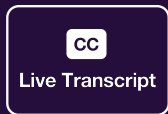




Ask Us Anything: Understanding the Impact of the U.S. Executive Orders on Pay Equity

We will begin shortly.

This webinar is being recorded and will be shared with all registrants.



We have live transcript enabled for this webinar. If you would like to use this feature, please turn on this setting in your Zoom toolbar now.

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Accepted methodology

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qualtrics



Your amazing hosts today



Rob Porcarelli

Chief Strategy Officer & Chief
Legal Officer



Christine Hendrickson

VP of Strategic Initiatives



Katie Bardaro

Chief Customer Officer



Agenda

- 01** Impact of the U.S. Executive Orders on the pay equity landscape
- 02** Why pay equity remains crucial & considerations for legal compliance
- 03** Q&A

Poll question

In light of the Executive Orders, what is your organization's commitment to pay equity?

- A. Leaning in
- B. Staying the course
- C. Pulling back

**Note: Polls are answered anonymously*

The current compliance landscape requires clear, explainable pay

EU: Looming requirements

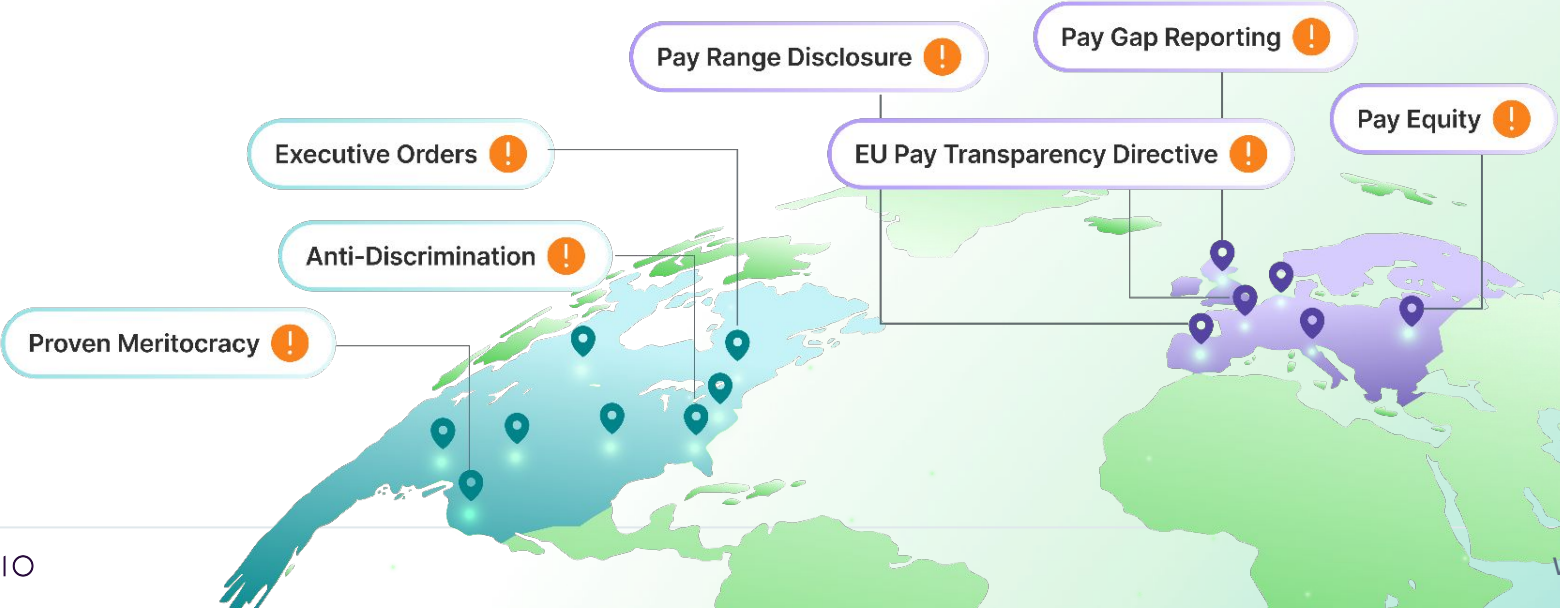
The Directive looms with only one pay cycle left to address issues

US: Onslaught of executive action

Executive orders confuse companies about what is now lawful or unlawful

Pressure to prove "meritocracy"

Companies feel pressure to ensure they pay for merit / performance



Pay equity legal landscape



Jan 21, 2025 Executive Order: "Ending Illegal Discrimination and Restoring Merit-Based Opportunity"



Early termination of two EEOC Commissioners (democrats)



Federal, state, and global anti-discrimination, pay transparency, and pay reporting laws

Let's talk about **what's changed...** **and what hasn't...**

What's changed in the U.S. under the Trump Administration



OFCCP core function gutted

- No need to prepare EO 11246 AAPs
- Auditors told to stand down
- Routine, proactive pay equity audits (not based on an employee complaint)
- Ability to enforce Title VII and Equal Pay Act and obtain settlements or fines



Focus on "Illegal DEI"

- Federal contractors must certify no "illegal DEI" programs (with False Claims Act claims looming)
- All employers directed to end "illegal DEI" programs or other programs involving illegal considerations of race, sex, or other protected characteristics
- Potential civil and criminal penalties



EEOC lacks quorum

- Limited in making significant legal or policy changes until a quorum is restored
- Reinstatement of pay reporting at the federal level officially dead (no "Component 2" data collection)

EO and legal challenges timeline

Jan 21 – Executive Order issued

Feb 21 – Blocked by District Court

Mar 14 – Lifted by Fourth Circuit

...And what hasn't changed



U.S. federal pay equity laws

- Title VII of the Civil Rights Act and Equal Pay Act (not reliant on EOs or reg guidance)
- Aggressive plaintiffs' attorneys and state agencies ([giving rise to \\$100M lawsuits](#))
- Focus on merit-based employment decisions



EEOC's core function

- Continues to accept and resolve charges of pay discrimination (not affected by absence of a quorum)



State and global pay equity laws

- U.S. state-level anti-discrimination, pay transparency, and pay reporting requirements
- EU Pay Transparency Directive, CSRD, and other anti-discrimination, pay transparency, and reporting laws outside of the U.S.



Employees' demand for transparency

- Compensation philosophies to attract, retain, and engage employees through competitive and fair rewards for performance and transparency
- Employee demands to be more transparent and transparency push on social media

While many phrases are being purged by federal agencies, pay equity is not one of them

Source: [NY Times Article, March 7, 2025](#)

These Words Are Disappearing in the New Trump Administration

By [Karen Yourish](#), [Annie Daniel](#), [Saurabh Datar](#), [Isaac White](#) and [Lazaro Gamio](#) March 7, 2025

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As President Trump seeks to purge the federal government of “woke” initiatives, agencies have flagged hundreds of words to limit or avoid, according to a compilation of government documents.

documents.

accessible	discriminated	inclusive	privilege
activism	discrimination	inclusive leadership	privileges
activists	discriminatory	inclusiveness	promote diversity
advocacy	disparity	inclusivity	promoting diversity
advocate	diverse	increase diversity	pronoun
advocates	diverse backgrounds	increase the diversity	pronouns
affirming care	diverse communities	indigenous community	prostitute
all-inclusive	diverse community	inequalities	race
allyship	diverse group	inequality	race and ethnicity
anti-racism	diverse groups	inequitable	racial
antiracist	diversified	inequities	racial diversity
assigned at birth	diversify	injustice	racial identity
assigned female at birth	diversifying	institutional	racial inequality
assigned male at birth	diversity	intersectional	racial justice
at risk	enhancing diversity	intersectionality	racially
barrier	environmental quality	key groups	racism
barriers	equal opportunity	key people	segregation
belong	equality	key populations	sense of belonging
bias	equitable	Latinx	sex
biased	equitableness	LGBT	sexual preferences
biased toward	equity	LGBTQ	sexuality
biases	ethnicity	marginalize	social justice
biases towards	excluded	marginalized	sociocultural
biologically female	exclusion	men who have sex with men	socioeconomic
biologically male	expression	mental health	status
BIPOC	female	minorities	stereotype
Black	females	minority	stereotypes
breastfeed + people	feminism	most risk	systemic
breastfeed + person	fostering inclusivity	MSM	systemically
chestfeed + people	GBV	multicultural	they/them
chestfeed + person	gender	Mx	trans
clean energy	gender based	Native American	transgender
climate crisis	gender based violence	non-binary	transsexual
climate science	gender diversity	nonbinary	trauma
commercial sex worker	gender identity	oppression	traumatic
community diversity	gender ideology	oppressive	tribal
community equity	gender-affirming care	orientation	unconscious bias
confirmation bias	genders	people + uterus	underappreciated
cultural competence	Gulf of Mexico	people-centered care	underprivileged
cultural differences	hate speech	person-centered	underrepresentation
cultural heritage	health disparity	person-centered care	underrepresented
cultural sensitivity	health equity	polarization	underserved
culturally appropriate	hispanic minority	political	undervalued
culturally responsive	historically	pollution	victim
DEI	identity	pregnant people	victims
DEIA	immigrants	pregnant person	vulnerable populations
DEIAB	implicit bias	pregnant persons	women
DEIJ	implicit biases	prejudice	women and underrepresented
disabilities	inclusion		
disability			

Pay equity not focus of “illegal DEI” claims

“Illegal DEI” allegations	Number of allegations*
Hiring	29
Promotion	7
Stipends and allowances (ex: abortion travel stipends, vehicle allowances)	5
Firing	4
Mentorship, apprenticeship, scholarship, and training	4
Supplier diversity	2
Misc. (shareholder risk, investments)	2
Pay Equity	0

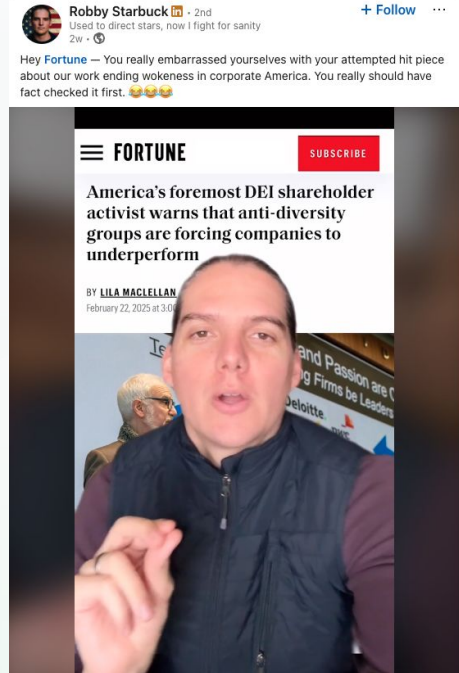
Source: [“The 45 Companies on the MAGA Anti-DEI Hit List”](#), Bloomberg, February 19, 2025

* Some companies have multiple types of “illegal DEI” allegations.

Even top anti-DEI activist says pay equity remains crucial

"I never said anything about ending pay equality. Pay equality across the sexes is lawful. Anything that would be the opposite—where you're paying people differently on the basis of sex—would already be illegal."

- [Robby Starbuck](#)



Robby Starbuck, polarizing conservative social media activist and former music video director

Poll question

Prior to and following the Executive Orders, did you remediate white men?

- A. Before yes, after yes
- B. Before yes, after no
- C. Before no, after yes
- D. Before no, after no

**Reminder: Polling is anonymous*

Pay equity protects *everyone* from unlawful discrimination

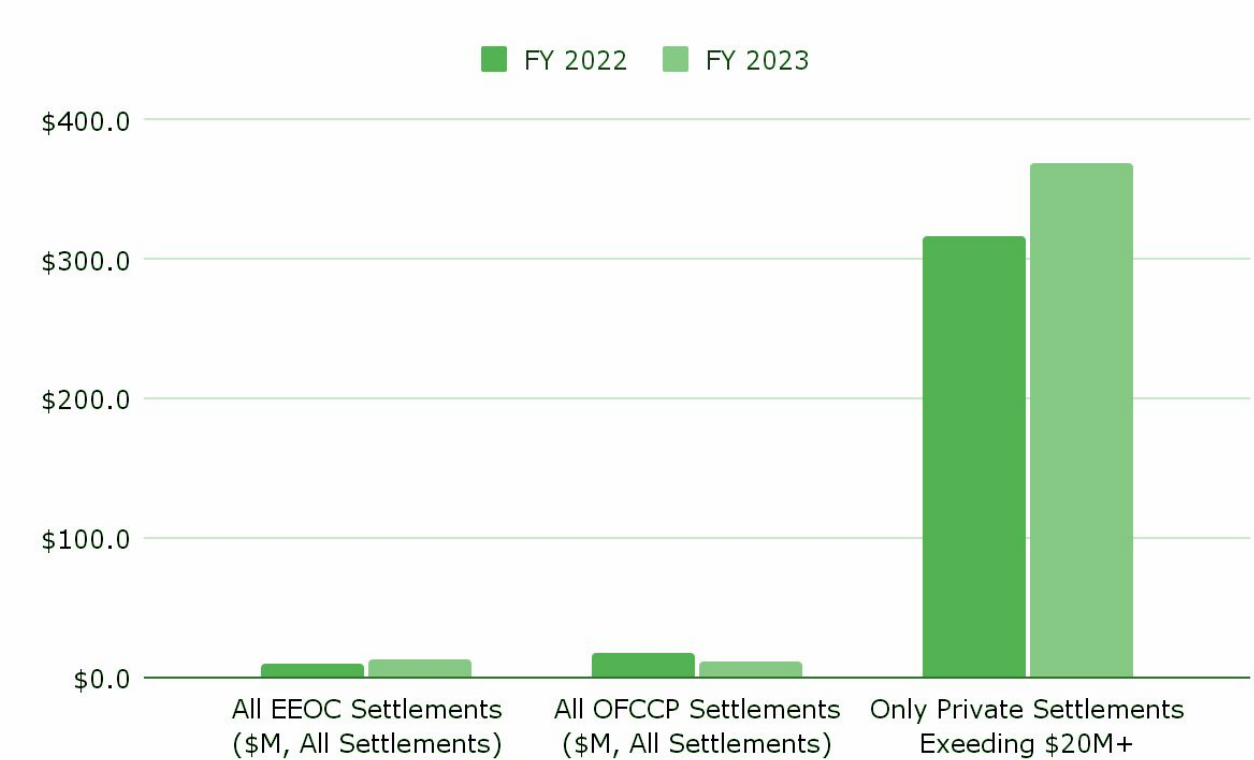
85% of gender pay comparisons show no significant gender-based differences

- **15%** of groups with a problem reveal surprising results — **men are disadvantaged one in five times**

84% of racial pay comparisons show no significant differences

- **9%** of groups with meaningful differences see **white employees earn less than their peers** (versus 7% where they earn more)

Pay equity risk does not come only from the U.S. fed government



OFCCP By the Numbers, Monetary Relief Obtained, <https://www.dol.gov/agencies/ofccp/about/data/accomplishments>
EEOC Enforcement and Litigation Statistics, <https://www.eeoc.gov/data/enforcement-and-litigation-statistics-0>
Private and State Agency Pay Equity Law Suits Over \$20M: [Syndio Summary](#)

Less action at the federal level often means more action on the state level (and vice versa)



Poll question

**How are the executive orders impacting how you talk about pay equity?
(Select all that apply)**

- A. We will continue to disclose our adjusted pay gap publicly
- B. We are rebranding "pay equity" to "pay fairness"
- C. We will no longer disclose pay gap numbers
- D. We are beholden to the CSRD and EU Pay Transparency Directive and required to disclose
- E. We have never discussed pay equity and will continue not to
- F. We are still determining our strategy

**Reminder: Polling is anonymous*

How is Syndio thinking about its work in light of U.S. actions



**Syndio analyses
remain compliant
and defensible**



**We also help
companies analyze
their pay policies
and apply them
consistently**



**The future of
compensation is
intelligent *and*
compliant**



Q&A

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