Pay Audits, Pay Transparency and the Public Disclosure of Pay Data

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Introduction

• Equal pay is a hot topic
  – Federal landscape
  – State laws
  – Shareholder proposals
  – Litigation
  – Popular discourse
Public Disclosures & Transparency

• Public disclosure
  – What is public disclosure?
  – Risks and benefits
  – Does it help?

• Pay Transparency
  – Legal regime
  – Does it help?
EEO-1 Collection

• Overview
• Role in achieving pay equity
• Proposed use of data by EEOC
• Critiques by employers
• Changes?
• Status?
Other Drivers of Pay Equity Focus

• State and local laws
  – CA, NY, MA, MD, Philadelphia
  – Others

• OFCCP

• Litigation
Pay Audits

• Different types of audits
• Which employees are “comparable”? 
• Legitimate factors / defenses
• Privilege issues
• Practical solutions
Conclusion

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