

FAIR PAY, EQUAL PAY, PAY COMPARABILITY, LILLY LEDBETTER – WHAT’S IT ALL ABOUT FOR FEDERAL EMPLOYEES?

by Frances Wright, DOE VP/ Women-Fair Practices/Union Benefits Coordinator

What do all of these mean, and what’s the difference, and how might they affect you as a Federal civil servant? Let me briefly describe each.

Fair Pay: The Fair Labor Standards Act of 1938 (FLSA) is the principal federal law covering minimum wage, equal pay, overtime requirements, and other labor-related issues. A major provision of this law prohibits wage discrimination based on sex, race, or national origin among employees for work in “equivalent jobs.” Equivalent jobs are those whose composite of skill, effort, responsibility, and working conditions are equivalent in value, even if the jobs are dissimilar. (www.pay-equity.org/info-Q&A-Act.html)

Equal Pay: The Equal Pay Act of 1963, which is part of the FLSA, as amended, prohibits sex-based wage discrimination between men and women in the same establishment who perform jobs that require substantially equal skill, effort and responsibility under similar working conditions. The jobs need not be identical, but they must be substantially equal. It is job content, not job titles, that determines whether jobs are substantially equal. (<http://www.eeoc.gov/policy/epa.html>, <http://www.eeoc.gov/types/epa.html>)

Pay Comparability: The Federal Employees Pay Comparability Act of 1990 (FEPCA) was an attempt to address the need for pay reform in the executive branch of the United States Government that became apparent in the 1980s as Federal civil service salaries fell behind those in the private sector. The most far reaching provisions of the Act were to change the way pay is set for the General Schedule and to maintain comparability by locality. (http://en.wikipedia.org/wiki/Federal_Employees_Pay_Comparability_Act_of_1990)

Lilly Ledbetter: The Lilly Ledbetter Fair Pay Act of 2009 amends the Civil Rights Act of 1964 stating that the 180-day statute of limitations for filing an equal-pay lawsuit regarding pay discrimination resets with each new discriminatory paycheck. (http://en.wikipedia.org/wiki/Lilly_Ledbetter_Fair_Pay_Act)