

Pay Equity Issues & Insights Blog



High Profile Pay Equity “Champions”: U.S. Women’s Soccer Players File EEOC Wage Discrimination Charge

By Kristina Launey and Annette Tyman

Today five members of the reigning World Cup and Olympic champion U.S. Women’s national soccer team filed a complaint with the Equal Employment Opportunity Commission (EEOC) alleging wage discrimination. In the EEOC charge, the players contend that even though the women’s team is the driving economic force for U.S. Soccer, its players are paid far less than their counterparts on the men’s national team. The players filing the complaint are some of the highest profile and most decorated: co-captains Carli Lloyd and Becky Sauerbrunn, forward Alex Morgan, midfielder Megan Rapinoe and goalkeeper Hope Solo, acting on behalf of the entire women’s team, saying they are all employees of U.S. Soccer through their national team contracts.

In a statement the players and their attorney released, Solo said: “The numbers speak for themselves. We are the best in the world, have three World Cup championships, four Olympic championships, and the U.S.M.N.T. get paid more to just show up than we get paid to win major championships.” The players contend that they earned as little as 40 percent of what players on the U.S. men’s national team earned – despite the women’s team greater successes of late – and that they were shortchanged on bonuses, appearance fees, and per diems.

Whether the players will be successful remains to be seen. Despite the success of the women’s team, other factors such as revenue streams, viewership, game attendance and sponsorships, to name just a few, may explain away any perceived wage gaps. These factors, among others, demonstrate the complexity involved in setting and analyzing differences in pay.

Notably, U.S. men’s and women’s soccer pay were agreed to in separate collective bargaining agreements. The players and U.S. Soccer are currently in separate litigation regarding whether the women’s CBA is still in effect or expired.

The soccer players’ current action is consistent with former U.S. Soccer star Abby Wombach’s personal pay equity “mission.” She stated in a recent [Sports Illustrated Interview](#): “True equality is what I’m after, and not just in sports either; I want to go to the big businesses and change the world.”

Change is happening. States, led by [California](#), [New York](#), [New Jersey](#), and [Massachusetts](#), the federal government and [administrative agencies](#) are moving fast to update laws and to take action to more closely monitor pay equity and to make it easier for employees to take action against employers if they believe they are not paid fairly. Employers across the country are rightfully paying attention – even those that have closely monitored pay equity for years – by re-evaluating their pay practices, policies, procedures, and training to ensure compliance with new laws, conducting pay equity audits, and ensuring they are best prepared to defend themselves if faced with an administrative or court action.

To learn more about emerging developments in this area, tune into Seyfarth's Equal Pay Day 2016 webinar on April 12 – register by [clicking here](#). Members of Seyfarth's Pay Equity Group will bring you up to date on:

- Developments in compliance and litigation, including state legislation, class action and other litigation
- The EEOC's proposed pay report and the OFCCP's systemic case focus

This webinar will also provide you with information on best practices and critically important information about avoiding risk as you implement best practices.

Seyfarth's Pay Equity Group leads the legal industry in fair pay analysis, thought leadership and client advocacy. For over twenty years, we have partnered with our clients to proactively address these developments, and minimize risk. Seyfarth also recently testified before the Equal Employment Opportunity Commission on behalf of the U.S. Chamber of Commerce, requesting the EEOC withdraw its proposal to require employers report data on compensation and diversity through the EEO-1 report. For questions, contact the authors, Kristina Launey and Annette Tyman, or your Seyfarth attorney with whom you regularly work.

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