



Thursday | October 14, 2021 | 10:45-11:45 p.m. | Concurrent Session: Block 1

Conducting Pay Equity Studies

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An important challenge facing employers today is how to identify, quantify and correct pay inequality across protected-employee classes. Promoting diversity and inclusion is increasingly being recognized as good business practice that maximizes employee contentment and engagement, and demonstrates good corporate citizenship. In addition, employers must ensure that they are in compliance with federal and state employment laws and regulations. The risk of regulatory action and litigation stemming from noncompliance, or a perception of bias in compensation and other employment practices, represent potential costs, which are largely avoidable with ongoing internal monitoring of employment data.

This program will present best practices in conducting self-audits to proactively identify and address issues with employment processes. We will discuss statistical techniques used to compare similarly situated employees, data issues that can arise and processes for making pay adjustments.

The attendee will learn how a regression analysis is the primary tool used for accounting for various legitimate non-discriminatory factors that can lead to pay differences among protected and non-protected groups. We will address the strengths and limitations of regression analyses and alternative techniques when a regression is not feasible. We will also focus on the need to analyze employees within reasonable analysis groups that mirror the employer's compensation hierarchy and job structure. We will also discuss usual points of contention between the analyses of regulators and plaintiffs' expert compared to that of defense experts.

Learning objectives:

1. How to prepare data for a pay audit
2. What is regression analyses?
3. What is statistical significance v. practical significance?
4. How to approach pay adjustments.

About Cary Elliott



Cary Elliott, is a Director at Resolution Economics LLC, an economics and statistics consulting firm with offices in Los Angeles, Chicago, Washington, D.C. and New York. He holds a Ph.D. in economics from Princeton University. Prior to joining Resolution Economics, Dr. Elliott worked as a senior economist in the executive and legislative branches of the Federal Government; he provided statistical analysis and policy advice to top government executives and members of Congress and their staff. In addition to his years of government service, he has worked as a senior consultant and research manager on various

litigation matters.

Dr. Elliott has a wide range of experience applying economic and statistical techniques in public policy and legal matters. He has worked as a consultant and supported expert testimony in labor and employment cases, major antitrust cases, asbestos liability claims matters, and in multidistrict litigation alleging fraud in pharmaceutical pricing. Throughout his career, Dr. Elliott has specialized in answering specific and non-routine empirical questions that arise in the context of complex litigation and public policy. His experience includes analyzing large public access government databases, and constructing analytical datasets from disparate sources within private firms including payroll data and other financial data. Dr. Elliott is experienced in analyzing potential liability and calculating damages in a wide variety of employment matters, including wrongful termination, compensation, hiring, promotions, and FLSA wage and hour claims.

About Ye Zhang



Dr. Ye Zhang is a labor economist with significant expertise in economic modelling and statistical analysis in all areas involving labor and employment issues. His practice areas address employment discrimination cases including compensation, hiring, promotion, and termination. Dr. Zhang also specializes in FLSA wage and hour cases, FMLA, state law issues of minimum wage and employee misclassification, EEOC investigations, and OFCCP investigations of federal contractors. Dr. Zhang is also an expert in designing and implementing rigorous policy research and program evaluations. He has developed and applied econometric evaluation methods and statistical analyses to a variety of projects funded by the Wage and Hour Division (WHD) and the Chief Evaluation Office (CEO) of U.S. Department of Labor (DOL), state, and local government agencies. He often makes presentations on the economic analysis of labor and employment issues and has presented research and served on panels for the government and various professional associations. Previously, Dr. Zhang was assistant professor of economics at Indiana University.