low-wage occupations make.²²

Causes of the Wage Gap

Despite the fact that women have made enormous gains in educational attainment and labor force involvement in the last several decades—gains which have helped close the wage gap over time²³—unequal pay remains pervasive. Below are some of the reasons why.

Women are paid less for the same work.

- Numerous research studies show that compared to men, women are less likely to be hired, particularly for high-wage jobs, or are likely to be offered lower salaries.²⁴ For example, a recent experiment revealed that when presented with identical resumes, one with the name John and one with the name Jennifer, science professors offered the male applicant for a lab manager position a salary of nearly \$4,000 more, additional career mentoring, and judged him to be significantly more competent and hireable.²⁵
- Recent research reveals that even controlling for race, region, unionization status, education, work experience, occupation, and industry leaves 38 percent of the pay gap “unexplained.”²⁶ Discrimination is thought to be a major cause of this unexplained gap.

Women are overrepresented in low-wage jobs and underrepresented in high-wage ones.

- In 2016, women made up nearly two-thirds of the 24 million workers in low-wage jobs that typically pay less than \$11.50 per hour. They disproportionately hold low-wage jobs like personal care aides, home health aides, and fast food workers.²⁷
- Conversely, women are underrepresented in higher wage occupations.²⁸ This underrepresentation is due in part to the fact that women are discouraged



from entering better paying fields, such as STEM.²⁹ Sometimes this discouragement is subtle, but other times it is very overt, in the form of harassment and other forms of discrimination.

Women's work is devalued because women do it.

- “Women’s” jobs often pay less precisely because women do them.³⁰ A study of more than 50 years of data revealed that when women moved into a field in large numbers, wages declined, even when controlling for experience, skills, education, race and region.³¹

Caregivers are discriminated against and face barriers that result in lower pay.

- Mothers are paid less than fathers and the motherhood wage penalty, which grows by an estimated seven percent for each child,³² is larger for low-wage workers.³³
- Employers’ negative stereotypes about mothers harm mothers’ job and salary prospects. In comparing equally qualified women candidates, one study revealed that mothers were recommended for significantly lower starting salaries, perceived as less competent, and less likely to be recommended for hire than non-mothers. The effects for fathers were just the opposite—fathers were recommended for significantly higher pay and were perceived as more committed to their jobs than men without children.³⁴
- Mothers’ wages are also affected by a lack of support for women’s disproportionate caregiving responsibilities. The high cost of child care and a lack of paid leave make it less likely that women with caregiving responsibilities are able to stay in the workforce.³⁵ This time out of work negatively impacts mothers’ wages,³⁶ though policies like paid leave make it more likely that women will continue to work after having children, strengthening their connection to the workforce.³⁷
- Relatedly, increased access to contraception is one reason the gender wage gap closed in the last few decades of the 20th century. This access allowed women to control their fertility so that they could invest in education and increase their representation in non-traditional occupations, resulting in higher wages.³⁸

Women in unions experience smaller wage gaps—but rates of unionization are low.

- Less than 11 percent of the workforce belongs to a union, but those women who are members of unions experience greater wage equality. Female union members make 88 cents for every dollar paid to male union members, compared to female non-union members who make only 82 cents for every dollar paid to their male counterparts. Wages for women who are members of unions, especially white and Latina women, are higher than those of their female counterparts who are not represented by unions.³⁹
- Unions not only bargain for higher wages, they reduce inequality by increasing pay transparency. For example, a recent analysis by a journalists’ union of their wage data revealed pervasive pay inequality in the industry,⁴⁰ prompting a promise of immediate action by at least one national newspaper.⁴¹

What We Need To Do To Achieve Equal Pay

In order to finally achieve equal pay we need to:

- Strengthen our equal pay laws so that women are better able to fight back against pay discrimination.⁴²
- Build ladders to better paying jobs for women by removing barriers to entry into male-dominated fields.⁴³
- Lift up the wages of women in low-wage jobs by raising the minimum wage and ensuring that tipped workers receive at least the regular minimum wage before tips.⁴⁴
- Increase the availability of high-quality, affordable child care.⁴⁵
- Help prevent and remedy caregiver discrimination and protect workers from pregnancy discrimination.⁴⁶
- Establish fair scheduling practices that allow employees to meet their caregiving responsibilities and other obligations.⁴⁷
- Provide paid family and medical leave.⁴⁸
- Ensure women’s access to the affordable reproductive health care they need.⁴⁹
- Protect workers’ ability to collectively bargain.

Every Woman Matters. Every Dollar Matters. Equal Pay Matters.



1. National Women's Law Center (NWLC) calculations based on U.S. CENSUS BUREAU, CURRENT POPULATION SURVEY, 2018 ANNUAL SOCIAL AND ECONOMIC SUPPLEMENT [hereinafter CPS, 2018 ASEC], Table PINC-05, <https://www.census.gov/data/tables/time-series/demo/income-poverty/cps-pinc/pinc-05.html> (last visited Sept. 21, 2018). Women working full time, year round had median annual earnings of \$41,997 in 2017. Men working full time, year round had median annual earnings of \$52,146 in 2017.
2. In 2017, the median earnings of women working full time, year round was \$41,997 and for men it was \$52,146. The ratio of these earnings was 80.50 cents. When rounded to a whole number, this ratio was 80 cents. In 2016, the median earnings of women working full time, year round was \$41,554 and for men it was \$51,640. The ratio of these earnings was 80.47 cents. When rounded to a whole number, this ratio was also 80 cents. For this reason, the rounded wage gap ratio remained at 80 cents in 2017.
3. Fifty-eight percent of women in the U.S. surveyed cited equal pay as their primary workplace concern. *Gender pay gap is top workplace concern for U.S. women*, THOMSON REUTERS FOUNDATION (2015), <http://www.womenatworkpoll.com/i/?id=7ebb7b13-3791-457d-ab6f-730ebd6c598f>. See also, Lydia Wheeler, *Equal pay top issue for working women, survey finds*, THE HILL (Mar. 17, 2016), <http://thehill.com/regulation/labor/273414-equal-pay-top-issue-for-working-women-survey-finds>, regarding a non-random survey of 25,000 working women by the AFL-CIO.
4. **Groceries** - U.S. DEPARTMENT OF AGRICULTURE (USDA), OFFICIAL USDA FOOD PLANS: COST OF FOOD AT HOME AT FOUR LEVELS, U.S. AVERAGE, JULY 2018, <https://www.cnpp.usda.gov/sites/default/files/CostofFoodJul2018.pdf>. (last visited Sep. 25, 2018). Calculation is based on the USDA thrifty food plan for a family of four (two adults 19-50 and children 6-8 and 9-11) estimated at \$644.40 per month. **Child Care** - CHILD CARE AWARE OF AMERICA, PARENTS AND THE HIGH COST OF CHILD CARE: 2017 REPORT, APPENDIX III, http://usa.childcareaware.org/wp-content/uploads/2018/01/2017_CCA_High_Cost_Appendices_FINAL_180112_small.pdf. Average costs for child care in a center in Montana for an infant is \$9,096 annually in 2016 or \$758 per month). Montana's cost for this type of child care falls at the median of all state averages (including the District of Columbia). **Rent Payments**- U.S. CENSUS BUREAU, AMERICAN HOUSING SURVEY: 2017, USING AMERICAN HOUSING SURVEY TABLE CREATOR, https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=a00000&s_year=n2017&s_tableName=Table1&s_byGroup1=a1&s_byGroup2=a1&s_filterGroup1=t1&s_filterGroup2=g1&s_show=S. (last visited Sep. 25, 2018). Median housing costs for renters was \$991 per month in 2017. Adjusted for inflation (http://www.bls.gov/data/inflation_calculator.htm) to 2018, this figure is \$1,028.41. **Health Insurance Premiums** - U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, AGENCY FOR HEALTHCARE RESEARCH AND QUALITY, MEDICAL EXPENDITURE PANEL SURVEY: 2017. TABLE II.D.2 (2017). Average total employee contribution (in dollars) per enrolled employee for family coverage at private-sector establishments that offer health insurance by firm size and State: United States, 2017, https://meps.ahrq.gov/data_stats/summ_tables/insr/state/series_2/2017/tiid2.htm. Average monthly employee contribution for employer-based family coverage (\$5,218 annually or \$434.83 per month). **Loan Payments** -Average monthly loan payment for someone who graduated in 4 years from a public university has an average debt of \$26,946. Calculation assumes ten-year standard repayment plan and all debt in the form of direct unsubsidized loans and single taxpayer status (3.9 percent interest). Initial monthly payment of \$272 calculated using the Department of Education's loan repayment calculator, <https://studentloans.gov/myDirectLoan/mobile/repayment/repaymentEstimator.action>. **Tanks of Gas** - Calculations based on average tank of gas in 2018 and a 17-gallon gas tank. Gas prices from U.S. ENERGY INFORMATION ADMINISTRATION, WEEKLY RETAIL GASOLINE AND DIESEL PRICES, http://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_nus_w.htm (last visited Sep. 25, 2018). Average cost of all grades of gasoline in September 2018 rounded to \$2.90 per gallon. At this price, it would cost \$49.30 to fill up a 17-gallon tank.
5. Figures for Black women, Latina women, and Asian women are NWLC calculations based on CPS, 2018 ASEC, *supra* note 1, Table PINC-05. Figures for Native Hawaiian and Pacific Islander women and Native women are NWLC calculations based on AMERICAN COMMUNITY SURVEY 2017 [hereinafter ACS 2017], Tables B20017H, B20017C, and B20017E, <https://www.census.gov/programs-surveys/acs/> (last visited Sept. 12, 2018). White, non-Hispanic women who work full time, year round make 77 cents for every dollar made by their white, non-Hispanic male counterparts (CPS, 2018 ASEC, *supra* note 1, Table PINC-05).
6. NWLC, *The Wage Gap and Asian Women* (Mar. 2017), <https://nwlc.org/resources/the-wage-gap-and-asian-women/>.
7. NWLC, *National Snapshot: Poverty Among Women & Families*, 2018, NWLC (Sept. 2018), <https://nwlc.org/resources/national-snapshot-poverty-among-women-families-2018/>.
8. NWLC calculations based on U.S. CENSUS BUREAU, 2016 AMERICAN COMMUNITY SURVEY. Steven Ruggles, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas, and Matthew Sobek. IPUMS USA: Version 8.0 [dataset]. Minneapolis, MN: IPUMS, 2018. <https://doi.org/10.18128/D010.V8.0>. Figure is the ratio of median annual earnings for full time, year round women with children and men with children under age 18.
9. Jasmine Tucker, NWLC, *Equal Pay for Mothers is Critical for Families* (May 2017), <https://nwlc.org/resources/equal-pay-for-mothers-is-critical-for-families/>.
10. NWLC calculations based on CPS, 2018 ASEC using CPS Table Creator, *supra* note 1. Figure is the ratio of median annual earnings of women (\$20,001) who have never been married without children under 18 in the home, compared to median annual earnings of men (\$24,002) without children under 18 living in the home.
11. NWLC calculations, CPS, 2018 ASEC, *supra* note 1, Table PINC-05.
12. *Id.* These calculations were not adjusted for inflation and assume a constant gap of \$10,169 annually, calculated by subtracting women's median earnings (\$41,997) from men's (\$52,146).
13. NWLC calculations based on U.S. SOCIAL SECURITY ADMINISTRATION, ANNUAL STATISTICAL SUPPLEMENT TO THE SOCIAL SECURITY BULLETIN, 2018 (Feb. 2018), Table 5.A16, <https://www.ssa.gov/policy/docs/statcomps/supplement/2018/5a.html#table5.a1.6>. The average monthly benefit for all female beneficiaries 65 and older was \$1,229.43, or about \$14,753 per year as of December 2017, compared to \$1,576.52 per month, or \$18,918 per year for all male beneficiaries 65 and older. Benefits are slightly higher for both women and men receiving benefits as retired workers.
14. Gary J. Gates, THE WILLIAMS INSTITUTE, *Same-sex and Different-sex Couples in the American Community Survey 2005-2011* (Feb. 2013), <http://williamsinstitute.law.ucla.edu/wp-content/uploads/ACS-2013.pdf>. Figures only include people in labor force. Due to data limitations, they do not include lesbian or gay individuals who are not part of a couple. These figures are median annual personal income for all workers in the labor force - these figures differ from the median annual earnings for full-time, year round workers reported for the wage gap and are not directly comparable.



15. Kristen Schilt & Matthew Wiswall, *Before and After: Gender Transitions, Human Capital, and Workplace Experiences*, THE B.E. JOURNAL OF ECONOMIC ANALYSIS & POLICY 1 (Sept. 2008), <http://www.degruyter.com/view/j/bejeap.2008.8.1/bejeap.2008.8.1.1862/bejeap.2008.8.1.1862.xml>.
16. NWLC calculations from CPS, 2018 ASEC using CPS Table Creator, *supra* note 1. Ratio of median person earnings for men and women working full time, year round, with a disability.
17. NWLC calculations from CPS, 2018 ASEC, *supra* note 1, Table PINC-03. This compares median earnings for men and women 25 and older who worked full time, year round who have some high school education but did not graduate or receive a GED.
18. *Id.* Figures are for full time, year round workers.
19. *Id.* Figures are for full time, year round workers.
20. NWLC calculations based on U.S. CENSUS BUREAU, TABLE PACKAGES (2016), TABLE 1, FULL-TIME, YEAR-ROUND WORKERS AND MEDIAN EARNINGS, <https://www.census.gov/data/tables/time-series/demo/industry-occupation/median-earnings.html>; Jasmine Tucker, NWLC, *Women Experience a Wage Gap in Nearly Every Occupation* (Apr. 2018), <https://nwlc.org/resources/women-experience-and-wage-gap-in-nearly-every-occupation/>.
21. "Low-wage jobs" or the "low-wage workforce" could be defined in many different ways. This analysis defines low-wage jobs as those that paid a median hourly wage of less than \$11.50 in 2017. Median hourly wages for occupations were determined using U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, MAY 2017 NATIONAL OCCUPATIONAL EMPLOYMENT AND WAGE ESTIMATES, https://www.bls.gov/oes/current/oes_nat.htm.
22. NWLC calculations based on U.S. CENSUS BUREAU, 2017 CURRENT POPULATION SURVEY, using Sarah Flood, Miriam King, Renae Rodgers, Steven Ruggles, and J. Robert Warren. *Integrated Public Use Microdata Series, Current Population Survey: Version 6.0* [dataset]. Minneapolis, MN: IPUMS, 2018. <https://doi.org/10.18128/D030.V6.0>. Figures are for full time, year round workers.
23. Francine Blau & Lawrence Kahn, *The Gender Wage Gap: Extent, Trends and Explanations*, NAT'L BUREAU OF ECONOMIC RESEARCH 3 (Jan. 2016), <http://www.nber.org/papers/w21913.pdf>.
24. See Blau & Kahn, *supra* note 22 at 33 for a review.
25. Corrine A. Moss-Racusin, et al., *Science faculty's subtle gender biases favor male students*, PROCEEDINGS OF THE NAT'L ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA (Aug. 2012), <http://www.pnas.org/content/109/41/16474.abstract#aff-1>.
26. Blau & Kahn, *supra* note 22 at 8, 72.
27. Kayla Patrick, Meika Berlan and Morgan Harwood, NWLC, *Low-Wage Jobs Held Primarily By Women Will Grow the Most Over the Next Decade* (August 2018), <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2016/04/Low-Wage-Jobs-Held-Primarily-by-Women-Will-Grow-the-Most-Over-the-Next-Decade-2018.pdf>.
28. NWLC, *50 Years & Counting: The Unfinished Business of Achieving Fair Pay* 6 (June 2013), <http://nwlc.org/resources/50-years-counting-unfinished-business-achieving-fair-pay/>.
29. Dawn Johnson, *Campus Racial Climate Perceptions and Overall Sense of Belonging Among Racially Diverse Women in STEM Majors*, JOURNAL OF COLLEGE STUDENT DEVELOPMENT 336 (March/April 2012), http://muse.jhu.edu/login?auth=0&type=summary&url=/journals/journal_of_college_student_development/v053/53.2.johnson.html.
30. Philip N. Cohen, *Devaluing and Revaluing Women's Work*, HUFFINGTON POST, (May 25, 2011), http://www.huffingtonpost.com/philip-n-cohen/devaluing-and-revaluing-w_b_444215.html.
31. Asaf Levanon, Paula England & Paul Allison, *Occupational Feminization and Pay: Assessing Causal Dynamic Using 1950-2000 U.S. Census Data*, SOCIAL FORCES (Dec. 2009), <http://sf.oxfordjournals.org/content/88/2/865.short>.
32. Michelle J. Budig & Paula England, *The Wage Penalty for Motherhood*, AMERICAN SOCIOLOGICAL REVIEW 213 (Apr. 2001), <http://www.wjthomasniu.org/class/781/Assigns/budig-wage.pdf>.
33. Michelle J. Budig & Melissa J. Hodges, *Differences in Disadvantage: Variation in the Motherhood Penalty across White Women's Earnings Distribution*, AMERICAN SOCIOLOGICAL REVIEW 1 (Oct. 2010), https://www.researchgate.net/profile/Michelle_Budig/publication/241644194_Differences_in_Disadvantage_Variation_in_the_Motherhood_Penalty_across_White_Womens_Earnings_Distribution/links/0deec52d6c3611b301000000.pdf; Tucker, *Equal Pay for Mothers is Critical for Families*, *supra* note 8.
34. Shelley J. Correll, Stephan Benard, & In Paik, *Getting a Job: Is There a Motherhood Penalty*, AMERICAN JOURNAL OF SOCIOLOGY (Mar. 2007), https://sociology.stanford.edu/sites/default/files/publications/getting_a_job-_is_there_a_motherhood_penalty.pdf.
35. For child care resources, see D'Vera Cohn, Gretchen Livingston, & Wendy Wang, PEW RESEARCH CTR., *After Decades of Decline, A Rise in Stay-at-Home Mothers* (Apr. 2014), <http://www.pewsocialtrends.org/2014/04/08/after-decades-of-decline-a-rise-in-stay-at-home-mothers/> and Sharon R. Cohany & Emy Sok, BUREAU OF LABOR STATISTICS, *Trends in labor force participation of married mothers of infants*, note 8 at 16 (Feb. 2007), <http://www.bls.gov/opub/mlr/2007/02/art2full.pdf>. For paid leave resources, see Linda Houser & Thomas P. Vartanian, RUTGERS CENTER FOR WOMEN AND WORK, *Pay Matters: The Positive Economic Impacts of Paid Family Leave for Families, Businesses and the Public* 6-7 (Jan. 2012), <http://www.nationalpartnership.org/research-library/work-family/other/pay-matters.pdf>.
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43. See generally NWLC, *Women in Construction: Still Breaking Ground* (June 2014), <http://www.nwlc.org/resource/women-construction-still-breaking-ground>.
44. Jasmine Tucker & Julie Vogtman, NWLC, *Higher State Minimum Wages Promote Equal Pay For Women* (Apr. 2017), <https://nwlc.org/resources/higher-state-minimum-wages-promote-equal-pay-for-women/>; Julie Vogtman, NWLC, *The Raise the Wage Act: Boosting Women's Paychecks and Advancing Equal Pay* (May 2017), <https://nwlc.org/resources/the-raise-the-wage-act-boosting-womens-paychecks-and-advancing-equal-pay/>.
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