LB 217 provides protections to employees discussing their wages, empowering them with information so they can be informed advocates for their compensation.

LB 217 would not impose new requirements for employers—it simply prohibits retaliatory action against employees who discuss their wages.

LB 217 will subject pay practices to the sunshine test—where differences in pay can be justifiably explained by job-related factors, there should be little concern.

The Nebraska Fair Employment Practice Act states that “it shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority or merit system or a system which measures earnings by quantity or quality of production or to employees who work in different locations, if such differences are not the result of an intention to discriminate.” (Nebraska Rev. Stat. § 48-1111)

“Knowledge is power. When workers, especially women, can seek more information without fear of retribution, they can more confidently pursue favorable work and wage arrangements.”

— U.S. Senator Deb Fischer

EQUAL PAY IS AN ISSUE GREATLY IMPACTING WOMEN IN NEBRASKA

For every dollar an average man in Nebraska makes for full-time, year-round work, the average woman in Nebraska earns $0.78. This wage disparity is even more pronounced when broken down by race and ethnicity:

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Wage Per Dollar of Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>WHITE WOMEN</td>
<td>$1.00</td>
</tr>
<tr>
<td>ASIAN WOMEN</td>
<td>$0.80</td>
</tr>
<tr>
<td>BLACK WOMEN</td>
<td>$0.67</td>
</tr>
<tr>
<td>NATIVE WOMEN</td>
<td>$0.58</td>
</tr>
<tr>
<td>LATINA WOMEN</td>
<td>$0.45</td>
</tr>
</tbody>
</table>

Fear of retaliation and a culture of silence keep people in the dark about how their compensation compares with their colleagues or peers. Lack of information makes it difficult for women to compare their wages to other employees in the same or similar position.

Source: U.S. Census Bureau, 2012-2016 American Community Survey.

LB 217: Pay Transparency is sponsored by Senator Patty Pansing Brooks. For additional information, contact Tiffany Seibert Joekel at TJoekel@OmahaWomensFund.org or 402-827-9280.
Women’s median earnings are lower than men’s in nearly ALL occupations, regardless of whether they work in occupations predominantly held by women, occupations predominantly held by men, or occupations with a more even composition of men and women.iii  

► There are only two occupations—‘dining room and cafeteria attendants and bartender helpers’ and ‘wholesale and retail buyers, except farm products’—in which women’s median earnings are (slightly) higher than men’s.

Unequal pay has deep impacts on the well-being of our families, communities and our economy.  

► In Nebraska, nearly 30% of women-headed households have incomes that fall below the poverty level.iv  

► If Nebraska working women were paid the same as comparable Nebraska men (same age, level of education, work the same number of hours and same urban/rural status), we would see a 54% reduction in the poverty rate for all employed women and a 67.5% reduction of single mothers living in poverty.v

Pay transparency laws are relatively new and the research on the aggregate impact is limited, but the wage gap is smaller in the public sector, where pay transparency is more prevalent than the private sector, where pay secrecy prevails.  

► In 2016, the earnings ratio (comparing women’s earnings to men’s) was lower among private sector workers (79.3 percent) compared to public sector workers (81.4 percent).viii

For Nebraska policy to align with Nebraska values, we need bills like LB 217 that will allow women to access the economic stability they’ve earned through hard work, long hours and years of education and experience.  

When we eliminate the wage gap, the economy will prosper, children and families will thrive, and our communities will grow stronger.

“As the saying goes: Sunlight is the best disinfectant. If you want to know how your salary compares to your colleagues, you should have every right to ask. It’s as basic as the First Amendment.”  
— U.S. Senator Deb Fischer

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5. Poverty rate is 27.2% for families with “female householder, no husband present” and even higher for those same families with children under 18 – 34.3%. Source: U.S. Census Bureau, 2017 American Community Survey 1-Year Estimates, Table DP03: Selected Economic Characteristics.  
7. Pay transparency laws are relatively new and the research on the aggregate impact is limited, but the wage gap is smaller in the public sector, where pay transparency is more prevalent than the private sector, where pay secrecy prevails.  
8. In 2016, the earnings ratio (comparing women’s earnings to men’s) was lower among private sector workers (79.3 percent) compared to public sector workers (81.4 percent).viii