

**TESTIMONY OF MAINE EMPLOYMENT LAWYERS ASSOCIATION
IN SUPPORT OF LD 1703, AN ACT TO AMEND THE MAINE EQUAL
PAY LAW BY PROHIBITING DISCRIMINATION BASED ON RACE**

My name is Jeffrey Neil Young. I am an attorney with Solidarity Law and practice in Cumberland. I serve as an Executive Board member of the National Employment Lawyers Association (NELA) and as vice-president of the Maine Employment Lawyers Association (MELA). NELA is the largest organization of civil rights lawyers in the country with about 4,000 national and affiliate attorney members. MELA is the largest organization of civil rights lawyers in Maine with about 75 member attorneys who represent employees in labor and employment matters across the state as at least 2/3 of their practice. I have been practicing labor and employment law for almost 40 years, the last 30 years here in Maine.

MELA urges this Committee to enact LD 1703, An Act to Amend the Maine Equal Pay Law by Prohibiting Pay Discrimination Based on Race. Currently the Maine Equal Pay Law prohibits unequal pay for comparable work requiring comparable skill, effort, and responsibility only on the basis of sex.

As many of the Committee members are aware, there is a significant wage gap between men and women; right now, women on average earn somewhere between 78 to 83 cents to every dollar earned by men.

<https://www.census.gov/library/stories/2022/03/what-is-the-gender-wage-gap-in-your-state.html>; <https://www.epi.org/blog/gender-wage-gap-widens-even-as-low-wage-workers-see-strong-gains-women-are-paid-roughly-22-less-than-men-on-average/>.

Unfortunately, the gap is far wider for workers of color. On average, black women nationally earn only about 61.4% of the wages earned by white men, or \$15.11 less per hour. <https://www.epi.org/blog/gender-wage-gap-widens-even-as-low-wage-workers-see-strong-gains-women-are-paid-roughly-22-less-than-men-on-average/>. When controlling for age, education, and geography, that number is about 67%. *Id.* See also <https://nwlc.org/wp-content/uploads/2019/12/State-Equal-Pay-Laws-2020-11.13.pdf>, placing the gap at 62% between black women and white men and at 55% for Latinas.

A 2020 report from the Maine Center for Economic Policy details that the situation here in Maine sadly mirrors that nationally. *REPORT: State of Working Maine 2020 - MECEP*. See in particular Table 3.

MELA can see no good reason to treat race differently from sex: discrimination based on race and sex are both onerous and should be condemned legally. Some 11 states, including Alabama, California, Hawaii, Illinois, Iowa, New Jersey, New York, Ohio, Oregon, Texas, and Utah already ban pay discrimination on the basis of race (as well as sex) in their state equal pay laws. <https://www.seyfarth.com/a/web/72563/50-State-Pay-Equity-Desktop-Reference->

RPT-DIGITAL-M21.pdf; <https://www.seyfarth.com/a/web/72563/50-State-Pay-Equity-Desktop-Reference-RPT-DIGITAL-M21.pdf>.

Contrary to our State's motto, Dirigo, Maine isn't leading on this issue; rather, we are falling behind. The time is due for Maine to help put an end to pay discrimination based on race. Accordingly, MELA asks you to support LD 1703.