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Senate Passes Pay Equity Legislation

BOSTON, MA – **Senator Anne M. Gobi (D-Spencer)** is happy to announce that the Massachusetts Senate passed legislation yesterday to strengthen the Massachusetts Equal Pay Act to further close the wage gap between male and female workers in the Commonwealth. The bill, S2107, sponsored by **Senator Pat Jehlen (D-Somerville)** and **Senator Karen Spilka (D-Ashland)**, seeks to bridge the wage gap by ensuring equal pay for comparable work, establishing pay transparency and requiring fairness in hiring practices. Senator Gobi is Senate Chair of the Massachusetts Caucus of Women’s Legislators.

“I was proud to be part of this historic and unanimous vote,” said **Senator Gobi**. “In 1923 Susan Walker Fitzgerald was the first woman elected the Massachusetts Legislature and her number one priority was pay equity. It took 83 years and we finally passed this historic legislation.”

“Massachusetts was the first state to pass a pay equity law over seventy years ago, yet women in the Commonwealth still make only 82 cents for every dollar earned by a man,” said **Senator Karen Spilka (D-Ashland), Chair of the Senate Committee on Ways and Means**. “Women working hard to support their families deserve fair pay, and this bill is an important step to close this unacceptable gap and ensure equal pay for equal work.”

“I am glad to see the Senate take this important step to remove barriers, often inadvertent, that contribute to the wage gap,” said **Senator Pat Jehlen (D-Somerville)**. “If we don’t take action, my granddaughters’ granddaughters will be in the first generation of women entering a work force free of a gender wage gap. Waiting that long to close the gap is unacceptable.”

“I’m proud that today the Senate addressed a chronic pay inequality based on gender,” said **Senator Dan Wolf (D-Harwich), Chair of the Joint Committee on Labor and Workforce Development**. “It is my

hope that the Legislature will continue to act in eliminating the wage gap. Thank you to the leadership of Senate President Rosenberg and Chairwoman Spilka for making this bill a priority and major achievement, and to Senator Jehlen for her leadership in filing this bill. Many thanks to the various advocates and stakeholders who met with the Joint Committee on Labor and Workforce Development, all of whom helped inspire and improve the legislation.”

“When President Kennedy signed the Equal Pay Act of 1963, women earned 59 cents on the dollar. It’s been 53 years, and we’ve closed the gap to 82 cents on the dollar in Massachusetts. We cannot – we will not – wait another half century to finally achieve equal pay for equal work,” said **Senate President Stan Rosenberg (D-Amherst)**. “I look forward to working together with the Governor and Speaker to pass this critical piece of legislation.”

“Pay disparity is an incredibly important issue and it is our moral obligation to address the long-standing gaps in wages and earning power of women in the workforce,” said **Senate Minority Leader Bruce Tarr**. “I wholeheartedly support this Senate bill to make pay more equitable and hope that the House will also act quickly to adopt it.”

The bill was identified by the Massachusetts Caucus of Women’s Legislators as their number one priority for this legislative session.

“I am pleased to see the Women’s Caucus’ legislative priority, Pay Equity, pass unanimously in the Senate,” said **Lauren Scribi, Executive Director of the Massachusetts Caucus of Women Legislators**. “Part of our mission is to enhance the economic status and equality of women and this bill takes important steps to help close the wage gap in Massachusetts. Some of our members, including Senator Pat Jehlen, Senator Karen Spilka and Representative Ellen Story have been working on this issue for years and it is wonderful to see it coming to the forefront.”

According to the U.S. Bureau of Labor Statistics, a woman working full time in Massachusetts earns 82 cents for every dollar a man in Massachusetts earns. A report by the Institute for Women’s Policy Research projects that the gender wage gap in Massachusetts will not close on its own until 2058.

The bill strengthens current law by defining the term “comparable work” within the Massachusetts Equal Pay Act to ensure comparable work is truly comparable in pay. Variations in pay may exist for comparable work if the difference is based on a bona fide merit system, a system that measures earnings based on production or sales, differences based on geographic location or education, training or experience reasonably related to the particular job. The bill also prohibits an employer from reducing the pay of any employee in order to comply with the Massachusetts Equal Pay Act.

The bill encourages pay transparency, while ensuring that salary history is not used against employees when negotiating for a new job. The bill prohibits employers from banning employees from discussing or disclosing information about their own wages or other employees’ wages. The bill also prohibits employers from screening prospective employees based on previous wages or salary history or requesting this information in the interview process.

The bill prohibits retaliation against an employee who opposes any act in violation of the Massachusetts Equal Pay Act, files a complaint or participates in an investigation or discusses wages with another employee.

In addition, the bill includes several updates to the way a pay equity claim may be filed to make it easier for individuals to make timely claims and ease administrative barriers to filing a pay equity claim.

The bill now goes to the House of Representatives for consideration.

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