

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: November 13, 2019

TO: Honorable Members of the Rules, Elections and
Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst

Council File No: 19-0002-S149
Assignment No: 19-08-0810

SUBJECT: Resolution in Support of S. 2062 (Manchin) to prohibit gender pay discrimination

CLA RECOMMENDATION: Adopt the attached Resolution (Ryu-Martinez-Wesson-Rodriguez) to include in the City's 2019-2020 Federal Legislative Program, SUPPORT for S. 2062, which would prohibit the use of federal funds to support the 2026 World Cup unless the United States Soccer Federation (USSF) provides equitable pay to the United States Women's National Team and the United States Men's National Team.

SUMMARY

On July 31, 2019, a Resolution (Ryu-Martinez-Wesson-Rodriguez) was introduced to support S. 2062 (Manchin) to prohibit the use of federal funds to support the 2026 World Cup unless the United States Soccer Federation provides equitable pay to the Women's National Team and the Men's National Team.

The Resolution states that the issue of pay equity exists across all industries in the United States, frequently to the detriment of working women, including top athletes who represent the United States in National teams for the World Cup and the Olympics.

The Resolution also states that under existing pay conditions of the USSF, members of the Women's National Team earn a maximum of \$4,950 per game while members of the Men's National Team earn an average of \$13,166 per game.

According to the Resolution, in March 2019, 28 members of the Women's National Team sued the USSF for allegedly discriminating by paying the women less than members of the men "for substantially equal work and by denying them at least equal playing, training, and travel conditions; equal promotion of their games; equal support and development for their games; and other terms and conditions of employment equal to the members of the Men's National Team."

The Resolution notes that the City of Los Angeles is looking to host the World Cup in 2026 and the Summer Olympics in 2028 which invokes a National Team to represent the country in every category of sport.

The Resolution states that the City, striving for economic and social justice, continually works to oppose and eliminate pay inequality, structural inequality, and all forms of discrimination. Therefore, the Resolutions recommends that the City Council support S. 2062.

BACKGROUND

The USSF is the employer of the players of the Women's National Team and the Men's National Team. It centrally manages and controls every aspect of the senior national team program for both female and male team members, including: selecting and hiring members as employees; setting and providing their pay; hiring coaches, trainers, nutritionists, doctors, massage therapists, administrators and other staff; deciding the number of games the employees play, the location of the games, the opponents for games, the tournaments in which they participate, the nature of timing and funding for promotion of the games; and setting ticket prices for home games.

On March 8, 2019, the U.S. Equal Employment Opportunity Commission (EEOC) issued a Notice of Right to Sue, under the Title VII of the Civil Rights Act of 1964, in response to a complaint filed by the Women's Soccer National Team against the USSF on the basis of discrimination of equal pay. The complaint notes that the Women's National Team has won three World Cup titles and four Olympic Gold medals and is currently ranked number one in the world. The complaint further details that despite these accomplishments and revenue generation, it has not resulted in equal or better pay than the Men's National Team.

According to the complaint, the USSF expects both the Women's National Team and the Men's National Team to:

- a) Maintain their conditioning and overall health such as by undergoing rigorous training routines and adhering to certain nutrition, physical therapy, and exercise regimens.
- b) Maintain their skills by attending training camps and frequent practices and skills drills; and
- c) Travel nationally and internationally as necessary for competitive games, which are the same length, exert the same physical and mental demand, and take place in the same playing environment.

Friendlies

For comparison purposes, the USSF pays top Women's National Team players \$72,000 per year to play a minimum of 20 Friendlies (non-tournament games) in one year. Players also receive \$1,350 for each Friendly that is won. No additional compensation is provided if the game is lost or tied. If all twenty games are won, each player receives \$99,000 for that year or \$4,950 per game.

Members of the Men's National Team are also required to play a minimum of 20 Friendlies per year. They, however, receive \$5,000 to play each game regardless of the outcome. They can receive compensation ranging from \$6,250 to \$17,625 per game depending on the level of their opponent and whether they tie or win the game. If the members of the Men's National Team win all of their games, they likely would earn an average of \$13,166 per game or \$263,320 in a year.

World Cup

The compensation afforded members of the Women's National Team for World Cup competitions is \$30,000 total for being asked to try out for the World Cup team and for making the team roster. Members of the Men's National Team, on the other hand, earn \$68,750 for trying out and making their team roster. Furthermore, the pay structure for advancement through the rounds of the World Cup in 2015 was different for men and women. For example, the Men's National Team could earn \$9M for losing in the Round of 16, while the women's team would earn \$2M for winning the entire tournament.

According to a complaint filed on March 8, 2019 in a U.S. District Court, the USSF has continually rejected Women's National Team requests for pay equal to the Men's National Team.

In 2016, the Women's National Team Player Association entered into a collective bargaining agreement with the USSF effective January 1, 2017. During the collective bargaining for a new contract, USSF rejected requests for compensation for the members of the Women's National Team that would have been at least equal to that afforded to the male players. The USSF argues that even if the pay disparities between the Women's National Team and the Men's National Team are morally or societally unfair, the terms were accepted as part of a larger employment deal.

While the case was filed in March 2019, a court date for the hearing is anticipated in 2020. A federal judge recently ruled that the Women's National Team equal pay claims under Title VII of the 1964 Civil Rights Act can proceed as a class action.

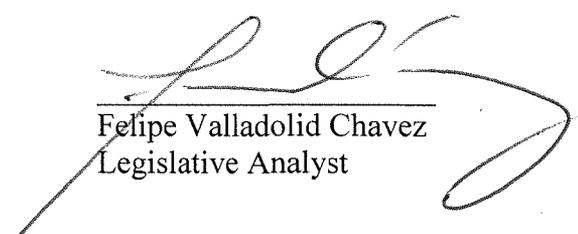
S. 2062 Bill Status

Introduced

July 9, 2019

Referred to the Senate Commerce, Science and Transportation Committee

March 19, 2019



Felipe Valladolid Chavez
Legislative Analyst

SMT:fvc

Attachment: Resolution (Ryu-Martinez-Wesson-Rodriguez)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the issue of pay equity exists across all industries in the United States, frequently to the detriment of working women, including top athletes who represent the United States in National teams for the World Cup and the Olympics; and

WHEREAS, under existing pay conditions of the United States Soccer Federation, members of the United States Women's National Team (USWNT) earn a maximum of \$4,950 per game while members of the United States Men's National Team (MNT) earn an average of \$13,166 per game, equating to a \$8,216 pay gap in favor of the MNT, despite the USWNT performing with greater success; and

WHEREAS, In March, 28 members of the USWNT sued the US Soccer Federation for allegedly discriminating by paying the women less than members of the men's national team "for substantially equal work and by denying them at least equal playing, training, and travel conditions; equal promotion of their games; equal support and development for their games; and other terms and conditions of employment equal to the MNT; and

WHEREAS, currently pending in Congress is S. 2062 (Manchin), a bill which would prohibit the use of Federal funds for the 2026 World Cup unless the United States Soccer Federation provides equal pay to members of the United States Women's National Team and the United States Men's National Team; and

WHEREAS, the City of Los Angeles is looking to host the World Cup in 2026 and the Summer Olympics in 2028 which invokes a National Team to represent the Country in every category of sport; and

WHEREAS, the City of Los Angeles, striving for economic and social justice, continually works to oppose and eliminate pay inequality, structural inequality, and all forms of discrimination;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-2020 Federal Legislative Program SUPPORT for S. 2062, which would prohibit the use of Federal funds to support the 2026 World Cup unless the United States Soccer Federation provides equitable pay to the United States Women's National Team and the United States Men's National Team.

CO-PRESENTED BY: DeCS
DAVID E. RYU
Councilmember, 4th District

CO-PRESENTED BY: Nury Martinez
NURY MARTINEZ
Councilwoman, 6th District

SECONDED BY: Harold Wood
Monica Robinson

ORIGINAL

JUL 31 2019
[Signature]