



Coalition of Bar Associations of Color

RESOLUTION SUPPORTING PAY EQUITY

Endorsed March 2016

WHEREAS, the Coalition of Bar Associations of Color (CBAC), organized in 1992, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

WHEREAS, the member organizations of the Coalition of Bar Associations of Color are the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

WHEREAS, Congress outlawed wage discrimination based on sex through the Equal Pay Act of 1963; and

WHEREAS, Congress passed the Lilly Ledbetter Fair Pay Act of 2009 to help ensure that individuals subjected to unequal pay discrimination had fewer barriers to effectively assert their rights under federal anti-discrimination laws; and

WHEREAS, despite these measures, sex-based wage disparities persist, with women today being paid an average of 77 cents (and even less for women of color) for every dollar paid to men; and

WHEREAS, the gap becomes even wider when the earnings of women of color are compared to those of white men; and

WHEREAS, U.S. Census data from recent years further reveals that full-time, year-round working women earn less than full-time, year-round working men in every state in the country; and

WHEREAS, these wage disparities have been amplified given job losses that women have disproportionately suffered during both the economic recession and the recent recovery period; and

WHEREAS, women are bearing increasing responsibility for supporting families, with nearly 40 percent of mothers being the primary - breadwinners for their families; and

WHEREAS, equal pay and opportunity in the workforce are critical to support the country's economic growth and ensure that women and their families can be self-sufficient; and

WHEREAS, the closure of the wage gap requires laws that both provide workers with the mechanisms to challenge discrimination against them and ensure that employers have the knowledge of and incentive to comply with the law; and

WHEREAS, U.S. Representative Rosa D. DeLauro filed H.R. 377, the Paycheck Fairness Act, in the 113th Congress; and

WHEREAS, U.S. Barbara A. Mikulski filed S.84, the Paycheck Fairness Act, in the 113th Congress; and

NOW THEREFORE BE IT RESOLVED that CBAC supports the Paycheck Fairness Act (H.R. 377, S.84) , which would :

- Update the Equal Pay Act of 1963 by closing loopholes in the earlier legislation and bar retaliation against workers who disclose their wages to others and raise the issue of wage parity;
- Require employers to demonstrate that any pay disparity between men and women for the same work is not gender-related, and be limited to bona fide factors such as education, training, or experience;
- Allow women to receive the same remedies for sex-based pay discrimination that are available to workers discriminated against on the basis of race or national origin; and
- Provide for training and technical assistance and require data collection and research on the cause and persistence of the wage gap between women and men; and

NOW THEREFORE BE IT FURTHER RESOLVED that CBAC will forward a copy of this resolution to members of Congress who have not co-sponsored the Paycheck Fairness Act to seek their support; and

NOW THEREFORE BE IT FURTHER RESOLVED that CBAC supports further legislative efforts to strengthen the ban on sex-based pay discrimination; and

NOW THEREFORE BE IT FURTHER RESOLVED that CBAC supports a fair pay executive order by the President of the United States that would implement one aspect of the Paycheck Fairness Act by ensuring that contractors who do business with the federal government cannot retaliate against workers who discuss their own pay; and

NOW THEREFORE BE IT FURTHER RESOLVED that CBAC authorizes its president, board, and staff to communicate the content of this resolution to its members, affiliates, other bar associations, members of Congress, the Administration, the press, and others to take steps to



implement this resolution, as they deem necessary; and

NOW THEREFORE BE IT FINALLY RESOLVED that this resolution shall be the policy of CBAC until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

WE, the duly-elected Presidents of the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA), hereby certify that the foregoing Resolution was duly enacted by a duly noticed meeting of the Board of Directors.



Robert T. Maldonado

Roberto Maldonado
President, Hispanic National Bar Association

March 1, 2016
Date

Jim Y. Hwang

Jim Hwang
President, National Asian Pacific American Bar Association

March 1, 2016
Date

BCP

Benjamin Crump
President, National Bar Association

March 1, 2016
Date

Linda Benally

Linda Benally
President, National Native American Bar Association

March 1, 2016
Date