

Testimony of Representative Erin C. Molchany
Public Hearing – House Bill 1890
House Labor & Industry Committee
18 September 2014

1 Good morning, Chairman Keller, Representative Mackenzie, and colleagues: My name is Erin
2 Molchany, and I currently represent the 22nd district in this General Assembly.

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4 I want to first take the opportunity to thank everyone for being here today. I want to especially
5 thank Chairman Scavello for agreeing to hold this hearing. I understand that he isn't able to be
6 here today because of tragic circumstances caused by cowardly acts. I want to also send my
7 thoughts and prayers Trooper Douglas and to the families of Cpl Dickenson during this difficult
8 time.

9
10 I am honored to address this committee as the prime sponsor of House Bill 1890. More
11 importantly, however, is the privilege with which I am here today. I am fortunate to be a
12 women working in a professional position in which my salary is set in statute to the same
13 amount as all of my colleagues. The legislation that I have introduced, and the conversation I
14 hope to have at this hearing today, is intended to address the millions of women in this
15 commonwealth who do not have the same protection.

16
17 Nationally, and in our state, women are often times the primary breadwinners in households.
18 Women graduate with bachelors, masters, and doctorate degrees at a higher rate than men.
19 However, lacking more improved legal protections than our current Equal Pay law offers,
20 women face pay discrimination every day. No matter the study, year after year, our current
21 statute fails to solve the pervasive injustice of paying a woman less for the same level and
22 quality of work.

23
24 We have named House Bill 1890 the Work Place Opportunity Act because the two central
25 provisions of this legislation are intended to level the playing field. No one is here to radically
26 institute unreasonable mandates or regulations. Some may even point out that equal pay laws
27 exist and they need no adjustments or clarifications. As I have learned in my first term in the
28 House of Representatives, laws are not always enforced at a level which corrects the issue they

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1 are intended to. And sometimes we make laws that after years of enforcement have significant
2 unintended consequences. HB 1890 seeks to take Pennsylvania's Existing Equal Pay law and
3 close the remaining \$.23 - \$.10 gap that still exists between what a woman makes for the same
4 work as her male counterpart. It seeks to clarify the reasons for which an employer can pay
5 someone a different wage for the same work that being Education, Experience or training. As
6 of now, this is a grey area.

7
8 HB1890 is also intended to offer protection for workers who disclose their pay to a co-worker.
9 The concept is simple, if you do not know that you are being paid less for the same job, and
10 people are prevented from telling you for fear that their employment will be jeopardized, the
11 inequity lingers. Unfortunately, if the pay gap exists throughout a 20 year career, it can have a
12 serious impact not only on a woman's take home pay, but also retirement and pension
13 investments.

14
15 So what can we do about it? Today's hearing is the first step in not just correcting the problem,
16 but also making Pennsylvania a better place to live and work for ALL its residents. Imagine if
17 Pennsylvania became the model for all states in respecting all of its workers and championing
18 equal pay for equal work. Imagine if we passed bills like HB1890 that could be the model for
19 other states grappling with the similar wage equality issues.

20
21 Today, you will hear testimony from business leaders, legal experts, women's organizations
22 (some of which were around when the first Equal Pay laws were drafted in the early 1960s).
23 Who you will NOT hear from today, are the countless women who are currently battling for pay
24 equity in the courts. Women who personally experienced pay inequality, and who have had the
25 courage to fight back. In most if not all cases, women who are actively pursuing legal action
26 against employers who do not pay equally for equal work, are either subject to gag orders
27 contingent upon their settlement, or advised not to discuss their case outside of court. While

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1 this is common, it further exacerbates the issue of pay inequality if no one is able to share their
2 experience.

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4 So I want to thank the Labor and industry Committee for taking up this important and often not
5 discussed issue of pay equity. As legislators, we should always be mindful of not only reacting
6 to an issue and creating laws to address them, but also proactively seeking to improve existing
7 laws so they work better for every Pennsylvanian.

8

9 Thank you