

S 2070

GAP Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Sep 22, 2015

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Sep 22, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/2070>

Sponsor

Name: Sen. Ayotte, Kelly [R-NH]

Party: Republican • State: NH • Chamber: Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Capito, Shelley Moore [R-WV]	R · WV		Dec 16, 2015
Sen. Portman, Rob [R-OH]	R · OH		Dec 16, 2015
Sen. Burr, Richard [R-NC]	R · NC		Mar 8, 2016

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Sep 22, 2015

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
114 HR 5237	Related bill	Sep 19, 2016: Referred to the Subcommittee on Workforce Protections.
114 S 2773	Related bill	Apr 11, 2016: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
114 S 83	Related bill	Jan 7, 2015: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Gender Advancement in Pay Act or the GAP Act

This bill amends the Fair Labor Standards Act of 1938 to expand exceptions to the prohibition against sex discrimination to include payments pursuant to a differential based on expertise, shift, or a business-related factor other than sex, including but not limited to education, training, or experience.

The statute of limitations under the Portal-to-Portal Act of 1947 for a charge of prohibited sex discrimination, or an action by or on behalf of an employee for such discrimination, shall be tolled until the earlier of: (1) the date on which the Equal Employment Commission or the Department of Justice brings an action or notifies the employee concerned with respect to the charge under the Civil Rights Act of 1964, or (2) 270 days after the charge is filed.

Nonretaliation prohibitions are extended to cover inquiring about, discussing, or disclosing the wages of an employee or of another employee, or declining to discuss or disclose the employee's wages, with specified exceptions. An employer shall be considered to have committed an unlawful act if the employer requires an employee to sign a contract or waiver (other than as specified) that would prohibit the employee from disclosing information about the employee's wages.

Civil penalties are established for violation of prohibitions against sex discrimination.

The Department of Labor, together with the Department of Education, shall conduct a multistate study, through a grant to a nonprofit research institution, that includes strategies to increase the participation of women in high-wage, high-demand occupations and industries in which women are underrepresented.

The Government Accountability Office shall also conduct a multistate study to develop such strategies.

Actions Timeline

- **Sep 22, 2015:** Introduced in Senate
- **Sep 22, 2015:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.