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Wage Discrimination Claims Under the Equal Pay Act and Title VII

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Research Guides

Wage Discrimination Claims Under the Equal Pay Act and Title VII

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Guide Index

Home
Primary Sources
Secondary Sources
Interest Groups, Associations, Other Resources

Home

Overview

Equal pay for equal work has been the law since 1963. Although dialogue about wage discrimination has historically focused on pay disparity in women's wages, protection under anti-discrimination legislation extends to both genders and pay inequality is not just a woman's issue. Research has shown that pay disparities can have significant negative economic effects for families and communities as a whole. Where employers pay equal wages for equal work, eveyone benefits.

Equal pay was first addressed by Congress in the 1963 Equal Pay Act ("EPA"). The EPA requires employers to pay men and women equally for performing equal work. The Act was ground-breaking legislation when it was first introduced, however, the EPA was quickly followed by the passage of the Civil Rights Act of 1964. Title VII of the Civil Rights Act prohibits discrimination on the basis of race, color, religion, sex or national origin. Although the scope of Title VII is significantly broader than that of the EPA, Title VII also provides a basis for claims of wage discrimination. While similar in some respects, the statutes differ in scope of coverage, procedures for pursuing a claim, burdens placed upon the plaintiff and defendant, and available remedies. These factors should be considered when preparing to bring or defend against a claim.

The Equal Pay Act of 1963

Congress passed the Equal Pay Act ("EPA") in 1963 as an amendment to the Fair Labor Standards Act. The Equal Pay Act prohibits wage discrimination by employers and labor organizations based solely on sex. Although originally designed primarily to address wage discrimination against women, the EPA's protections extend to both men and women. It also protects administrative, professional and executive employees who are exempt under the Fair Labor Standards Act.

The EPA prohibits discrimination "on the basis of sex by paying wages to employees . . . at a rate less than the rate [paid] to employees of the opposite sex . . . for equal work on jobs [requiring] equal skill, effort, and responsibility, and which are performed under similar working conditions. . . ." The EPA is narrowly focused on wage discrimination and requires proof of equal work.

Bringing a wage discrimination action under the Equal Pay Act is less complex than pursuing a claim under Title VII. The Equal Pay Act is a strict liability statute, therefore, an EPA plaintiff does not have to prove discriminatory intent. Liability under the EPA is established by meeting the three elements of the prima facie case. Under the EPA, an individual can initiate a lawsuit on their own or the employee can file a charge of discrimination with the Equal Employment Opportunity Commission (EEOC). The EEOC is authorized to investigate the charge and bring an action on behalf of an employee or class of employees.

To establish a prima facie case under the EPA, an employee must show that:

1. Different wages are paid to employees of the opposite sex;
2. The employees perform substantially equal work on jobs requiring equal skill, effort and responsibility; and
3. The jobs are performed under similar working conditions.

Once a plaintiff establishes a prima facie case of gender discrimination under the EPA, the defendant can avoid liability only by proving the pay disparity has a legitimate basis under one of four statutory affirmative defenses. The EPA's four affirmative defenses allows unequal pay for equal work when the wages are set "pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) ... any other factor other than sex."

Title VII of the Civil Rights Act of 1964

Title VII of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, sex or national origin Title VII. While the Equal Pay Act focuses specifically on wage discrimination, the protections offered by Title VII are more comprehensive. The EPA is more narrowly focused than Title VII, so employer actions that are not violations under the EPA can still be violations under Title VII.

Bringing a claim under Title VII involves a more complicated process than bringing an EPA claim. An individual filing a claim under Title VII is required to exhaust administrative remedies prior to filing suit in court. This means that a Title VII plaintiff must initially file their charge of discrimination with the Equal Employment Opportunity Commission. The EEOC is empowered to investigate and litigate all types of discrimination. When a claim is filed, the EEOC investigates the charge. Upon completion of its investigation, the EEOC will determine whether or not to pursue the claim on behalf of the employee. If the EEOC decides not to pursue a claim, it will issue a "right-to-sue" letter to the employee. This letter signals that the employee has met the requirement of exhausting administrative remedies and may now initiate a lawsuite. The letter starts a limitations period, during which the employee has 90 days to file a lawsuit or lose the right to sue on the claim forever.

If the EEOC decides to pursue the claim, the EEOC will attempt conciliation with the employer. During conciliation, the EEOC tries to work out arrangments with the employer for compensation for the victim and assurances that the employer will cease all discriminatory practices. If succesful, a settlement agreement will be signed and the matter will be resolved.

If conciliation fails, the EEOC will decide whether to litigate the claim. The EEOC does not have the resources to litigate every claim, so in many cases, the EEOC will issue a right-to-sue letter to allow the employee to file a lawsuit on his/her own behalf. In cases where there is an important point of law, a large number of victims, or a particularly egregious case, the EEOC may litigate the claim in federal court on behalf of the victim.

If litigation ensues, discrimination claims under Title VII involve a more complex, burden-shifting model than that followed under the EPA. However, in Title VII cases, the ultimate burden of persuasion remains with plaintiff.

Key Terms

Affirmative defense – a defendant's assertion of facts which, if true, defeats the plaintiff's claim, even if all the allegations in the complaint are true. The defendant bears the burden of proving an affirmative defense.

Bona Fide Occupational Qualification (BFOQ) – An exception to Title VII's prohibition against discrimination which allows employers to consider discriminatory criteria in hiring if the nature of the position requires the criteria be considered.

Charging Party – Someone who files a charge of discrimination with the EEOC.

Equal Employment Opportunity Commission – The EEOC is the federal agency that is authorized to investigate, negotiate with employers, and litigate against employers to stop discriminatory practices.

"Factor Other Than Sex" Defense: Once a plaintiff establishes a prima facie case under the Equal Pay Act, the burden of persuasion shifts to the defendant. The defendant can meet this burden by proving one of four affirmative defenses. The fourth, catch-all defense is the "factor other than sex" defense. This defense has come under heavy criticism as vague and the Supreme Court has declined to provide additional clarification. The defense has been construed differently in different circuits. Some circuits apply the "Gender Neutral Test" when analyzing a defense under the "Factor Other Than Sex" defense. Other circuits utilize a "Legitimate Business Reason Test."

> Gender Neutral Test – Test applied by the court when analyzing the affirmative defense under the EPA of a "factor other than sex." This test has been applied by the Fourth, Seventh, and Eighth Circuits. The Gender Neutral Test requires that wages be both facially gender and neutrally applied. It has been criticized as a relaxation of the defendant's burden under the Equal Pay Act.
>
> Legitimate Business Reason Test – Test applied by the court when analyzing the affirmative defense under the EPA of a "factor other than sex." This test has been applied by the Second, Third, Sixth, Ninth, and Eleventh Circuits. The "legitimate business reason" test for the "factor other than sex" defense requires that the employer prove that the factor other than sex that caused the pay disparity is "a legitimate business reason . . . reasonably related to [the defendant's] wage system."

"Right to sue" letter – A letter issued by the EEOC declining to pursue an employment claim for an employee. Timely action is required as the letter starts a 90-day statute of limitations. The employee has 90 days following receipt of the letter to file a lawsuit. If the lawsuit is not filed within 90 days, the claim is extinguished forever and the right to bring suit is lost.

Statute of Limitations - a statute that prescribes the time period during which legal action can be taken.

Strict liability statute – a law that assigns liability / legal accountability for one's actions regardless of negligence or intent to harm.

Scope

The purpose of this guide is to provide an overview of the law involved in bringing, or defending against, a claim of wage discrimination under The Equal Pay Act and under Title VII of the Civil Rights Act. Although claims are often brought under both statutes, there are important distinctions that should be considered when preparing for a case.

Disclaimer

This research guide is intended to serve as a starting point for a law student or an attorney to research employment discrimination law as it relates to wage disparity. This guide should not be considered legal advice or as a legal opinion on any specific facts or circumstances. For additional assistance in researching this topic, please contact a reference librarian in the Georgia State University College of Law library. If you have specific legal questions, please consult an attorney.

About the Author

Shannon Creasy is a third year law student at Georgia State University College of Law. Ms. Creasy currently works as an intern at the Equal Employment Opportunity Commission. She previously interned at the Georgia Innocence Project. She received her B.S. degree in Psychology from North Georgia College and State University. For more information about this research guide, please contact Nancy Johnson via email at njohnson@gsu.edu.

Back to Top

Primary Sources

U.S. Code

United States Code

The United States Code can be accessed at no cost from the Cornell Legal Information Institute. Below are the most relevant provisions of the code.

The Equal Pay Act

The statutory provisions of the EPA can be found at 29 U.S.C. § 206(d) (1963).

206(d) Prohibition of sex discrimination

(1) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to

(i) a seniority system;

(ii) a merit system;

(iii) a system which measures earnings by quantity or quality of production; or

(iv) a differential based on any other factor other than sex: Provided, That an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

(2) No labor organization, or its agents, representing employees of an employer having employees subject to any provisions of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1) of this subsection.

(3) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this chapter.

(4) As used in this subsection, the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Title VII of the Civil Rights Act of 1964

The statutory provisions of Title VII can be found starting at 42 U.S.C. § 2000(e) (1964).

(a) **Employer practices**

It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

Legislation

The Lilly Ledbetter Act

The Lilly Ledbetter Fair Pay Act of 2009 was enacted by the 111th United States Congress and signed into law by President Barack Obama on January 29, 2009. The bill amends the Civil Rights Act of 1964 such that the 180-day statute of limitations for filing an equal-pay lawsuit resets with each new discriminatory paycheck. The law was enacted as a direct answer to the *Ledbetter v. Goodyear Tire & Rubber Co.* decision by the U.S. Supreme Court in which the Court held that the statute of limitations for presenting an equal-pay lawsuit begins at the date the pay was agreed upon, not at the date of the most recent paycheck.

The Bennett Amendment

The Bennett Amendment is a provision in §703(h) of Title VII of the United States Civil Rights Act of 1964 incorporating specific terms of the Equal Pay Act of 1963 to more clearly define under what circumstances an employer may provide different compensation to employees of different sex. In 1981, in *County of Washington vs. Gunther*, the Supreme Court held that the Bennett Amendment explicitly incorporated only limited defenses to unequal pay and did not otherwise bar suits based on a comparison of payment for different jobs.

Regulations

Regulations interpreting the Equal Pay Act and Title VII are promulgated by the Equal Employment Opportunity Commission. The text of the Code of Federal Regulations can be found free of charge on the Government Printing Office's GPO Access site.

- The Equal Pay Act – 29 C.F.R. §§ 1620, 1621
  http://www.access.gpo.gov/nara/cfr/waisidx_08/29cfr1620_08.html
- Title VII 29 C.F.R. §§ 1600–09
  http://www.access.gpo.gov/nara/cfr/waisidx_08/29cfrv4_08.html#1600

Case Law

There is an extensive body of case law interpreting the EPA and Title VII. Below are some of the most important Supreme Court cases. For a thorough analysis, a researcher should also review district and appellate case law in their jursidiction.

Supreme Court Cases

***Arizona Governing Committee for Tax Deferred Annuity and Deferred Compensation Plans, etc., et al. v. Norris,* 463 U.S. 1073 (1983).**

The Court held that retirement benefit plans which paid lower monthly benefits to women than to men who had made the same contributions violated Title VII's prohibition against discrimination based sex. The benefits were administered by insurance companies using mortality tables based entirely on gender. The lower monthly payments were calculated based on statistics that women live longer than men. The Court held that the statute prohibits an employer from treating some employees less favorably than others because of their race, religion, sex, or national origin, and that the lower payments in this case were based on no other factor than sex, in violation of the statute.

***County of Washington v. Gunther*, 453 U.S. 161 (1981).**

This case examines the scope of liability under Title VII in light of the Bennett Amendment. The Court granted cert to resolve an appellate court split over the effect of the Bennett Amendment on wage claims under Title VII. Here, female prison guards brought an action under Title VII for wage discrimination because they were paid 70% less than the male guards. The district court, construing the Bennett Amendment to include the equal work requirement of the EPA in a Title VII claim, held that the positions were not substantially similiar. The Supreme Court, however, held that the Bennett Amendment incorporated the Equal Pay Act's four affirmative defenses into Title VII but did not incorporate the equal work requirement. As a result, Title VII allows for differences in compensation only within the exceptions spelled out under the EPA. Plaintiffs need not satisfy the EPA's equal work standard to bring a claim under Title VII.

Dothard v. Rawlinson, 433 U.S. 321 (1977).

The Supreme Court clarified the classifications allowed when "religion, sex, or national origin" is a bona fide occupational qualification reasonably necessary to the normal operation of a particular business. Here, the Supreme Court ruled that women could be excluded from positions as prison guards in the violent conditions of the Alabama prison system. The positions at issue involved close contact with male inmates, putting the women at risk of sexual assault, as well as threatening the general security of the prisons. The Court emphasized that the BFOQ exception was intended to be construed narrowly.

***City of Los Angeles Dept. of Water & Power v. Manhart*, 435 U.S. 702 (1978).**

This case involved the use of sex-based actuarial tables to compute pension benefits, resulting in higher payments for women than men. The justification offered was that women live longer than men, and therefore should pay higher premiums into the retirement benefits plan. The Supreme Court held that Title VII prohibits the use of sex-segregated actuarial tables to grant different benefits to male and female employees.

The Court noted that while women as a class may live longer than men, not all women will outlive men. The Court noted that "[e]ven a true generalization about the class is an insufficient reason for disqualifying an individual to whom the generalization does not apply."

***Corning Glass Works v. Brennan*, 417 U.S. 188 (1974)**

This case illustrates the application of the burden of proof under the Equal Pay Act. Women brought a claim asserting wage discrimination because their male counterparts were paid higher wages. The employer argued that the difference was due to different working conditions because the men worked the night shift. The Court held that the time of the shift was not a matter of "similar working conditions," allowing the women to move forward and show that they performed the same work as the men, regardless of the shift time. The burden shifted to the defendant to prove that the difference in shifts justified the pay differences. The defendant argued that pay difference based on night versus day shifts falls under the "any other factor other than sex" exception. The Court indicated that working at night is not an element under "working conditions," it does fall within the category "other than sex" because of the extra physiological and emotional stress bourne by evening shift workers.

Ledbetter v. Goodyear Tire & Rubber Co., Inc., 550 U.S. 618 (2007).

This decision was overturned by legislative action when Congress passed the Lilly Ledbetter Fair Pay Act and it was signed in to law in January 2009. In this case, a retired female employee sued for wage discrimination, alleging that discriminatory performance evaluations she received earlier in her career impacted her pay throughout her career. The Court held that her claims were untimely, since TitleVII claims must be brought within the statute of limitations based on when the discrete discriminatory act occurred. The Court found that the pay decisions were the discriminatory acts, not the issuance of each discriminatory paycheck. The Lilly Ledbetter Fair Pay Act amends the Civil Rights Act by allowing that the time period for filing a claim resets with each discriminatory paycheck.

Other Related Cases

McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1073).

Although not a wage discrimination case, this case is significant as the case that established the burden-shifting framework that is applied to Title VII discrimination cases.

Texas Dept. of Community Affairs v. Burdine, 450 U.S. 248 (1981).

The Supreme Court further refined the *McDonnell Douglas* burden-shifting framework for discrmination cases under Title VII. The Court clarified that once the plaintiff has established the prima facie case, the employer has a burden to articulate a nondiscriminatory reason for the challenged employment action, but the employer does not bear the burden of persuasion.

Legislative History

Legislative History is a collection of related documents produced by Congress during the enactment or rejection of a proposed public law. Legislative history can be extremely useful in determining the intent of the legislation at the time it was enacted. Additionally, legislative history can clarify questions about a statute if there is no case law interpreting it.

Compiled legislative history for both the Equal Pay Act and Title VII can be found under Federal Legislative History on Hein Online.

The Equal Pay Act, Public Law 88-38, 88th Congress (1963).

The Civil Rights Act, Title VII, Pub. Law 88-352, 88th Congress (1964).

The Lilly Ledbetter Fair Pay Act, Pub. Law 111-2, 111th Congress (2009).

Back to Top

Secondary Sources

Books, Treatises, Looseleaf Services

Michael Evan Gold, An Introduction to the Law of Employment Discrimination, 1–36, 78–93 (Cornell Univ. Press 2001).

This book is an excellent introduction to employment discrimination law. The author provides succinct examples and clear explanations, which are thorough but not overly legalistic for non-attorney researchers. Includes details of how a claim is handled by the EEOC, as well as coverage of who is protected by the laws, who must obey the laws, the application of each statute, and the available defenses.

Lisa Guerin & Amy DelPo, The Essential Guide to Federal Employment Laws, 138–149, 402–18 (NOLO 2009).

Written for the layperson or the attorney unfamiliar with this area of the law, this book is a good handbook or quick reference guide for an overview of the EPA and Title VII. The authors provide definitions, helpful information regarding scope and coverage of the laws, and enforcement information.

Lex K. Larson, Employment Discrimination (M. Bender, 2010).

Mr. Larson's treatise provides in-depth analysis of employment discrimination law. Wage discrimination under both the Equal Pay Act and Title VII are covered in Part XXVI on Equal Pay. Available on LexisNexis.

Mack A. Player, Federal Law of Employment Discrimination in a Nutshell (West. Pub. 3rd ed.) (

Condensed treatise that provides a brief overview of the topic of employment discrimination.

George Rutherglen, Employment Discrimination Law: Visions of Equality in Theory and Doctrine, 112–30 (Foundation Press 2nd ed. 2007) (2001).

This book provides a good overview of sex discrimination, introducing various theoretical perspectives and doctrine relevant to claims under both Title VII and The Equal Pay Act. The author gives clear and concise explanations of the differences between the statutes and discusses some case law.

Benjamin Wolkinson & The MSU Employment Law Group, Employment Law: The Workplace Rights of Employees and Employers, 100–107.

This introductory text gives a solid overview of the history of the Civil Rights Act and the mandate of the EEOC. The author also explains the factors the courts consider when hearing claims under each statute. Provides a helpful flow chart depicting the enforcement path of a charge of discrimination under Title VII.

James Lockhart, Causes of Action: First Series, 12 Causes of Action 191 (Sept. 2010) (1987).

Mr. Lockhart's Cause of Action Guide is extremely helpful. He provides an outline of the prima facie case and the available defenses under the Equal Pay Act. Section 2 covers the Act's interaction with Title VII and other related or alternative actions. Case references are provided to illustrate each major issue. Available on Westlaw.

BNA (Bureau of National Affairs) EEO Compliance Manual

BNA's looseleaf service providing primary and secondary sources and is available on LexisNexis or through the GSU College of Law electronic database. The manual provides statutes, editorial analysis, and comprehensive coverage of the EEOC's processes.

American Law Reports

American Law Reports provide explanations of case law in a particular area, giving detailed analysis of how the courts have ruled on particular points of law. ALR articles are a great starting point to save research time. ALR articles provide lists of every case, by jurisdiction, that discusses the issues covered.

Martin M. Heit, *Wage Differentials as Violative of Those Provisions of Title VII of the Civil Rights Act of 1964, as amended, Which Prohibit Sex Discrimination in Employment*, 62 A.L.R. Fed 33 (1983).

In Sections 3–5, Mr. Heit focuses on the interaction of Title VII & the Equal Pay Act, illustrating with cases showing how the statutes have been interpreted together.

Ann K. Wooster, *Title VII - Sex Discrimination in Employment - Supreme Court Cases*, 170 A.L.R. Fed. 219 (2001).

Comprehensive coverage of sex discrimination includes wage discrimination and a comparison of Title VII with the EPA.

Law Reviews and Journals

Law review articles are a great starting point for research because they provide in-depth analysis of a case or a specialized topic and usually involve extensive research, providing citations to related materials. Below are some helpful law review articles. Many more are available on Hein Online, Westlaw or LexisNexis.

Ana M. Perez-Arrieta, Note, *Defenses to Sex-Based Wage Discrimination Claims at Educational Institutions: Exploring "Equal Work" and "Any Other Factor Other Than Sex" in the Faculty Context*, 31 J.C. & U. L. 393 (2005).

The author examines the "equal work" requirement and the "any other factor other than sex" defense under the Equal Pay Act and Title VII, analyzing district court decisions and the application of those decisions in the academic employment environment.

Peter Avery, Note, *The Diluted Equal Pay Act: How was it Broken? How can it be Fixed?* 56 Rutgers L. Rev. 849 (2004).

This article analyzes the varying burdens of proof required under the Equal Pay Act compared to the requirements under Title VII. The author illustrates how these burdens have been misapplied and misinterpreted in the district courts. The author also looks at the different tests used to determine whether a pay disparity is the result of "any other factor other than sex."

Debra H. Goldstein, *Sex-Based Wage Discrimination: Recovery Under the Equal Pay Act, Title VII, or Both*, 56 Ala. Law. 294 (1995).

This article, authored by a judge, analyzes the differences in bringing wage discrimination claims under the two statutes.

Nina Joan Kimball, *Not Just Any Factor Other Than Sex: An Analysis of The Fourth Affirmative Defense of the Equal Pay Act*, 52 Geo. Wash. L.

Rev. 318 (1984).

The author reviews erroneous applications of the "factor other than sex" defense, arguing that the defense has been too broadly construed.

DaNay K. Kalkowski, Note, *Does Liability Under the Equal Pay Act Automatically Lead to Title VII Liability*?, 70 Neb. L. Rev. 16 (1991).

This article analyzes the case of *Fallon v. State of Illinois*, 882 F.2d 1206 (7th Cir. 1989), discussing the holding in that case that EPA liability does not automatically lead to Title VII liability. The author examines the reasoning behind the holding and looks at other how other circuits have resolved the issue,

American Jurisprudence

American Jurisprudence is a practice-oriented encyclopedia that can help if you are unfamiliar with an area of the law or if you are looking for primary source material. It is designed to complement the annotations in American Law Reports. Am Jur can be accessed either in print in the GSU Law Library or online through Westlaw or LexisNexis. Below are but a few of the relevant sections.

45A Am. Jur. 2d *Job Discrimination* § 626 (2010).

The authors discuss the distinctions between Title VII and the Equal Pay Act.

45A Am. Jur. 2d *Job Discrimination* § 635 (2010).

The authors analyze the “similar working conditions” requirement under the Equal Pay Act.

45C Am. Jur. 2d *Job Discrimination* § 2447 (2010).

The authors review the burden of proof based on type of claim in sex-wage actions.

Back to Top

Interest Groups, Associations, Other Resources

Federal Agencies

The EEOC website is an extremely important resource for information on discrimination, as well as explanations of the agency’s authority and processes. Answers to a multitude of questions for both plaintiffs bringing a claim or employers defending against a claim can be found by visiting the EEOC website. This is an excellent starting point for research on wage discrimination claims.

- U.S. Equal Employment Opportunity Commission
  http://www.eeoc.gov/
  The EEOC is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination.

Low Cost or Free Research Options

- Google
  http://www.google.com
  Google is a great starting point for legal research. A search of "wage discrimination" or "Equal Pay Act" brings up a wealth of easy-to-understand information.
- LoisLaw
  http://www.loislaw.com
  A lower-cost alternative to Westlaw or Lexis, Loislaw provides less comprehensive access to primary law, treatises, public records, and legal forms for a flat-rate fee.
  • Loislaw is a fee-based legal research site that provides access to primary law, public records, treatises, and legal forms. Although it is less expensive than Westlaw and LexisNexis, offering an all-inclusive flat rate, it is not as comprehensive as Westlaw or LexisNexis. The website address is www.loislaw.com.
- VersusLaw
  http://www.versuslaw.com/
  VersusLaw is a low cost alternative to Westlaw or LexisNexis. For a low monthly flat rate, researchers can access case law as well as various other sources, depending on the plan selected.
- Casemaker - The Georgia Bar Association
  http://www.ga.bar.org/casemaker
  Casemaker is a legal research search engine that provides access to state and federal materials to State Bar Associations for their members. Casemaker includes historic to current cases, statutes, and regulations. Casemaker is currently expanding its federal content to include all U.S. Supreme Court cases and Circuit Court cases going back to 1950.

Interest Groups & Other Resources

- National Committee on Pay Equity
  http://www.pay-equity.org/index.html
  The National Committee on Pay Equity, founded in 1979, is a coalition of women's and civil rights organizations, various other associations, and individuals working to eliminate sex- and race-based wage discrimination and to achieve pay equity.
- American Bar Association Section of Labor & Employment Law
  http://www.abanet.org/labor/home.html
- National Organization for Women
  http://www.now.org/issues/economic/factsheet.html
  The National Organization for Women (NOW) is the largest organization of feminist activists in the United States. NOW's goal is to bring about equality for all women by working to discrimination and harassment in the workplace, schools, the justice system, and other sectors of society.
- NOLO - Legal Information For All
  http://www.nolo.com/legal-encyclopedia/checklist-29451.html
  Nolo publishes books, software, and legal forms designed for non-attorneys to help individuals with everyday legal and business questions.
- Blog - Law Memo: First in Employment Law
  http://www.lawmemo.com/blog/
  Provides summaries and links to latest employment law cases, employment lawyer directory, updates on current issues.
- Blog - Employment Law Information Network
  http://www.elinfonet.com/blog/index
- Blog - Nolo's Employment Law Blog
  http://www.employmentlegalblawg.com/
  Blog covers court cases, new legislation, and current events that affect the world of employment law. Also - hosts discussions about employment lessons to be learned from less obvious sources, from TV shows to sporting events.
- American Civil Liberties Union
  http://www.aclu.org/womens-rights/aclu-marks-equal-pay-day

Related News Articles

- Equal Pay for Equal Work? Not Necessarily - New York Times - Sept. 2010
  http://boss.blogs.nytimes.com/2010/09/15/equal-pay-for-equal-work-not-necessarily/
- Sen. Chris Dodd: Equal Pay for Equal Work - The Huffington Post - April 2010
  http://www.huffingtonpost.com/chris-dodd/equal-pay-for-equal-work_b_544089.html
- Why Does Pay Inequity Persist? Psychology Today - April 2010
  http://www.psychologytoday.com/blog/the-custom-fit-workplace/201004/why-does-pay-inequality-persist

Back to Top

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