



TO: The Honorable Members of the PA House
FROM: Alex Halper, SVP, Government Affairs
DATE: May 6, 2024
RE: **Oppose H.B. 98 – Weaponizing Equal Pay law**

On behalf of the PA Chamber, I urge you to oppose H.B. 98, which proposes drastic changes to Pennsylvania’s Equal Pay law and may be considered by the House this week.

The PA Chamber supports Federal and state laws requiring employers to pay women and men equally for equal work and strongly opposes any employer discriminating in the workplace, including related to wages.

H.B. 98, however, represents a paradigm shift in how employers are governed under the 65-year-old law, including replacing the “equal work” standard with a far more subjective and vague “comparable work” standard and adding new ambiguous definitions throughout the law.

The bill would also essentially gut the exceptions section of the Equal Pay Law. Anyone familiar with operating a business knows that pay disparities often do exist, and for reasons that have nothing to do with discrimination. Say an employer gives a raise to an employee being recruited by a competitor or another allowing employees to choose between a bonus or extra PTO. Under this proposal, employers in these or similar scenarios would be presumed to be committing discrimination. This legislation will expose honest, law-abiding employers to lawsuits and severe penalties, which may particularly harm small businesses.

The bill includes others concerning provisions, including restricting what employers may ask job applicants related to wages, significantly increasing penalties, providing new opportunities to sue employers, and allowing for uncapped punitive damages. In short, this legislation would harm Pennsylvania’s business climate and make it more difficult to attract employers.

We urge you to oppose this bill. Please contact Alex Halper at 717 720-5471 or ahalper@pachamber.org with any questions or to discuss.