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Oct. 28, 2019
For Immediate Release

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Attorney General Becerra, DFEH Director Kish Lead Multistate Coalition in Support of Lawsuit Protecting Access to Critical Information on Pay Discrimination

SACRAMENTO – California Attorney General Xavier Becerra and California Department of Fair Employment and Housing (DFEH) Director Kevin Kish today led a nationwide coalition of government agencies in support of a lawsuit seeking to protect the collection of demographic information critical to combating pay discrimination. The lawsuit arose following a 2017 Trump Administration reversal of a program that would have required the collection of pay data from private employers with over 100 employees. The information would be used as part of the effort to address the persistent wage gap between men and women and people of different races and ethnicities. In an amicus brief in *National Women's Law Center, et al. v. Office of Management and Budget, et al.*, the coalition explains how the information would be beneficial to government investigators and prosecutors working to tackle pay discrimination.

“There is no legitimate reason for the Trump Administration to reverse course on a program intended to combat pay discrimination,” **said Attorney General Becerra**. “With better data, agencies across the country would be better equipped to tackle systemic inequality that has no place in our society. We’ll continue to stand up for those who, despite the barriers, consistently push forward—breaking glass ceilings in their workplaces every day.”

“Pay data is essential to California’s efforts to eliminate pay discrimination in the workplace,” **said DFEH Director Kish**. “DFEH looks forward to using the data already collected by the EEOC pursuant to the District Court’s order to effectively enforce pay equity protections in California.”

Inequality in earnings between women and men and people of different races and ethnicities has been a widespread, persistent feature of the American labor market. Although the gender pay gap has been slowly decreasing, in 2018 women still only earned approximately 85 percent of what men earned. Over the last 30 years, Latinos and African-Americans have been estimated to earn around 70 percent of what white men earned over the same period. For women of color, the pay gap has been

consistently worse. For instance, in 2015, Latinas earned approximately 58 percent of what white men earned.

Federal law directs the U.S. Equal Employment Opportunity Commission (EEOC) to work with Fair Employment Practices Agencies (FEPA), like DFEH, to investigate and resolve claims of employment discrimination. In addition, federal law specifically provides for FEPAs to have the right to access certain information collected by the EEOC in relation to efforts to tackle employment discrimination. As a result, the states' efforts to address pay discrimination are directly affected by the Trump Administration's decision to halt the collection of crucial employment data.

The California Department of Justice and DFEH are committed to protecting the civil rights of people living in California. DFEH is the state agency charged with enforcing California's civil rights laws. DFEH's mission is to protect the people of California from unlawful discrimination in employment, housing, and public accommodations and from hate violence and human trafficking. The California Department of Justice works to protect the people of California by investigating and prosecuting violations, while advancing policies to ensure fairness and opportunity. This month, Attorney General Becerra [co-led a coalition of attorneys general in opposition to a federal proposal that would weaken protections](#) intended to safeguard against housing discrimination. The Attorney General also joined an amicus brief in [defense of critical protections under Title VII of the Civil Rights Act of 1964](#) that limit workplace discrimination based on sexual orientation or transgender status.

In filing the amicus brief, California is joined by the attorneys general of Delaware, Illinois, Nevada, New Jersey, New York, Oregon, Virginia, Washington, and the District of Columbia. The coalition also includes state and local civil rights agencies. State civil rights agencies in the coalition include the Connecticut Commission on Human Rights and Opportunities, Illinois Department of Human Rights, Maine Human Rights Commission, Maryland Commission on Civil Rights, Minnesota Department of Human Rights, Nevada Equal Rights Commission, Oregon Bureau of Labor and Industries, Pennsylvania Human Relations Commission, Rhode Island Commission for Human Rights, and Washington State Human Rights Commission. At the local level, the coalition includes the Baltimore Office of Civil Rights and Wage Enforcement, New York City Commission on Human Rights, and Philadelphia Commission on Human Relations. A copy of the amicus brief is available [here](#).

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The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's web site at www.dfeh.ca.gov.

