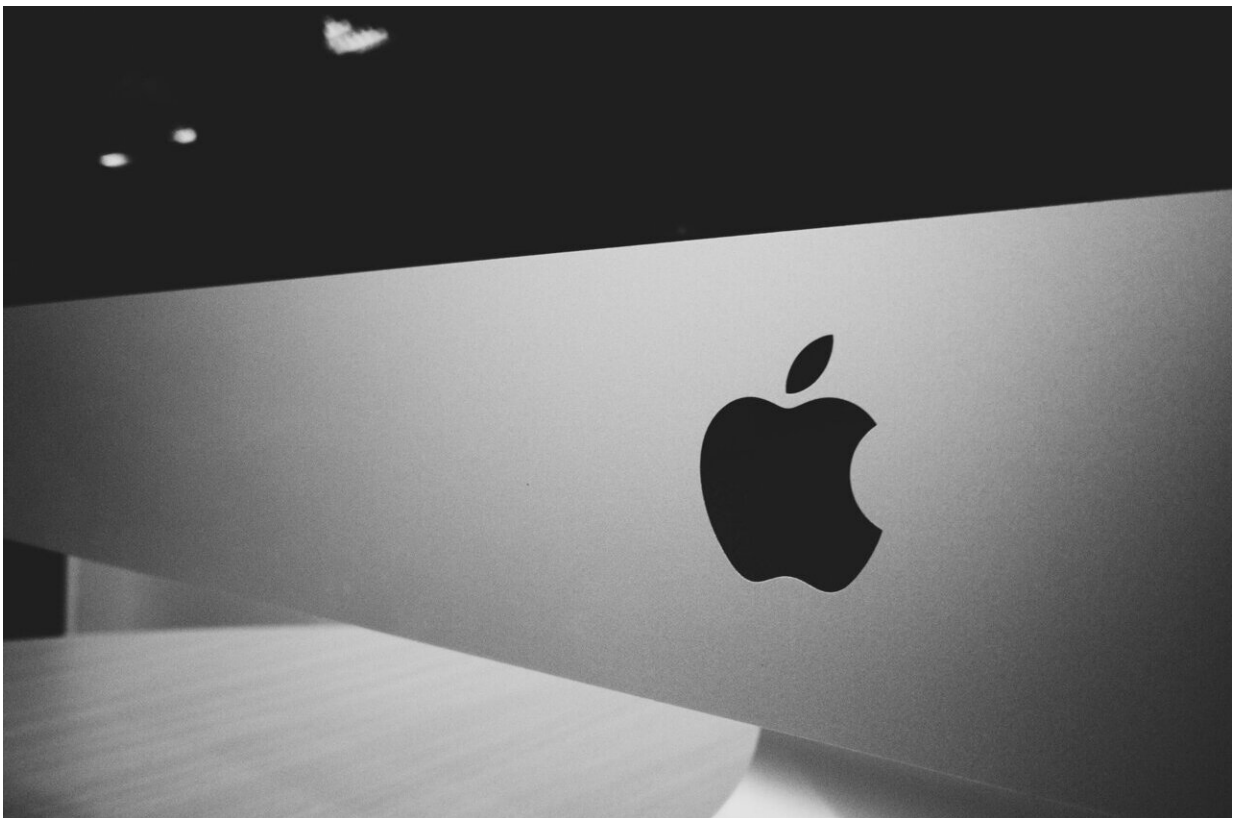


Apple worker's tax form showed he made \$10,000 more than a woman doing the same job: Now she's suing

June 14 2024, by Ethan Baron, The Mercury News



Credit: Armand Valendez from Pexels

Justina Jong's revelation that she was being paid less at Apple because she's female came from an unexpected place: an office printer.

That's according to a lawsuit claiming Apple systematically paid thousands of women less than men. It alleges that on the printer in the Apple office in Sunnyvale where Jong worked was a W-2 tax form belonging to a male colleague who did the same job she did, Jong said.

"He was being paid almost \$10,000 more than me," said Jong, a training instructor in Apple's marketing department.

Apple, valued at \$3.3 trillion in the stock market, did not respond to requests for comment.

Jong, employed at the company for more than a decade, and another long-time Apple worker, Amina Salgado, an AppleCare manager, filed the lawsuit in San Francisco County Superior Court against the Cupertino iPhone and app store giant. It claims Apple underpaid more than 12,000 women in its engineering, marketing, and "AppleCare" warranty departments.

Jong and Salgado are seeking class-action status and a [court order](#) awarding back pay, with 10% interest, to the thousands of current and former female employees allegedly victimized by Apple's pay practices over the past four years.

"Apple systematically paid women lower compensation than men with similar education and experience," the lawsuit claimed.

The [legal action](#) puts a renewed spotlight on Silicon Valley's male-dominated technology industry. Google in 2022 agreed to pay \$118 million to up to 15,500 women to settle a years-long class-action lawsuit alleging the Mountain View company discriminated against female employees.

Four plaintiffs accused Google, whose most-recent diversity report

shows about a third of its workforce are women, of slotting female workers into lower [salary](#) levels than men, giving women lower-paying jobs, promoting women more slowly and less frequently, and generally paying female employees less than men for similar work. Apple's most-recent report shows a similar gender breakdown.

This week's lawsuit against Apple alleged that until late 2017, Apple asked potential hires about their previous pay, leading the company to put women on lower starting salaries than men for the same work. Jong, hired in 2013, was offered "essentially the same base salary that she had received at her prior job," the lawsuit said.

Salgado, brought on in 2012, later complained to Apple several times that she was being paid less because of her gender, and an investigation by a third-party company Apple hired confirmed the underpayment, according to the lawsuit. Apple raised Salgado's salary, but refused to give her back pay "for the years during which she was paid less than men," the lawsuit claimed.

At the start of 2018, a California law took effect banning employers from asking job applicants about their salary history, with a legislative report saying the change would help close a pay gap that saw U.S. women paid 20% less than men.

After the new law took affect, Apple pivoted to asking applicants about their salary expectations, according to the lawsuit. Research indicates people's stated salary expectations are typically only slightly higher than their previous pay, so Apple's use of that information to set salaries "has had the effect of perpetuating past pay disparities and paying women less than men," the lawsuit alleged.

Because Apple is required by law to keep records of wage rates and job classifications for all its California employees, it knew, or should have

known, it was underpaying women, "yet took no action to remedy the inequality," the lawsuit claimed.

Over time the pay disparity widens for female Apple workers because raises are based on a percentage of base salary, the lawsuit charged.

Apple also pays a premium to workers it deems to have "talent," and according to the lawsuit, "more men are identified as having talent."

The [lawsuit](#) also seeks an order barring Apple from paying women less than men for the same work.

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