

# EEOC Data Highlight

March 2022 No. 1



## The Continuing Impact of Pay Discrimination in the United States

On March 15, 2022, the nation will recognize Equal Pay Day. This date symbolizes how far into the year women must work to earn what men earned in the previous year.<sup>1</sup> The U.S. Equal Employment Opportunity Commission (EEOC) enforces the Equal Pay Act of 1963 (EPA), which requires that men and women in the same workplace be given equal pay for equal work. The EEOC also enforces Title VII of the Civil Rights Act of 1964 (Title VII), the Age Discrimination in Employment Act (ADEA), and the Americans with Disabilities Act (ADA), which prohibit compensation discrimination based on race, color, religion, sex, national origin, age, or disability. Preventing and remedying pay discrimination in the workplace is core to the EEOC's mission. Below, the EEOC highlights data from total charges alleging wage discrimination under the EPA and Title VII filed with the agency over the past five fiscal years, as well as those filed concurrently with other charges of discrimination, including race and national origin.

### EEOC Charge Data (FY 2017 – FY 2021)

Women continue to file a disproportionate number of the charges filed with the EEOC alleging wage discrimination. Women filed 91.7% of the 5,044 EPA charges received between FY 2017 and FY 2021 (see Figure 1a) and 65.4% of the 19,055 Title VII wage charges received between FY 2017 and FY 2021 (see Figure 1b).

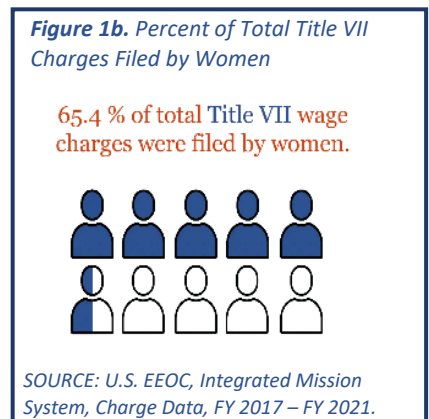
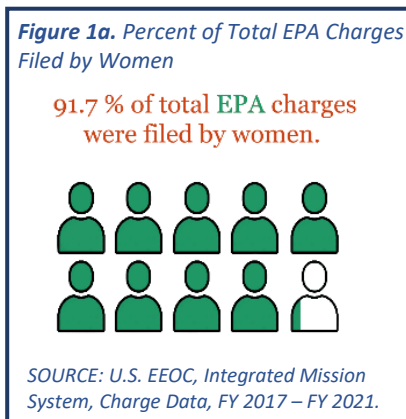
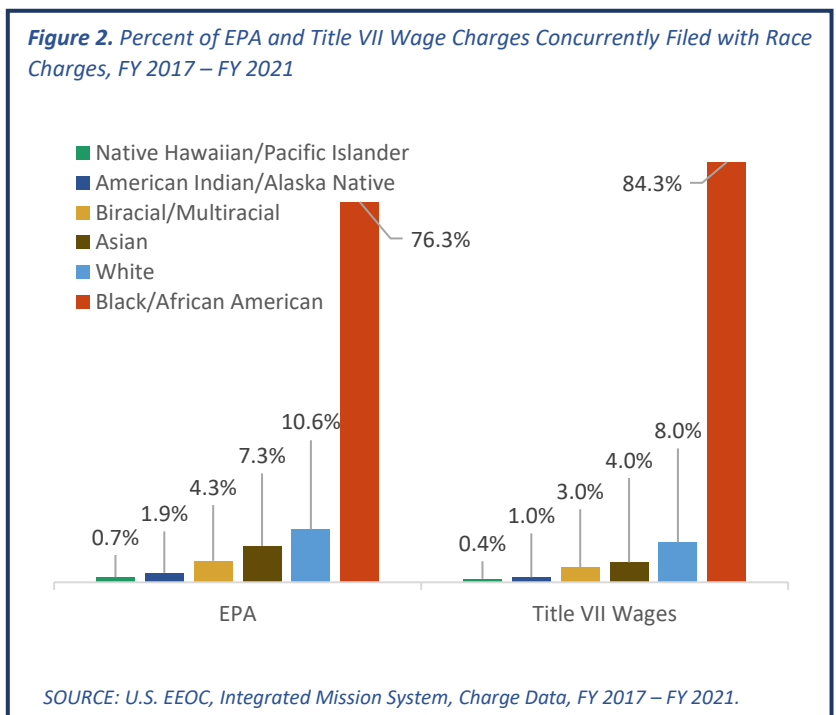


Figure 2 provides the percent of total EPA and Title VII wage charges concurrently filed with a charge of race discrimination between FY 2017 and FY 2021. Of the 1,109 EPA charges filed concurrently with a race charge, over three-quarters (76.3%) designated Black/African American as the relevant race. Of the 9,027 Title VII wage charges filed concurrently with a race charge, 84.3% designated Black/African American.



Between FY 2017 and FY 2021, of the 353 EPA charges filed concurrently with a national origin charge, 34.8% of the charges designated Hispanic and 10.8% designated Mexican national origin. And, of the 2,622 Title VII wage charges filed concurrently with a national origin charge, 36.2% designated Hispanic and 9.9% designated Mexican national origin.

1. "Equal Pay Day: March 15, 2022," U.S. Census Bureau, <https://www.census.gov/newsroom/stories/equal-pay-day.html>.

For FY 2021, the most common issues related to all EPA and Title VII wage charges filed with the EEOC were those involving Wages, Terms and Conditions, and Discharge (see Table 1 below). Additionally, the 10 states with the most EPA and Title VII wage charges, standardized to state population ages 16 and older, are shown in Table 2 and Figure 3. While one might expect these 10 states to account for 20% of all EPA and Title VII wage charge receipts in the United States, they account for 32.7% of all charges.

**Table 1. Five Most Common Issues, EPA and Title VII Wages, FY 2021**

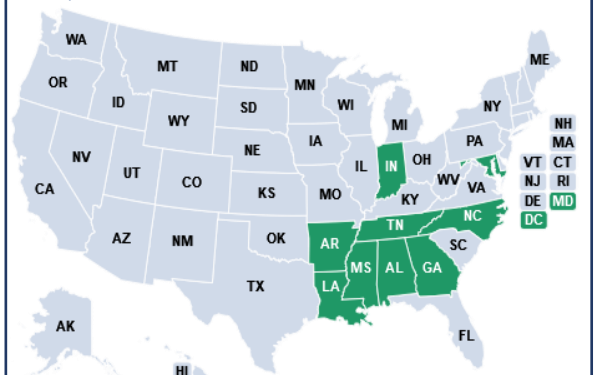
Top EPA Issues		Top Title VII Wage Issues	
Wages	90.5%	Wages	100.0%
Terms/Conditions	24.2%	Terms/Conditions	48.9%
Discharge	19.3%	Discharge	39.5%
Constructive Discharge	9.6%	Harassment*	33.6%
Harassment*	8.5%	Constructive Discharge	15.6%

\*Does not include sexual harassment charges unless both harassment and sexual harassment are alleged concurrently, meaning alleged in a single charge.

**Table 2. Top 10 States with the Most EPA and Title VII Wage Charges per 10,000 State Population Ages 16 and Older, FY 2021**

Combined EPA and Title VII Wage Charge Receipts			
Alabama	4.66	Georgia	2.39
D.C.	4.35	Tennessee	2.09
Mississippi	3.65	Maryland	1.90
Louisiana	2.49	North Carolina	1.80
Arkansas	2.42	Indiana	1.58

**Figure 3. Top 10 States with the Most EPA and Title VII Wage Charges per 10,000 Population Ages 16 Years and Older, FY 2021**



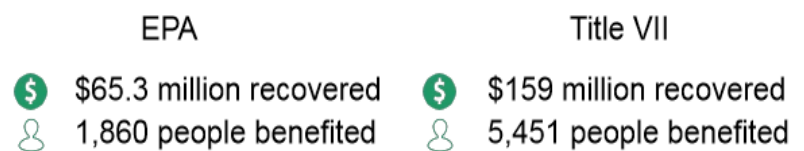
SOURCES: U.S. EEOC, Integrated Mission System, Charge Data, FY 2017 – FY 2021. 2020 American Community Survey (ACS) 1-year experimental population estimates by state, 16 Years and Older, Civilian Labor Force.

## Combatting Pay Disparities

Although not all pay disparities result from discrimination, discrimination in pay and promotions, as well as other discriminatory factors such as race and gender segregation in jobs and assignments, contribute to the problem. The EEOC will continue to use all tools at its disposal, including outreach and education, enforcement and, where necessary, litigation to address pay discrimination and unjustified wage gaps.

Between FY 2017 and FY 2021, the EEOC recovered \$65.3 million for individuals filing EPA charges and \$159 million for individuals filing Title VII wage charges (see Figure 4). The EEOC recovered an additional \$32.9 million in lawsuits including wage or compensation issues (under sex or any other basis) from FY 2017 through FY 2021.

**Figure 4. Resolved Wage Charge Receipts, FY 2017 – FY 2021**



\*Excludes additional monetary benefits recovered by the EEOC through litigation.  
SOURCE: U.S. EEOC, Integrated Mission System, Charge Data, FY 2017 – FY 2021

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at [www.eeoc.gov](http://www.eeoc.gov).

### Data Notes

The charge data included in this *Data Highlight* include all charges filed by individuals in the private sector and state and local government workplaces. These data do not include discrimination complaints filed in the federal sector. EPA and Title VII charge receipts may include concurrent charges, including ADEA, ADA, GINA, EPA (for Title VII), and Title VII (for EPA). As a result, EPA and Title VII charge receipt data from this data highlight should not be combined.

### Suggested Citation

The Continuing Impact of Pay Discrimination in the United States. Office of Enterprise Data and Analytics (OEDA) Data Highlight No. 1. U.S. Equal Employment Opportunity Commission (EEOC), Washington, DC, March 2022.