



**Written Testimony of J. Scott Robinette
Deputy Secretary for Safety and Labor-Management Relations**

**before the House Labor & Industry Committee regarding
House Bill 1890 (Amending the Pennsylvania Equal Pay Law)**

**Harrisburg, Pennsylvania
September 18, 2014**

Chairman Scavello, Chairman Keller, and members of the House Labor & Industry Committee. On behalf of Secretary Hearthway, thank you for the opportunity to provide written remarks on proposed legislation to amend the Pennsylvania Equal Pay Law.

The Equal Pay Law (Act 694 of 1959) became effective on March 17, 1960. The Act prohibits the discrimination by any employer, in any place of employment, between employees on the basis of sex, by paying wages at a rate less than the rate of an employee of the opposite sex for work under equal conditions on jobs which require equal skills.

With respect to administration and enforcement, the Act authorizes the Secretary to administer the provisions of the law and to issue rules and regulations. It provides a mechanism for the department to collect any unpaid wages due, in addition to any damages, attorney fees and other reasonable costs that may be awarded. The Act limits any action to two years from the date in which the alleged violation occurred. Employers are required to keep records of wages, wage rates, job classifications and other terms of an individual's employment and to post an abstract of the Equal Pay Law if they employ individuals of the opposite sex. The department provides this mandatory posting for free on our website. I also included a copy with my testimony. Penalties for violating the law range from fines of \$50 to \$200, or imprisonment of 30 to 60 days.

The Bureau of Labor Law Compliance (BLLC) is tasked with enforcement, administration and education of labor laws, including the Equal Pay Law. As such, it provides employers and employees with educational materials, conducts investigations, and resolves disputes when complaints are received. Any person is entitled to file a complaint alleging non-compliance with one or more provisions of the Act.

In total, BLLC received two (2) complaints under the Equal Pay Law in 2013 via the Pittsburgh office. Due to the specific circumstances of the complaints, those cases were referred to the Pennsylvania Human Relations Commission. Other than those two complaints, over the past decade, the department has not received a single complaint under the Act.

As you know, the Pennsylvania Human Relations Commission is charged with investigating alleged charges of discrimination in the workplace, so it is possible that complaints are being

filed there. Also, the federal government enforces a similar law through the U.S. Equal Employment Opportunity Commission, so cases could similarly be filed there.

Mr. Chairman, thank you again for the opportunity to provide information on the Equal Pay Law. Please let me know if I can be of further assistance as you consider the legislation before you.