

Case 11: Why are Jordy and Gia paid different rates?

Content note

This case explains general rules. It is not legal advice for your situation.

Overview

Students read a story in which Jordy and Gia work the same Saturday event. Jordy is paid \$16.50 an hour, and Gia is paid \$18.00. They compare the pay statements and the crew schedule, which lists Gia as shift lead, with federal pages on pay discrimination and on discussing wages. They then draft Jordy’s message to the supervisor asking how the rates were set.

Before this case

Students should already be able to:

- summarize an official agency web page accurately
- weigh the costs and benefits of a policy for different groups
- write a memo with headings for a named reader

Objectives

Students will be able to:

- describe the federal protections in the Equal Pay Act and Title VII accurately
- explain that pay-range posting rules vary by state and city

Objectives, continued

- weigh a small employer’s concerns against workers’ need for clear pay information
- recommend specific pay-transparency practices for the event company

Materials

- This chapter, one copy per student
- Evidence A, B and C
- The EEOC Pay Discrimination page
- An educator-selected article on pay-range posting laws

The task in this edition

Task: Write a policy memo for the event company recommending pay-transparency practices.

Students make: Memo, 400—500 words

Pacing

Opener (page 208): 5 min. Short on time: 5 min.

Key terms (pages 209 and 210): 5 min. Short on time: skip.

Look at the evidence (page 214): 8 min. Short on time: 8 min.

Look at the evidence (page 215): 4 min. Short on time: 4 min.

Pacing, continued

Key idea (pages 216 and 217): 10 min. Short on time: 6 min. Read the key idea. Skip the code of ethics and In the news.

Sort the evidence (page 218): 6 min. Short on time: skip.

Practice (page 219): 5 min. Short on time: skip.

Your task (pages 220 and 221): 10 min. Short on time: 10 min.

Your draft (page 222): 25 min. Short on time: 25 min.

Check your work (pages 223 and 224): 6 min. Short on time: skip. Collect drafts and score them with the rubric yourself.

Questions to discuss (pages 225 and 226): 10 min. Short on time: 2 min. Use question 3 as an exit ticket.

Talk about this case at home (page 227): at home.

Periods: full chapter 94 minutes; one period 60 minutes.

Standards

RI.11-12.1 Back up an analysis with the strongest evidence from the text, including where the text leaves things uncertain.

W.11-12.2 Write an explanatory text that conveys complex ideas clearly and accurately.

Case 11 plan, continued

Standards, continued

W.11-12.5 Strengthen writing by planning, revising, editing or rewriting, focusing on what matters most for the purpose and audience.

SL.11-12.1.c Keep a discussion moving with questions that probe reasoning and evidence, and make sure the full range of views is heard.

SL.11-12.1.d Respond to different views, pull together what each side says, resolve conflicts where possible and name what still needs research.

D2.Civ.12.9-12 Analyze how people use and challenge laws at different levels to address public issues. In this case: Students analyze how workers use equal-pay laws to address pay issues.

D2.Civ.14.9-12 Analyze past, present and emerging ways of changing society, promoting the common good and protecting rights. In this case: Students analyze historical and contemporary means of protecting rights at work.

D2.His.1.9-12 Evaluate how events were shaped by their time and place and by the wider historical context. In this case: Students evaluate how the U.S. women’s soccer team’s choice of comparison (contract structure and totals, or pay rates) shaped the 2020 ruling and the 2022 settlement.

Codes of ethics

- **SHRM Code of Ethics:** Fairness and Justice
- **SHRM Code of Ethics:** Use of Information
- **IABC Code of Ethics for Professional Communicators:** “I protect confidential information”

Heat map

- ■ □ **Opener (page 208):** Medium
- □ □ **Key terms (pages 209 and 210):** Low
- □ □ **Look at the evidence (page 214):** Low
- □ □ **Look at the evidence (page 215):** Low
- □ □ **Key idea (pages 216 and 217):** Low
- □ □ **Sort the evidence (page 218):** Low
- ■ □ **Practice (page 219):** Medium
- □ □ **Your task (pages 220 and 221):** Low
- □ □ **Check your work (pages 223 and 224):** Low

Try it at your school

Know how pay decisions are made where you work.

- Ask for your pay rate and how it’s set in writing when you start a job
- Keep your own record of hours and duties
- Talk with a trusted adult or counselor if something seems off
- Look up your state labor department’s pay-equity page

Try it at your school, continued

Who to ask: Supervisor or HR, school counselor, state labor department, the EEOC’s public information line

Safety: Don’t share coworkers’ pay information without their permission. Deadlines apply to formal complaints, so ask a qualified adviser early if you think there’s a legal issue.

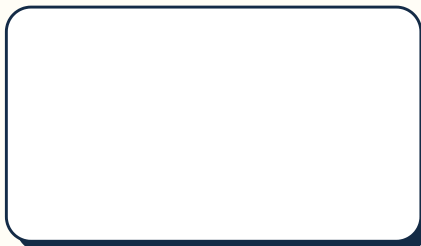
Sources

- NPR, “The U.S. national women’s soccer team wins \$24 million in equal pay settlement,” February 22, 2022
- NPR, “Federal Judge Dismisses U.S. Women’s Soccer Team’s Equal Pay Claim,” May 2, 2020
- U.S. Equal Employment Opportunity Commission (EEOC), “Pay Discrimination,” No date listed
- National Labor Relations Board (NLRB), “Your Right to Discuss Wages,” No date listed

Case 11: Why are Jordy and Gia paid different rates?

Jordy and Gia worked the same Saturday event, but Gia's pay rate is \$1.50 an hour higher, and Jordy wants to know why.

On your own Read What happened. Underline the two pay rates and the job title on the schedule. About 5 minutes.



Mateo attaches an arrival notice at the Common Room entrance. Gia points to the doorway, and Jordy checks what a visitor will see.

Your role: You're the one who lines up both shifts side by side before Jordy writes to Dana. **New skill:** Compare two cases on the same terms.

What happened

Jordy and Gia work event shifts for the same company. They both worked a Saturday event from 3 to 11 p.m. Both helped with setup and closing, and Jordy also ran the caption and audio check.

They were paid the following Friday. On Sunday afternoon, Jordy and Gia compare pay statements. Jordy's lists eight hours at \$16.50 an hour. Gia's lists \$18.00 an hour for the same event.

The crew schedule lists Gia as "shift lead," but it does not say what that job includes. That day, Gia opened up and handled one guest issue. She does not know if that explains the \$1.50 difference. Gia is fine with Jordy knowing her rate. But she does not want her statement posted.

Jordy wants to ask Dana, the supervisor, how rates are set. Jordy will not post anything before Dana answers.

Your question: Why is Gia paid more than Jordy for the same event, and how should Jordy ask about it?

Pacing

Full chapter: 5 min.

 Short on time: 5 min.

Say this

"Two friends, same event, same hours, different pay. What is your first reaction?" — Hear three answers. Write them on the board without judging them.

Watch for

Misconception: Students decide the gap proves discrimination. **Listen for:** "That's illegal." **Then:** Ask what else could explain \$1.50. Add "shift lead" to the board.

Support

- Read What happened aloud. Pause after each pay rate so students can underline it.

Heat check

 **Medium.** Students may connect the gap to Jordy's identity or share a family member's pay.

Cool-down: Say: "We only know what the documents show." Nobody needs to share their own pay or a family member's.

Key terms

On your own Read each key term and its example. Then write your first guess about the pay difference. About 5 minutes.

Compensation Compensation is all the pay and benefits a worker receives, including hourly rates, bonuses and overtime.

En español: compensación

In this case: Jordy's statement shows eight hours at \$16.50 an hour, and Gia's shows \$18.00. The statements show the rates but not how they were set.

Equal Pay Act The Equal Pay Act is a federal law from 1963 that requires equal pay for men and women who do equal work.

En español: Ley de Igualdad Salarial

In this case: The Equal Pay Act covers pay differences based on sex, not every difference. Different job duties, such as a real shift-lead role, can be a lawful reason.

Title VII Title VII is part of the Civil Rights Act of 1964. It bans job discrimination based on race, color, religion, sex or national origin.

En español: Título VII

In this case: Title VII covers pay decisions based on race, color, religion, sex or national origin. No document shows how Jordy's rate was set.

Who is involved

Jordy

Worked setup through close

"Three to eleven, setup to close, and I ran the caption and audio check. \$16.50 an hour. Gia's says \$18.00."



Gia

Listed as shift lead

"I only found out I make more because Jordy showed me theirs. The schedule calls me shift lead. Nobody told me what that pays for."

⌚ Pacing

Full chapter: 5 min.

✂ Short on time: skip this page.

💬 Say this

"Compensation is more than the hourly rate. What else could count?" — Listen for overtime, bonuses and benefits.

👁 Watch for

Misconception: Students think the Equal Pay Act covers every pay difference. **Listen for:** "Any pay gap breaks the Equal Pay Act." **Then:** Reread the definition. The law is about men and women doing substantially equal work.

📄 Support

- Preteach "rate" and "gross pay" with Jordy's statement: 8 hours × \$16.50 = \$132.00.
- **Cognates:** compensation (compensación), discrimination (discriminación), supervisor (supervisor), evidence (evidencia), criteria (criterios), difference (diferencia), information (información), private (privado), legitimate (legítimo).

🔥 Heat check

■□□ Low.

🔑 Answer key

Any first guess is fine. Students return to it on the My take page.

Your first guess

Before you look at the evidence, why do you think Gia is paid more than Jordy?

My first guess is ___, because ___.

☞ My first guess is that the company treats them unfairly, because they worked the same hours at the same event.

Notes

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

This page continues page 209. The notes for both pages are on the sheet for page 209.

Reading passage

A pay gap is a question, not a finding

On your own Read the passage. At each Stop and think box, pause and answer the question in your head or with a partner. About 5 minutes.

Words to know

- **Compensation:** Compensation is all the pay and benefits a worker receives, including hourly rates, bonuses and overtime.
- **Equal Pay Act:** The Equal Pay Act is a federal law from 1963 that requires equal pay for men and women who do equal work.
- **Title VII:** Title VII is part of the Civil Rights Act of 1964. It bans job discrimination based on race, color, religion, sex or national origin.
- **Gross pay:** Gross pay is the money you earn before any taxes or other deductions are taken out.

The story: Two statements on a Sunday

Jordy is Black, nonbinary and hard of hearing, studies part time and works event shifts. Gia studies communication and works café shifts, and she also picks up event work for the same company as Jordy. On Saturday, they both worked a 3 to 11 p.m. event. The crew schedule shows the division of labor. Everyone did setup from 3 to 5 and closing from 10 to 11. Jordy ran the caption and audio check. Gia is listed as “shift lead,” with no description of what that means.

On Sunday, Jordy shares a pay statement with Gia: eight hours at \$16.50. Gia’s says \$18.00. Her first reaction is a guess, that the difference must be the shift lead title. Her second is honesty. She opened up and handled one guest issue, and she does not know whether that is why she is paid \$1.50 more. Gia only found out because Jordy showed her.

The friends agree on the facts and on a boundary. Gia is fine with Jordy knowing her rate but does not want her statement posted. Jordy will not post anything before asking Dana, the supervisor, how rates are set. Asked whether this is discrimination, Gia says she does not know yet. Maybe shift lead pays more. Ask Dana what it covers first.

Your role is to line up both shifts side by side before Jordy writes to Dana.

Stop and think. Gia’s first guess and her honest answer differ. Why is the honest answer more useful to Jordy?

Pacing

Reading: about 5 min (722 words). Short on time: read it aloud together, pausing at each Stop and think.

Stop and think

1. **After “The story: Two statements on a Sunday”:** Gia’s first guess and her honest answer differ. Why is the honest answer more useful to Jordy?
2. **After “Comparing on the same terms”:** The judge and the players disagreed about what to compare. How would each approach apply to Jordy and Gia?
3. **After “The legal frame and the soccer comparison”:** Why does the case treat Jordy’s choice to wait for Dana as belonging to Jordy alone?

Comparing on the same terms

The skill in this case is comparing two situations on the same terms before calling a difference unfair. It builds on Case 5, where you read a pay statement line by line. Jordy's statement shows 8.0 hours at \$16.50 and **gross pay** of \$132.00, the money earned before any taxes or other deductions are taken out.

A fair comparison lists every dimension the evidence covers. Hours, setup and closing are identical. Jordy had a technical duty, the caption and audio check. Gia had a title and two tasks attached to it. The documents leave three things unknown: what "shift lead" formally includes, whether it carries a set rate and how rates are set in general. **Compensation** is all the pay and benefits a worker receives, including hourly rates, bonuses and overtime. A job title, extra duties or more experience can lawfully explain a difference. So can a mistake. The comparison does not reveal which.

That is why the case turns on a question rather than a verdict. Case 10's skill, reporting to the office responsible, points to Dana, who sets rates. Jordy's message can state the observation, list what Jordy knows for sure and ask what shift lead includes and how rates are set. It does not need to name Gia's rate. Jordy keeps the next decision too. If the answer does not make sense, Jordy decides what to do.

 **Stop and think.** The judge and the players disagreed about what to compare. How would each approach apply to Jordy and Gia?

The legal frame and the soccer comparison

Two federal laws limit the reasons employers can use to set pay. The **Equal Pay Act** is a federal law from 1963 that requires equal pay for men and women who do equal work. **Title VII** is part of the Civil Rights Act of 1964. It bans job discrimination based on race, color, religion, sex or national origin. The EEOC enforces both. Its youth pages list the kinds of compensation the laws cover and the ban on retaliation (EEOC, no date listed). The NLRB adds that most private-sector workers may discuss pay with coworkers, with or without a union (NLRB, no date listed). That right does not make Gia's statement Jordy's to share.

The U.S. women's national soccer team's case shows how much depends on the comparison. In 2020, a federal judge dismissed their equal pay claim, pointing to differences in contract structure (NPR, May 2, 2020). The players appealed, arguing that he had not compared rates of pay. In February 2022, they settled for \$24 million with a promise of equal pay rates (NPR, February 22, 2022), and the new terms were later written into signed contracts (PBS NewsHour, September 6, 2022). The settlement was an agreement between the parties, not a court finding.

Policy is moving toward more visible pay. New salary transparency laws put pay ranges in job ads, which makes differences easier to notice and ask about (NPR, January 3, 2023). HR professionals have their own standard.

This page continues page 211. The notes for both pages are on the sheet for page 211.

The legal frame and the soccer comparison, continued

The SHRM code asks members to “foster fair, consistent and equitable treatment for all” (SHRM Code of Ethics, April 24, 2023).

? **Stop and think.** Why does the case treat Jordy’s choice to wait for Dana as belonging to Jordy alone?

Sources

Real source | U.S. Equal Employment Opportunity Commission (EEOC) | No date listed

Pay Discrimination

Real source | National Labor Relations Board (NLRB) | No date listed

Your Right to Discuss Wages

Real source | NPR | May 2, 2020

Federal Judge Dismisses U.S. Women’s Soccer Team’s Equal Pay Claim

Real source | NPR | February 22, 2022

The U.S. national women’s soccer team wins \$24 million in equal pay settlement

Real source | PBS NewsHour (Associated Press) | September 6, 2022

U.S. men’s and women’s soccer teams formally sign equal pay agreements

Real source | NPR | January 3, 2023

The impact that new salary transparency laws could have

Real source | Society for Human Resource Management (SHRM) | 2023

SHRM Code of Ethics**Notes**

This page continues page 211. The notes for both pages are on the sheet for page 211.

Look at the evidence

On your own Read each document. For each one, fill in both boxes. About 8 minutes.

Evidence A | Pay statement

Jordy's pay statement

Event crew, Saturday. Hours: 8.0 at \$16.50. Gross pay for the event: \$132.00.

Look closely: Multiply the hours by the rate. Does it match the gross pay?

What it shows

➤ Jordy's own record: 8.0 hours at \$16.50, and \$132.00 gross, which adds up.

What it leaves out

➤ The criteria behind the rate, and any comparison with other crew members.

Evidence B | Work schedule

The crew schedule

Saturday event, 3:00–11:00 p.m. Crew: Gia (shift lead), Jordy and two other crew members. Setup, 3:00–5:00: all crew. Caption and audio check: Jordy. Closing, 10:00–11:00: all crew.

Look closely: Circle "shift lead." Does the schedule say what that job includes?

What it shows

➤ A title difference (shift lead) and shared duties (setup, closing) at one event.

What it leaves out

➤ A job description for shift lead, and any written link between title and pay.

⌚ Pacing

Full chapter: 8 min.

✂ Short on time: 8 min.

💬 Say this

"Put your finger on "shift lead." What would you need to know about that title?" — Wait for "what the job includes" and "whether it pays more."

👁 Watch for

Misconception: Students treat Gia's pay statement as Jordy's to share. **Listen for:** "Jordy can show everyone Gia's statement." **Then:** Point to Evidence C. Gia agreed to let Jordy know her rate, not to post her statement.

📊 Support

- Give students a four-column table: duties, hours, title, rate.
- Read the text messages aloud with two voices.
- **Cognates:** compensation (compensación), discrimination (discriminación), supervisor (supervisor), evidence (evidencia), criteria (criterios), difference (diferencia), information (información), private (privado), legitimate (legítimo).

🔗 Stretch

- Ask which duty on the schedule belongs only to Jordy, and whether it could matter as much as shift lead.

🔥 Heat check

■□□ Low.

Look at the evidence, continued

Evidence C | Text messages

Jordy and Gia compare notes

Sunday, 1:15 p.m.

Gia: I'm fine with you knowing my rate. I just don't want my statement posted anywhere.

Jordy: Got it. Did you do anything different as shift lead?

Gia: I opened up and handled one guest issue. Honestly, I don't know if that's why. Let's ask Dana.

Look closely: What does Gia agree to share, and what does she ask Jordy not to do?

What it shows

☞ Consent with limits: Jordy may know Gia's rate, but her statement stays unposted.

What it leaves out

☞ Whether one opening and one guest issue explain the rate, and what Dana may see.

What is still missing from the evidence?

☞ What the shift-lead role officially involves and how rates are set, whether Gia's higher rate reflects experience or other criteria, how other crew members are paid, and whether the company has any written pay policy.

Pacing

Full chapter: 4 min.

✂ Short on time: 4 min.

Say this

“Put your finger on “shift lead.” What would you need to know about that title?” — Wait for “what the job includes” and “whether it pays more.”

Watch for

Misconception: Students treat Gia's pay statement as Jordy's to share. **Listen for:** “Jordy can show everyone Gia's statement.” **Then:** Point to Evidence C. Gia agreed to let Jordy know her rate, not to post her statement.

Support

- Give students a four-column table: duties, hours, title, rate.
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Stretch

- Ask which duty on the schedule belongs only to Jordy, and whether it could matter as much as shift lead.

Heat check

■□□ Low.

Key idea: equal pay

On your own Read the key idea and the code of ethics. Then answer the question in the box. About 10 minutes.

Before you can say why Jordy is paid less, you need to know what each job included. **Compensation** is all the pay and benefits a worker receives, including hourly rates, bonuses and overtime. A job title, extra duties or more experience can explain a pay difference. So can a mistake. The pay statements show the rates, but they do not show how the rates were set.

Federal laws limit the reasons an employer can use to set pay. The **Equal Pay Act** is a federal law from 1963 that requires equal pay for men and women who do equal work. **Title VII** is part of the Civil Rights Act of 1964. It bans job discrimination based on race, color, religion, sex or national origin. Both laws apply to covered employers, and the Equal Employment Opportunity Commission (EEOC) enforces them. A legitimate reason, such as different job duties, can lawfully explain a pay difference.

Talking about pay is protected too. The National Labor Relations Board (NLRB) says most private-sector workers have a right to discuss pay with coworkers. That right holds with or without a union. It does not make Gia's pay statement Jordy's to share. Jordy can ask Dana how rates are set without naming Gia's rate.

Professional standards

Real source | Society for Human Resource Management (SHRM)

SHRM Code of Ethics: Fairness and Justice

"Develop, administer, and advocate policies and procedures that foster fair, consistent and equitable treatment for all."

In plain words: HR professionals who belong to SHRM agree to use workplace policies that treat workers fairly and consistently.

Question: The schedule lists Gia as shift lead. What written policy would show whether that title explains the higher rate?

Your answer

The policy would need to state ____, so that ____.

➡ The policy would need to state the shift-lead duties, how someone qualifies and each role's rate, so that one rule applies to the whole crew.

⌚ Pacing

Full chapter: 10 min.

✂ Short on time: 6 min. Read the key idea. Skip the code of ethics and In the news.

💬 Say this

"The Equal Pay Act and Title VII limit the reasons for a pay gap. Which reason could be lawful here?" — Wait for "different job duties."

"The SHRM code asks for fair, consistent policies. What written policy would help Jordy?" — Accept "a job description" or "a pay chart."

👁 Watch for

Misconception: Students treat the SHRM code as a law.

Listen for: "The company broke the SHRM code, so it's illegal." **Then:** Say: "SHRM's code binds its members, who are HR professionals. The laws here are the Equal Pay Act and Title VII."

📖 Support

- Read the code quotation aloud. Point out its label: a quotation from a real source.

🔗 Stretch

- Use the second SHRM card: what should a complete answer from Dana include?

🔥 Heat check

■□□ Low.

Real source | NPR | February 22, 2022

The U.S. national women's soccer team wins \$24 million in equal pay settlement

A real 'same work, different pay' dispute that ended in a settlement and a promise of equal rates.

Real source | NPR | May 2, 2020

Federal Judge Dismisses U.S. Women's Soccer Team's Equal Pay Claim

Why the claim was first dismissed: the judge compared how the contracts were structured. What you compare shapes the answer.

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

This page continues page 216. The notes for both pages are on the sheet for page 216.

Sort the evidence

On your own Line up the accounts in the diagram. Then name one view that is missing. About 6 minutes.

Line up the accounts. Where do they agree, where do they differ, and which difference could be a legitimate factor? What would you need to find out before calling it unfair?

Account 1

Jordy's record: 8 hours, setup, caption and audio check, closing, \$16.50

Account 2

Gia's account: same hours, setup and closing, opened up and handled one guest issue, \$18.00

Account 3

The schedule: Gia listed as shift lead, with no description of the role

Where they agree

Both worked the same event, the same hours, and setup and closing.

Where they differ

Title and rate: shift lead at \$18.00 versus crew at \$16.50

Check: Ask the supervisor how rates are set and what the shift-lead role requires

Whose perspective is missing?

Whose view is missing from these documents? What would you ask them?

The view that is missing is _____. I would ask _____.

The two other crew members on the schedule are missing. Their rates could show the usual crew rate, but they choose whether to share.

Pacing

Full chapter: 6 min.

Short on time: skip this page.

Say this

“Line up Jordy’s record, Gia’s account and the schedule. Where do they agree?” — Model the first link together: both worked setup and closing.

Watch for

Misconception: Students mark the title as proof that the pay is fair. **Listen for:** “She’s shift lead, so it’s fine.” **Then:** Ask what the schedule says shift lead includes. It says nothing. The title leaves the question open.

Support

- Let students write A (agrees), D (differs) or ? (leaves open) before writing sentences.

Heat check

Low.

Practice: choose a response

On your own Choose what Jordy should do first and explain why. Then fix the two marked lines. About 5 minutes.

Jordy's statement shows \$16.50 an hour. Gia's shows \$18.00 for the same Saturday event, and the schedule lists her as "shift lead." What should Jordy do first?

- ☐ A Tell the rest of the crew that Gia is paid more for the same work.
- ☒ B Compare what each of them did, find out what "shift lead" means and ask Dana how rates are set.
- ☐ C Let it go, because an employer can set any pay rate it chooses.

Why I chose it

➤ B. A treats an unexplained difference as a finding and exposes Gia's pay. C assumes employers face no limits, which the EEOC and NLRB pages contradict. B gathers the facts first.

Improve a draft

A student's first draft

Hi, I found out Gia makes more than me and we did the exact same work so ① this is discrimination. I know it's because of who I am. I want the same rate as her starting now or I'm going to post about it everywhere so people know how this company treats workers. ② I have her pay stub as proof. I've worked here longer than some people and I always show up on time. Let me know by tomorrow. Jordy

Rewrite each marked phrase so it says only what the evidence supports.

Rewrite phrase 1

➤ I noticed a difference in rates, and I would like to understand the criteria.

Rewrite phrase 2

➤ My statement shows \$16.50 an hour. Another worker on my shift was paid a higher rate.

⌚ Pacing

Full chapter: 5 min.

✂ Short on time: skip this page.

💬 Say this

"Jordy has just seen Gia's rate. What should Jordy do first?"
— Hold a quick vote before any discussion.

👁 Watch for

Misconception: Students choose C because employers can pay what they want. **Listen for:** "It's their company, they decide." **Then:** Ask what the key idea says. Employers set rates, but federal laws limit the reasons.

📖 Support

- Read the options aloud before students choose.

🔥 Heat check

■ ■ □ **Medium.** Students may share their own pay or a boss's treatment.

Cool-down: Return to Jordy: "What does Jordy know for sure?" No one needs to describe their own job.

➤ Answer key

A revised version: Hi Dana, I have a question about my pay rate for the Saturday event. I worked setup and closing, from 3 to 11 p.m., and ran the caption and audio check. My statement shows \$16.50 an hour. I understand another worker on the same shift was paid a higher rate. Could you explain how rates are set for event crew, including what the shift-lead role involves and how someone qualifies? If there are criteria I haven't met, I'd like to know what they are. I'd appreciate a reply this week. Thanks, Jordy

Grades 11–12

Your task

On your own Read the steps. Fill in the planner boxes before you start your draft. About 10 minutes.

Write a policy memo for the event company recommending pay-transparency practices.

Use: Case materials, EEOC page and a teacher-selected article on pay-range posting laws.

You'll make: Memo, 400–500 words

Time: 60 minutes

- 1 Reread the key idea. List what the Equal Pay Act and Title VII each cover.
- 2 Read your teacher's article on pay-range posting laws. Note one requirement and where it applies.
- 3 Fill in the options matrix: two practices, with a benefit and a cost for each.
- 4 Write the recommendation and cost paragraphs on the Your draft page, about 180 words.
- 5 Write the rest of your 400- to 500-word memo on lined paper or in the online workspace.
- 6 Check your memo with the questions on the Check your work page.

Prefer typing? Scan to open the online workspace.

What federal law protects

➔ **Equal Pay Act:** equal pay for men and women doing substantially equal work. **Title VII:** no pay discrimination based on race, color, religion, sex or national origin.

Case 11 | Your task | Grades 11–12 educator edition

🕒 Pacing

Full chapter: 10 min.

✂ Short on time: 10 min.

💬 Say this

“Jordy asked one question. Your memo answers it for the whole crew. Which practice would have made the question unnecessary?” — Hear two answers before students fill in the matrix.

👁 Watch for

Misconception: Memos state that the company broke the law. **Listen for:** “They violated the Equal Pay Act.” **Then:** Ask what facts a finding would need. The case gives a rate difference and a title, and no reason.

📎 Support

- Memo template
- Options matrix
- Memo headings: To, From, Purpose, Recommendations, Costs and limits.

🔗 Stretch

- Explain that some states and cities require pay ranges in job postings, and weigh costs and benefits for a small employer.

🔥 Heat check

■□□ Low.

Your task, continued

Practice 1, with a benefit and a cost

- Publish each role's duties and rate. Benefit: clear criteria. Cost: time to write them.

Practice 2, with a benefit and a cost

➡ Answer pay questions in writing.
Benefit: complete answers. Cost: a manager's time.

State and local rules

- Some states and cities require pay ranges in job postings, so the company must check its location.

Notes

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

This page continues page 220.

Standards

Common Core: RI.11-12.1; W.11-12.2; W.11-12.5; SL.11-12.1.c; SL.11-12.1.d.

C3 Framework: D2.Civ.12.9-12;
D2.Civ.14.9-12; D2.His.1.9-12.

The Case plan sheet gives each code in plain words.

Answer key

A strong response:

- Accurate description of federal protections
- Notes state and local variation
- Weighs employer concerns
- Clear recommendations

Your draft

On your own Write your draft in the boxes. Use your planner from the page before. About 25 minutes.

Recommendations, 100 to 130 words

We recommend ____.

✎ We recommend two practices. First, the company should write a short description of each event-crew role, including shift lead, with its duties and its hourly rate. It should share that description with every worker. Right now the schedule lists a title but no duties, so workers cannot tell whether a rate difference reflects different work. Second, managers should answer pay questions in writing, naming the criteria behind each rate and how someone qualifies for a higher one. These steps help the company show that pay follows job duties, which federal law allows. Pay based on a protected trait is what the Equal Pay Act and Title VII forbid.

Costs and limits, 50 to 70 words

These practices have costs. ____

✎ These practices have costs. Writing role descriptions uses a manager's time, and a small company may worry that posted rates will lead to more questions. Some states and cities also require pay ranges in job postings, so the company must check the rules where it operates. The descriptions should be reviewed whenever a role changes.

Pacing

Full chapter: 25 min.

✂ Short on time: 25 min.

Say this

“Your reader runs a small company. Which sentence answers their first worry?” — Ask each student to underline it.

Watch for

Misconception: State and local rules are stated as if they apply everywhere. **Listen for:** “The law requires pay ranges in every job ad.” **Then:** Some states and cities require them. Ask students where their article’s rule applies.

Support

- The overprinted sample holds the two key sections that fit this page. Full memos run 400 to 500 words.

✎ Answer key

What to notice in the sample:

- Turns Jordy’s one question into a practice for the whole crew.
- Describes the federal protections accurately without declaring a violation.
- Weights a concern the employer would raise.
- Notes state and local variation.

Check your work

On your own Answer the Check your work questions and mark your level in each rubric row. Then write one change you made. About 6 minutes.

Does your memo describe the Equal Pay Act and Title VII accurately?

☒ Yes☐ No

Does it note that pay-range rules vary by state and city?

☒ Yes☐ No

Does it weigh at least one concern a small employer would have?

☒ Yes☐ No

Are your recommendations specific enough for the company to act on?

☒ Yes☐ No

How your work is scored

Mark one box in each row.

Skill	Beginning	Developing	Proficient	Advanced
Evidence	☐ Relies on assumption.	☐ Mentions the gap only.	☐ Cites duties, hours and rate.	☐ Cites records and acknowledges what isn’t known.
Reasoning	☐ Declares discrimination.	☐ Assumes the reason.	☐ Asks for criteria before concluding.	☐ Identifies possible legitimate factors to test.
Audience & purpose	☐ Threatens or exposes coworkers.	☐ Polite but vague.	☐ Specific question to the right person.	☐ Specific question that protects coworkers’ privacy.
Revision	☐ No change.	☐ Tone only.	☐ Replaces conclusion with a question.	☐ Explains how changes protect Jordy and get an answer.

Pacing

Full chapter: 6 min.

✂ Short on time: skip this page. Collect drafts and score them with the rubric yourself.

Say this

“Read your message as Dana. Could you answer it in one reply?” — Partners swap and underline the question.

Watch for

Misconception: Students revise tone only. **Listen for:** “I made it nicer.” **Then:** Point to the Revision row. Ask them to replace a conclusion with a question.

Heat check

Low.

Answer key

How to assess: The memo is scored for accurate federal protections, noted state and local variation, fair treatment of employer concerns and clear recommendations.

Proficient looks like:

- **Evidence:** Cites duties, hours and rate.
- **Reasoning:** Asks for criteria before concluding.
- **Audience & purpose:** Specific question to the right person.
- **Revision:** Replaces conclusion with a question.

Check your work, continued

One change I made after feedback

I changed ___ because ___.

➤ I replaced my claim that pay transparency is always good with two practices and their costs. The memo has to work for a small employer.

Notes

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

This page continues page 223. The notes for both pages are on the sheet for page 223.

Questions to discuss

On your own Write a short answer to each question. Then complete each sentence frame below the questions. About 10 minutes.

- 1 What information could explain the \$1.50 difference, and what might challenge that explanation?

➤ Lead duties or more experience could be a legitimate factor, and a mistake is possible too. The explanation weakens if shift lead has no written duties, or if other crew earn more without the title.

- 2 Whose choice is it to make Jordy's pay public, and why?

➤ It is Jordy's choice, because the NLRB says most private-sector workers may discuss their own pay. Gia agreed to share her rate with Jordy, not to have her statement posted.

- 3 What answer from Dana would satisfy Jordy, and what answer would not?

➤ An answer that names specific criteria and applies them to both roles. An answer that cites "experience" with no detail, or refuses to explain, leaves Jordy's question open.

- 4 In the soccer case, the judge looked at contract structures, and the players wanted him to compare rates of pay. Why does that choice matter?

➤ The comparison shapes the answer. Contract structure and totals can make pay look fair while rates differ. The settlement did not decide which comparison was right.

⌚ Pacing

Full chapter: 10 min.

✂ Short on time: 2 min. Use question 3 as an exit ticket.

💬 Say this

"Answer with a detail from a document, not a guess about the company." — Hear one answer per question, then ask who disagrees.

➤ Stretch

- Draft the pay-policy page the company could share: each role, its duties, its rate and how to qualify.
- Going further: Read the EEOC page on pay discrimination. Which law could apply to Jordy's question? Which facts would you need before saying the law was broken?
- Going further: What might make it hard for a worker like Jordy to ask about pay? Write one sentence that names Jordy's concern without claiming more than Jordy knows.
- Going further: Draw a timeline of the evidence, from the posted schedule to Jordy's question for Dana. Mark each open question on it. Then compare it with your message: which one makes the open questions easier to follow?
- Going further: When you start a job, ask for your pay rate and how it is set, in writing. Keep your own record of hours and duties. If something seems off, talk with a trusted adult or a school counselor.
- Find your state labor department's page on pay equity
- Research the EEOC's filing deadlines and how they vary by state

My take

My claim: ____.

👉 Jordy should ask Dana for the criteria behind both rates and keep Gia's statement out of it.

The best evidence is ____, because ____.

👉 The schedule, because it shows a title difference but no duties, so the title may or may not explain the gap.

Someone who disagrees might say ____.

👉 Asking first delays a formal complaint, and deadlines apply to formal complaints.

The limit of the evidence is ____.

👉 We have one statement and one schedule. We don't know the other crew members' rates or any pay policy.

I would change my mind if ____.

👉 Dana could not name any criteria, or a written policy showed shift lead pays the same as crew.

Notes

This page continues page 225.

Heat check

Question 1: Medium. Students may guess that Jordy's race or gender explains the gap, or bring up a family member's pay.

Cool-down: Ask which document shows the reason. None does. Sort the ideas into “could be lawful,” “could be unlawful” and “need facts.”

Talk about this case at home

Case 11: Why are Jordy and Gia paid different rates?

In this case, two friends who worked the same event find out one is paid \$1.50 more an hour. Your student compared their records and wrote a respectful message asking a supervisor how pay rates are set.

Questions to talk about

- 1 What questions could someone ask about pay when starting a new job?
- 2 Why might a person want to keep their pay private?
- 3 What makes a question to a boss sound respectful?

Nobody needs to share personal stories or private information to talk about this case.



See the case online.

Case 11 | Talk about this case at home | Grades 11–12 educator edition

🕒 Pacing

At home: this page takes no class time.

💬 Say this

“Bring this page home or read it with someone you trust.”
— Nobody needs to share their own pay or a family member’s pay.