

118TH CONGRESS
1ST SESSION

S. CON. RES. 21

Recognizing the significance of equal pay and the disparity in wages paid to Latina women in comparison to men.

IN THE SENATE OF THE UNITED STATES

OCTOBER 4, 2023

Ms. CORTEZ MASTO (for herself, Mr. LUJÁN, Mr. PADILLA, Mr. MENENDEZ, Ms. ROSEN, Mr. SANDERS, Mr. BROWN, Mr. BLUMENTHAL, Mr. HICKENLOOPER, Mr. FETTERMAN, Mr. VAN HOLLEN, Ms. WARREN, Mr. BOOKER, Mrs. MURRAY, Mr. HEINRICH, Mr. BENNET, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. MARKEY, Mr. KAINE, Mr. DURBIN, Mr. WYDEN, Ms. HIRONO, Mr. WHITEHOUSE, and Mr. KELLY) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions

CONCURRENT RESOLUTION

Recognizing the significance of equal pay and the disparity in wages paid to Latina women in comparison to men.

Whereas October 5, 2023, is Latina Equal Pay Day to observe the pay gap between Latina women and White, non-Hispanic men;

Whereas Latina women make up the second-largest group of women workers in the United States, after White women;

Whereas there are 13,900,000 Hispanic women in the labor force, representing slightly more than 10 percent of all women in the labor force today;

Whereas section 6(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)(1)) prohibits discrimination in wages on the basis of sex for equal work;

Whereas title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) prohibits discrimination in compensation because of race, color, religion, national origin, or sex;

Whereas despite the passage of the Equal Pay Act of 1963 (29 U.S.C. 206 note) more than six decades ago, which establishes that employers shall not discriminate in wages on the basis of sex, but shall provide equal pay for equal work, Bureau of the Census data show that Latina women working full-time and year-round are paid 57 cents for every dollar paid to White, non-Hispanic men, while the average wage differential for all Latina women with reported earnings working full-time, part-time and part-year is 52 cents for every dollar paid to White, non-Hispanic men;

Whereas the National Women's Law Center has calculated that, on average, Latina women lose over \$1,200,000 in potential earnings over a 40-year career to the wage gap;

Whereas, at the rate observed in 2023, Latinas will not reach equal pay with White non-Hispanic men for 183 years, or until 2206;

Whereas the Bureau of Labor Statistics and the Bureau of the Census reported the median annual pay for all Latina women in the United States working full-time, part-time, and part-year was \$31,600 in 2022, compared to the median annual pay of \$60,830 for White, non-Hispanic men;

Whereas the Bureau of Labor Statistics and the Bureau of the Census reported the median annual pay for all Latina

women working full-time and part-time is \$26,485, placing a working mother of two on the brink of poverty;

Whereas job loss during the COVID–19 pandemic distorted measurements of average wages as women with lower earnings in sectors such as leisure, hospitality, and retail were more likely to experience job loss and leave the labor force;

Whereas lost wages mean Latina women have less money to support themselves and their families, save and invest for the future, and spend on goods and services;

Whereas approximately 51 percent of Latina women are unable to earn sick days through their jobs;

Whereas the lack of access to affordable, quality child care, paid family and medical leave, and other family friendly workplace policies forces many Latina women to choose between their paycheck or job and getting quality care for themselves or their family members, a dynamic that contributes to the wage gap and was further exacerbated by the COVID–19 pandemic, especially as Latina women disproportionately work in essential jobs that put them at greater risk of exposure to COVID–19;

Whereas if the annual wage gap were eliminated, on average, a Latina woman working full-time and year-round would have enough money to pay for nearly three years of childcare, to pay for 38 months of food, or more than 22 months of rent;

Whereas women face disproportionate sexual harassment in the workplace and data shows that women filed 78.2 percent of the 27,291 sexual harassment charges filed with the Equal Employment Opportunity Commission between fiscal year 2018 and fiscal year 2021;

Whereas workplace harassment forces many women to leave their occupation or industry—targets of harassment were 6.5 times as likely as nontargets to change jobs—or pass up opportunities for advancement, and this contributes to the gender wage gap;

Whereas there is a high-personal cost for women who have been sexually harassed, including unemployment, underemployment, and financial stress resulting from changing jobs, which lead to long-term consequences for earnings and career attainment;

Whereas more than two-thirds of workers paid the minimum wage or less in 2022 are women, and there is a disproportionate concentration of women of color in low-wage and tipped jobs;

Whereas the pay disparity Latina women face is part of a wider set of disparities Latina women face in homeownership, unemployment, poverty, access to childcare, and the ability to build wealth;

Whereas the underpayment of Latina women workers causes businesses and the economy to suffer;

Whereas true pay equity requires a multifaceted strategy that addresses the gender and racial injustices that Latina women face daily; and

Whereas many national organizations have designated October 5, 2023, as Latina Equal Pay Day to recognize the additional time that Latina women must work into the next calendar year to receive the earnings of White, non-Hispanic men in the prior Census year: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That Congress—

1 (1) recognizes the disparity in wages paid to
2 Latina women and its impact on women, families,
3 the economy, and our entire country; and

4 (2) reaffirms its support for ensuring equal pay
5 and closing the gender wage gap.

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