Alabama	Hawaii	Massachusetts	New Mexico
Alaska	Idaho	Michigan	New York
Arizona	Illinois	Minnesota	North Carolina
Arkansas	Indiana	Mississippi	North Dakota
California	lowa	Missouri	Ohio
Colorado	Kansas	Montana	Oklahoma
Connecticut	Kentucky	Nebraska	Oregon
Delaware	Louisiana	Nevada	Pennsylvania
Florida	Maine	New Hampshire	Rhode Island
Georgia	Maryland	New Jersey	South Carolina



South Dakota

Tennessee

Texas

Utah

Vermont

Virginia

Washington

West Virginia

Wisconsin

Wyoming

Alabama	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Alabama	Public and private	Sex, Race	Equal pay law called "Clarke-Figures Equal Pay	Employers cannot pay	Equal pay law (effective	Employers cannot	Employers that violate	Equal pay law (effective
	employers are covered		Act" (effective Aug. 1, 2019):	wage rates to	Aug. 1, 2019):	retaliate against	the Equal pay law are	Aug. 1, 2019): 2019 Ala.
	by the Equal pay law.			employees of one sex		applicants or	liable to the affected	Laws 519 (H.B. 225)
		Other protections:	Employers cannot pay wage rates to employees of	or race that are lower	Applicants or	employees because	employee for the	
	2019 Ala. Laws 519	Age discrimination 29	one sex or race that are lower than wage rates	than wage rates paid to	employees may choose	they refuse to provide	amount of wages that	Alabama Laws:
	(H.B. 225)	C.F.R.	paid to employees of another sex or race for	employees of another	to voluntarily provide	their wage history.	the employee was	http://alisondb.legislatur
		§ 1620.3; 42 U.S.C. §	equal work that requires equal skill, effort,	sex or race for equal	their wage history to		deprived as a result of	e.state.al.us/acas/ACA
		2000e (b); 42 U.S.C. §	education, experience, and responsibility that is	work that requires	employers. Wage	2019 Ala. Laws 519	the violation, plus	<u>SLoginie.asp</u>
		12111(5); 29 U.S.C. §	performed in the same establishment and under	equal skill, effort,	history means the	(H.B. 225)	interest. If an employee	
		630	similar work conditions, unless the differential is	education, experience,	wages paid to an		recovers wages from	
			based on:	and responsibility that	individual for		an employer under the	
			a seniority system;	is performed in the	employment by the		salary history	
			a merit system;	same establishment	individual's current or		provisions, and also	
			a system that measures earnings by	and under similar work	former employer.		recovers wages under	
			quantity or quality of production; or	conditions, unless the	Employers cannot		federal law for the same	
			a differential based on any factor other	differential is based on:	refuse to interview,		violation, the employee	
			than sex or race.	a seniority system;	hire, promote, or		must return the lesser	
				a merit system;	employ applicants or		of the two amounts to	
			Employees that file claims alleging violations of	a system that measures	employees, or		the employer.	
			these provisions must establish that they were	earnings by quantity or	otherwise retaliate			
			paid less than someone else for equal work	quality of production; or	against applicants or		2019 Ala. Laws 519	
			despite having equal skill, effort, education,	a differential based on	employees, because		(H.B. 225)	
			experience, and responsibility; and that the	any factor other than	they refuse to provide			
			applicable wage schedule is not or was not	sex or race.	their wage history.			
			correlated with any permissible differentials set					
			forth above.		2019 Ala. Laws 519			
			2019 Ala. Laws 519 (H.B. 225)		(H.B. 225)			
			Statutory Language (2019 Ala. Laws 519):					
			"Relating to wages; to prohibit an employer from					
			paying any of its employees at wage rates less					
			than those paid to employees of another sex or					
			race for equal work unless a wage differential is					
			based upon one or more specified factors."					
			"(a) An employer, including the state or any of its					
			political subdivisions, including public bodies, may					
			not pay any of its employees at wage rates less					
			than the rates paid to employees of another sex					
			or race for equal work within the same					
			establishment on jobs the performance of which					
			requires equal skill, effort, education, experience,					
			and responsibility, and performance under similar					
			working conditions, except where the payment is					
			made pursuant to any of the following:					
			A seniority system.					
			A merit system.					
			A system that measures earnings by quantity or 24					
			quality of production.					
			A differential based on any factor other than 2 sex					
			or race.					

Alabama	Coverage	Protected Classes	Key Provisions		Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			"(b) An employer shall not	refuse to interview, hire,					
			promote, or employ an app	plicant for employment, or					
			retaliate against an applica	ant for employment					
			because the applicant do	es not provide wage					
			history. Wage history mea	ans the wages paid to an					
			applicant for employment	by the applicant's					
			current or former employe	er.					

Alaska	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Alaska	See Fair employment	In compensation: Race,	It is unlawful for an employer to discriminate in	Employers can defend	N/A	See Fair employment	See Fair employment	Coverage: Alaska Stat.
	practices law.	religion, color, or	compensation based on race, religion, color, or	against complaints of		practices law.	practices law.	<u>§§ 18.80.220</u> , 18.80.300
		national origin (which	national origin, which includes ancestry. It's also	such discrimination by				Alaska Admin. Code tit.
		includes ancestry), age,	unlawful for an employer to discriminate in	establishing that:				6, § 30.985
		physical or mental	compensation based on age, physical or mental	the distinction is				_
		disability, sex, marital	disability, sex, marital status, marital status	necessary for safe and				Pay Discrimination
		status, marital status	changes, pregnancy, or parenthood, unless a	efficient business				Prohibitions: Alaska
		changes, pregnancy, or	distinction on that basis is required by business	operations;				Stat. §§ 18.80.220,
		parenthood.	necessity or a position's reasonable demands.	the business purpose is				18.80.260
				sufficiently compelling				Alaska Admin. Code tit.
		In the payment of	Employers cannot discriminate based on sex in the	to override any				6, § 30.910
		wages: sex	payment of wages. They also cannot pay female	disproportionate impact				-, 3
			employees in Alaska at a salary or wage rate that	on employees and				Alaska Laws:
			is less than the salary or wage rate paid to male	applicants in protected				http://www.legis.state.a
			employees for comparable work or for work in the	classes;				k.us/basis/folio.asp
			same operation, business, or line of work at the	the challenged				Alaska Regulations:
			same locality. [Note: The Alaska Supreme Court has	business practice				http://www.legis.state.ak
			interpreted comparable work to mean substantially	efficiently carries out				.us/basis/aac.asp
			equal work, rather than work of comparable value	that business purpose;				
			to the employer (Alaska State Commission for	and				
			Human Rights v. State, Dept. of Administration, 796	there is no available or				
			P.2d 458 (Alaska 1990)).]	acceptable policy or				
			1.20 400 (Alaska 1990)).]	practice that would				
			Employers and their employees cannot aid, abet,	accomplish that				
			incite, compel, or coerce unlawful discriminatory	business purpose with				
			acts or try to do so. Alaska Stat. § 18.80.260.	less discriminatory				
			acis of thy to do so. Alaska Stat. § 10.00.200.	-				
			Statutery Lemmure (Alaska Stat. S. 10.00.000	impact.				
			Statutory Language (Alaska Stat. § 18.80.220.					
			Unlawful Employment Practices):					
			"(a) Except as provided in (c) of this section, it is					
			unlawful for (1) an employer to refuse employment					
			to a person, or to bar a person from employment,					
			or to discriminate against a person in					
			compensation or in a term, condition, or privilege					
			of employment because of the person's race,					
			religion, color, or national origin, or because of the					
			person's age, physical or mental disability, sex,					
			marital status, changes in marital status,					
			pregnancy, or parenthood when the reasonable					
			demands of the position do not require distinction					
			on the basis of age, physical or mental disability,					
			sex, marital status, changes in marital status,					
			pregnancy, or parenthood…"					
			Statutes:					
			Alaska Stat. § 18.80.220					
			Alaska Admin. Code tit. 6, § 30.910					

Arizona	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Arizona	Public and private	Equal pay law:	Equal pay law:	Employers can vary	N/A	See Fair emp
	employers (and their	Sex	Employers cannot pay employees of one sex at	wage rates for male		practices law.
	agents) that employ		wage rates that are less than the wage rates paid	and female employees		
	men and women are	Fair employment	to employees of the opposite sex for the same	in the same work		
	covered by the Equal	practices law:	quality and quantity of the same classification of	classification if these		
	pay law.	Race, color, religion,	work in the same establishment. Wage means	variations are made in		
		sex, age (40 and older),		good faith and based		
	Ariz. Rev. Stat. § 23-	national origin, or	piece, or another basis.	on differences in:		
	340	disability.	Ariz. Rev. Stat. §§ 23-340 to 23-341	seniority or length of service;		
			Statutory Language. 23-341. Equal wage rates;	ability or skill;		
			variations; penalties; enforcement	duties or services that		
			"A. Notwithstanding the other provisions of this	are regularly or		
			chapter, no employer shall pay any person in his	occasionally performed;		
			employ at wage rates less than the rates paid to	the shift or time of day		
			employees of the opposite sex in the same	worked or hours of		
			establishment for the same quantity and quality of	work;		
			the same classification of work, provided, that	restrictions or		
			nothing herein shall prohibit a variation of rates of	prohibitions on lifting or		
			pay for male and female employees engaged in	moving objects in		
			the same classification of work based upon a	excess of a specified		
			difference in seniority, length of service, ability,	weight; or		
			skill, difference in duties or services performed,	other reasonable		
			whether regularly or occasionally, difference in	factors other than sex.		
			the shift or time of day worked, hours of work, or			
			restrictions or prohibitions on lifting or moving	Fair employment		
			objects in excess of specified weight, or other	practices law:		
			reasonable differentiation, factor or factors other	Employers can apply		
			than sex, when exercised in good faith."	different compensation		
			"O The burdles of an of the life on an the second	standards pursuant to		
			"G. The burden of proof shall be upon the person	bona fide seniority or		
			bringing the claim to establish that the	merit systems, pursuant		
			differentiation in rate of pay is based upon the	to systems that		
			factor of sex and not upon other differences, factor or factors."	measure earnings by production quantity or		
				quality or to employees		
			Fair employment practices law:	who work in different		
			Employers cannot discriminate in compensation	locations if these		
			based on race, color, religion, sex, age (40 and	differences are not the		
			older), national origin, or disability.	result of an intent to		
				discriminate based on		
				race, color, religion,		
				sex, or national origin.		
				Employers also can		
				differentiate wages or		
				compensation based		
				on sex or disability if		
				these differences are		
				authorized by the		
				federal Fair Labor		
				Standards Act (29		
				<u>U.S.C. §§ 206(d)</u> , 214).		
				<u>Ariz. Rev. Stat. § 41-</u>		
				1463		
				<u></u>		

	Remedies/Damages:	Citing References
ployment	Employers that violate	Coverage: Equal pay
V.	the Equal pay law can	law: <u>Ariz. Rev. Stat. §</u>
	be ordered to pay	23-340
	employees the amount	Fair employment
	of wages owed, for up	practices law: Ariz. Rev.
	to 30 days before	Stat. §§ 41-1461 to 41-
	employers received	1463
	written notice of	
	employees' claim, plus	Pay Discrimination
	litigation costs.	Prohibitions: Equal pay
	-	law: Ariz. Rev. Stat.
	Ariz. Rev. Stat. §§ 23-	§§ 23-340 to 23-341
	340 to 23-341	Fair employment
		practices law: Ariz. Rev.
		Stat. § 41-1463
		Penalties/Remedies:
		Equal pay law: <u>Ariz.</u>
		Rev. Stat. §§ 23-340 to
		<u>23-341</u>
		Arizona Laws:
		http://www.azleg.state.a
		z.us/ArizonaRevisedSt
		<u>atutes.aspc</u>
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Arkansas	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Arkansas	Public and private	Sex	Equal pay: Employers cannot discriminate solely	Employers can pay	N/A	Wage discrimination:	Employers that violate	Coverage: Equal pay:
	employers are covered		based on sex in the payment of wages or	different wage rates		Employers cannot	the equal pay	Ark. Code Ann. § 11-4-
	by the equal pay		compensation. They must pay employees equal	based on:		discharge or otherwise	provisions are guilty of	601
	provisions.		compensation for equal work.	differences in seniority,		discriminate against	a misdemeanor. Each	
			Ark. Code Ann. § 11-4-601	experience, training,		employees because	day of noncompliance	Pay Discrimination
	Ark. Code Ann. § 11-4-			skill, or ability;		they:	is considered a	Prohibitions: Equal pay:
	<u>601</u>		Statutory Language (Ark. Code Ann. § 11-4-601.	differences in duties		make complaints to their	separate offense.	Ark. Code Ann. § 11-4-
			Discrimination on the basis of sex prohibited.)	and services		employer, the Arkansas		<u>601</u>
				performed;		Department of Labor	Ark. Code Ann. § 11-4-	
			"(a) Every employer in the state shall pay	differences in the shift		and Licensing, or any	<u>601</u>	Retaliation Prohibition:
			employees equal compensation for equal	or time of day worked;		person alleging		Wage discrimination:
			services, and no employer shall discriminate	or		violations of the wage		Ark. Code Ann. <u>§ 11-4-</u>
			against any employee in the matter of wages or	any other reasonable		discrimination		<u>608</u>
			compensation solely on the basis of the sex of the	differentiation other		provisions;		
			employee."	than sex.		initiate or trigger		Penalties/Remedies:
						proceedings related to		Equal pay: <u>Ark. Code</u>
			"(b) An employer who violates or fails to comply with			the provisions; or		<u>Ann. § 11-4-601</u>
			the provisions of this section shall be guilty of a			testify or are about to		Arkansas Laws:
			Class C misdemeanor, and each day that the			testify in those		http://www.state.ar.us/
			violation or failure to comply continues shall be a			proceedings.		
			separate offense."					
						Ark. Code Ann. § 11-4-		
			Wage discrimination:			<u>608</u>		
			Employers cannot discriminate in the payment of					
			wages based on sex. They also cannot pay					
			female employees at salary or wage rates that are					
			less than those paid to male employees for					
			comparable work.					
			Ark. Code Ann. §§ 11-4-610 to 11-4-611					
			Statutory Language (Ark. Code Ann. § 11-4-610.					
			Additional sex discrimination)					
			"(a) No employer shall discriminate in the payment					
			of wages as between the sexes or shall pay any					
			female in his or her employ salary or wage rates					
			less than the rates paid to male employees for					
			comparable work."					
			"(b) Nothing in <u>§§ 11-4-607 11-4-612</u> shall					
			prohibit a variation in rates of pay based upon a					
			difference in seniority, experience, training, skill,					
			ability, differences in duties and services					
			performed, differences in the shift or time of the					
			day worked, or any other reasonable					
			differentiation except difference in sex."					
				I		I		

California	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
California	Public and private	Equal pay law:	Equal pay law:	Employers can pay	Employers and their	Employers cannot	If employers are sued	Coverage: Equal pay
	employers are covered	Sex	Employers cannot pay employees of one sex at	wage differentials,	agents cannot seek	discharge or otherwise	by the California	law: Cal. Lab. <u>Code §§</u>
	by the Equal pay law.		wage rates that are less than the wage rates paid	based on any of the	information, orally or in	discriminate or retaliate	Department of Industrial	<u>1171, 1197.5</u> Fair
	The law does not cover	Fair employment	to employees of the opposite sex for substantially	following factors, if they	writing, about	against employees	Relations or its Division	employment practices
	outside sales	practices law:	similar work (when viewed as a composite of skill,	can show that these	applicants' salary,	because they cause or	of Labor Standards	law: <u>Cal. Gov't Code §§</u>
	employees or persons	Employers cannot	effort, and responsibility) performed under similar	factors are reasonably	compensation, or	assist with the Equal	Enforcement, they can	12926 to 12926.05,
	participating in a	discriminate in	working conditions. Employers also cannot pay	applied and together	benefits history.	pay law's enforcement.	be ordered to:	12926.2, 12928, 12940;
	national service	compensation based	employees of one race or ethnicity at wage rates	account for the entire	Employers also cannot	Employers also cannot	Pay employees the	Cal. Code Regs. tit. 2,
	program through	on race, religious	that are less than the wage rates paid to	wage differential:	rely on this information	discharge or otherwise	amount of unpaid	§§
	assistance provided	creed, color, national	employees of another race or ethnicity for	seniority or merit	as a factor in	discriminate or retaliate	wages due (plus	11008 (27-Z Cal.
	under <u>42 U.S.C. §</u>	origin, ancestry,	substantially similar work (when viewed as a	systems; systems that	determining whether to	against employees in	interest);	Regulatory Notice Reg.
	12571.	physical or mental	composite of skill, effort, and responsibility)	measure earnings by	offer applicants	terms and conditions of	An additional equal	1013 (July 10, 2019)),
	Cal. Lab. Code §§	disability, medical	performed under similar working conditions.	production quantity or	employment or what	employment because	amount in liquidated	11027.1 to 11028
	<u>1171, 1197.5</u>	condition, genetic	performed under similar working conditions.	quality; or any bona fide			damages; and Costs. If	11027.110 11020
	1171, 1197.5	information, marital	Lintil Ion 1 2010 employees' prior colony connet	factor other than sex,	salary to offer them.	they engage in	-	Day Discrimination
	Dublic and private		Until Jan. 1, 2019, employees' prior salary cannot,	-	Applicante era poeple	protected conduct	employers willfully	Pay Discrimination
	Public and private	status, sex, gender,	by itself, justify any compensation disparity.	race, or ethnicity, such	Applicants are people	under the law.	violate the law, the	Prohibitions: Equal pay
	employers are covered	gender identity, gender	Employees' prior salary cannot justify any	as education, training,	seeking employment		division also can seek	law: <u>Cal. Lab. Code</u>
	by the wage payment	expression, age (40	compensation disparity; however, employers can	or experience.	with an employer that	Cal. Lab. Code §	court orders to stop	<u>§ 1197.5</u>
	law.	and older), sexual	make compensation decisions based on current		they are not employed	<u>1197.5</u>	violations. Employers	Fair employment
	Cal. Lab. Code §§ 232	orientation, or military	employees' existing salary if any resulting wage	Employers can base	by in any capacity or		that are sued by	practices law: Cal.
	<u>to 232.5</u>	or veteran status,	differential is justified by one or more of the	wage differentials on	position.		employees can be	Gov't Code §§ 12940,
		unless a permissible	factors listed above. Cal. Lab. Code § 1197.5	any bona fide factor			ordered to pay:	12964.5; Cal. Code
	Salary history: Public	defense applies. They		only if they can show	Applicants can		The amount of unpaid	Regs. tit. 2, § 11034
	and private employers	also cannot	Statutory Language: Cal. Lab. Code § 1197.5.	that the factor is job-	voluntarily disclose		wages due (plus	
	are covered by the	discriminate based on	Equal wage rates; exceptions; liability; enforcement;	related, is consistent	information about their		interest); An additional	Wage Disclosure:
	salary history	perceived race,	retaliation	with business	salary, compensation,		equal amount in	Equal pay law: <u>Cal.</u>
	provisions.	religious creed, color,	"(a) An employer shall not pay any of its employees	necessity, and is not	or benefits history to		liquidated damages;	Lab. Code § 1197.5
	Cal. Lab. Code § 432.3	national origin,	at wage rates less than the rates paid to employees	based on sex, race, or	employers. If they do,		Reasonable attorneys'	Salary History: Cal.
		ancestry, physical or	of the opposite sex for substantially similar work,	ethnicity. Business	employers can		fees; and Costs. If	Lab. Code § 432.3
		mental disability,	when viewed as a composite of skill, effort, and	necessity means that	consider or rely on this		employees recover	Retaliation Prohibition:
		medical condition,	responsibility, and performed under similar	the factor is needed to	information in		such wages, interest, or	Equal pay law: Cal.
		genetic information,	working conditions, except where the employer	effectively fulfill a	determining what salary		damages and also	Lab. Code § 1197.5
		marital status, sex, age	demonstrates:	legitimate business	to offer applicants.		recover an amount	-
		(40 and older), sexual		purpose. This defense	Employers also can ask		under the federal Equal	Penalties/Remedies:
		orientation, or military	The wage differential is based upon one or more	does not apply if	applicants about their		Pay Act for the same	Equal pay law: Cal.
		or veteran status, and	of the following factors:	employees can show	salary expectations for		violation, they must	Lab. Code §§ 23,
		cannot discriminate	A seniority system.	that an alternative	a position. These		return the lesser	1194.3, 1194.5, <u>1197.5</u> ,
		based on an	A merit system.	practice could serve the	provisions do not allow		amount to employers.	<u>1199 to 1199.5</u>
		association with people	A system that measures earnings by quantity or	same business purpose	applicants' prior salary,			1100 10 1100.0
		who belong or are	quality of production.	without producing a	by itself (until Jan. 1,		Employers and their	California Laws:
		perceived to belong to	A bona fide factor other than sex, such as	wage differential.	2019), to justify any		officers, agents, or	http://leginfo.legislature.
		these protected	education, training, or experience. This factor shall	wage unerential.	compensation disparity.		employees who violate	ca.gov/faces/codes.
		classes. In addition,		Eair Employment	compensation dispanty.			xhtml California
			apply only if the employer demonstrates that the	Fair Employment			or fail to comply with	
		employers cannot base	factor is not based on or derived from a sex-based	Discrimination -	Employers must		the law are guilty of a	Department of Industrial
		any amount of	differential in compensation, is job related with	Permissible Defenses	provide a position's pay		misdemeanor and can	Relations, Division of
		compensation on	respect to the position in question, and is	Employers can	scale to applicants who		be fined at least \$100,	Labor Standards
		employees' sex, except	consistent with a business necessity. For	discriminate if they can	make a reasonable		imprisoned for at least	Enforcement:
		as legally required or	purposes of this subparagraph, "business	prove one of the	request for this		30 days, or both. If they	http://www.dir.ca.gov/dls
		permitted	necessity" means an overriding legitimate	following permissible	information. pay scale is		willfully violate the law's	e/dlse. html
			business purpose such that the factor relied upon	defenses and show	a salary or hourly wage		pay discrimination	
			effectively fulfills the business purpose it is	that less discriminatory	range. A reasonable		prohibitions or willfully	
			supposed to serve. This defense shall not apply if	alternatives are not	request is a request		reduce any employee's	
			the employee demonstrates that an alternative	available: Business	made after applicants		wages to comply with	
			business practice exists that would serve the	necessity: If an	have completed an		the prohibitions, they	
				apparently neutral	initial interview.		are guilty of a	

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California	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			same business purpose without producing the	employment practice is	Cal. Lab. Code § 432.3	
			wage differential."	discriminatory in effect,		
				employers must prove		
			Fair employment practices law:	that an overriding,		
			Employers cannot discriminate in compensation	legitimate business		
			based on race, religious creed, color, national	purpose makes this		
			origin, ancestry, physical or mental disability,	practice necessary to		
			medical condition, genetic information, marital	safe, efficient business		
			status, sex, gender, gender identity, gender	operations; that the		
			expression, age (40 and older), sexual orientation,	practice effectively		
			or military or veteran status, unless a permissible	accomplishes this		
			defense applies. They also cannot discriminate	purpose; and that no		
			based on perceived race, religious creed, color,	alternative practice		
			national origin, ancestry, physical or mental	exists to accomplish		
			disability, medical condition, genetic information,	that purpose equally		
			marital status, sex, age (40 and older), sexual	well with a less		
			orientation, or military or veteran status, and	discriminatory impact.		
			cannot discriminate based on an association with	Security regulations:		
			people who belong or are perceived to belong to	Employment practices		
			these protected classes. In addition, employers	are lawful if they		
			cannot base any amount of compensation on	conform to applicable		
			employees' sex, except as legally required or	federal or California		
			permitted.	security regulations.		
				Nondiscrimination plans		
			Employers must take reasonable steps to prevent	or affirmative action		
			and promptly correct unlawful discrimination.	plans: Employment		
			Employers cannot aid, abet, incite, compel, or	practices are lawful if		
			coerce unlawful discriminatory acts or try to do so.	they conform to bona		
				fide, voluntary		
			Releases and nondisparagement agreements:	affirmative action plans		
			Employers cannot require employees to do either	(under <u>Cal. Code Regs.</u>		
			of the following in exchange for a raise or bonus:	<u>tit. 2, § 11011),</u>		
			Sign a release of a claim or right under the Fair	nondiscrimination plans		
			employment practices law. A release of a claim or	(under <u>Cal. Gov't Code</u>		
			right includes a statement that an employee does	§ 12990), or state or		
			not have any claim or injury against an employer.	federal court or		
			It also includes a release of the right to file and	administrative agency		
			pursue a civil action or complaint with, or to	orders. Otherwise		
			otherwise notify, a state agency, other public	legally required:		
			prosecutor, law enforcement agency, or any court	Employment practices		
			or other government entity.	are lawful if they are		
			Sign a nondisparagement agreement or other	required by state or		
			document that appears to deny them the right to	federal laws or court		
			disclose information about unlawful or potentially	orders.		
			unlawful acts in the workplace.			
			Any such release or agreement is unenforceable.			
			These provisions do not apply to negotiated			
			settlement agreements resolving claims under the			
			Fair employment practices law that employees			
			filed with a court, administrative agency, or			
			alternative dispute resolution forum or through			
			their employer's internal complaint process.			
			Settlement agreements are negotiated if they are			
			voluntary, deliberate, and informed; they provide			

Remedies/Damages:	Citing References
misdemeanor and can	
be fined up to \$10,000,	
imprisoned for up to six	
months (for a	
subsequent offense	
after a prior conviction),	
or both.	
Retaliation prohibition:	
Employers that retaliate	
against employees for	
engaging in protected	
conduct can be ordered	
to reinstate employees,	
reimburse them for lost	
wages and benefits	
with interest, and	
provide other remedies.	
Cal. Lab. Code §§ 23,	
<u>1194.3, 1194.5, 1197.5,</u>	
<u>1199</u> to <u>1199.5</u>	

California	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			valuable consideration to employees; and employees are given notice and an opportunity to retain an attorney or are represented by an attorney.					
			Cal. Gov't Code §§ 12940, 12964.5; Cal. Code Regs. tit. 2, § 11034					

Colorado	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Colorado	Public and private	Equal pay law:	Equal pay law: Employers cannot discriminate	Where the employer	Statutory Language:	Equal pay law (Effective	An employer can be	Coverage: Equal pay
	employers with	Sex	solely based on sex in the amount of wages or	demonstrates each of	Colorado's Equal Pay	January 1, 2021)	liable for: Legal and	law: Colo. Rev. Stat. §
	employees in Colorado,		salary paid to employees. Colo. Rev. Stat. § 8-5-	the following: (a) that	for Equal Work Act (SB		equitable relief, with	8-5-101
	employment agencies,	Fair employment	102	the wage rate	19-085)	Employers must not	may include	Fair employment
	and labor organizations	practices law:		differential is based on:	An employer shall not:	discriminate or retaliate	employment,	practices law:
	are covered by the	Disability, race, creed,	Fair employment practices law:	a seniority system; a	seek the wage rate	against a prospective	reinstatement,	https://ccrd.colorado.go
	Equal pay law.	color, sex, sexual	Employers cannot discriminate in compensation	merit system; a system	history of a prospective	employee for failing to	promotion, pay	v/regulatory-information
	Employees do not	orientation, religion,	against qualified employees or applicants based	that measures earnings	employee or rely on the	disclose their wage	increase, payment of	Colo. Rev. Stat. §§ 24-
	include domestic	age (40 and older),	on disability, race, creed, color, sex, sexual	by quantity or quality of	wage rate history of a	history, or discharge,	lost wage rates, and	34-301, 24-34-401 to
	service workers. The	national origin, or	orientation, religion, age (40 and older), national	production; the	prospective employee	discriminate, or retaliate	liquidated damages;	<u>24-34-402;</u> 3 Colo.
	law does not apply to	ancestry. Sex	origin, or ancestry. Sex discrimination includes	geographic location	to determine a wage	against an employee	and the employee's	Code Regs. § 708-1-
	employers that are	discrimination includes	discrimination based on pregnancy. Sexual	where the work is	rate; discriminate or	for assisting in the	reasonable costs,	10.2
	exempt from the	discrimination based on	orientation includes transgender status.	performed; education,	retaliate against a	enforcement of the	including attorneys' fees.	
	federal National Labor	pregnancy. Sexual		training, or experience	prospective employee	wage history provisions	Employers that violate	Pay Discrimination
	Relations Act (<u>29 U.S.C.</u>	orientation includes	Employers can make individual agreements	to the extent that they	for failing to disclose	of the Equal pay law.	the Equal pay law can	Prohibitions: Equal pay
	<u>§ 151).</u>	transgender status.	regarding compensation or terms, conditions, and	are reasonably related	the prospective	Employers also must	be ordered to pay an	law: Colo. Rev. Stat.
			privileges of employment for employees with	to the work in question;	employee's wage rate	not discharge,	amount equal to the	§ 8-5-102
	Colo. Rev. Stat. § 8-5-		disabilities if these agreements are part of a	or travel, if the travel is	history; discharge, or in	discipline, discriminate	difference between the	Fair employment
	<u>101</u>		therapeutic or job training program lasting up to	a regular and	any manner	against, coerce,	amount of wages or	practices law: <u>Colo. Rev.</u>
			20 hours per week for up to 18 months.	necessary condition of	discriminate or retaliate	intimidate, threaten, or	salary paid to the	<u>Stat. § 24-34-402</u>
			<u>Colo. Rev. Stat. § 24-34-402</u>	the work performed;	against, an employee	interfere with an	complaining employee	
			Statutary Languages Calanada'a Erwal Day for Erwal	that each factor relied	for invoking this section	employee or other	and the amount to	Wage Disclosure:
			Statutory Language: Colorado's Equal Pay for Equal	on in subsection (1)(a)	on behalf of anyone or	person because the	which the employee	Equal pay law: <u>Colo.</u>
			Work Act (SB 19-085) Effective Jan 1, 2021. "(1)	of this section is	assisting in the	employee or person	would have received	<u>Rev. Stat.</u>
			An employer shall not discriminate between	applied reasonably;	enforcement of this	inquired about,	had there been no	<u>§ 8-5-102</u>
			employees on the basis of sex, or on the basis of	that each factor relied	subsection (2);	disclosed, compared, or otherwise discussed	discrimination. Employers that willfully	Fair employment practices law: Colo.
			sex in combination with another protected status as described in section 24-34-402 (1)(a), by	on in subsection (1)(a) of this section accounts	discharge, discipline, discriminate against,	the employee's wage	violate the prohibitions	Rev. Stat. § 24-34-402
			paying an employee of one sex a wage rate less	for the entire wage rate	coerce, intimidate,	rate. Colo <u>. Rev. Stat. §</u>	also can be ordered to	Penalties/Remedies:
			than the rate paid to an employee of a different	differential; and that	threaten, or interfere	<u>8-5-102 (2019 Colo.</u>	pay an additional	Equal pay law: Colo.
			sex for substantially similar work, regardless of	prior wage rate history	with an employee or	Sess. Laws. 247 (S.B.	amount up to such	Rev. Stat. § 8-5-104
			job title, based on a composite of skill; effort,	was not relied on to	other person because	19-085)).	wage or salary	Colorado Laws:
			which may include consideration of shift work;	justify a disparity in	the employee or person	10-000)).	difference.	https://www.colorado.g
			and responsibility, except where the employer	current wage rates."	inquired about,			ov/
			demonstrates each of the following: "(a) that the		disclosed, compared,		Colo. Rev. Stat. § 8-5-	Colorado Department
			wage rate differential is based on: a seniority		or otherwise discussed		104	of Labor and
			system; a merit system; a system that measures		the employee's wage			Employment:
			earnings by quantity or quality of production; the		rate; prohibit, as a			http://www.colorado.go
			geographic location where the work is performed;		condition of			v/cdle/labor
			education, training, or experience to the extent that		employment, an			
			they are reasonably related to the work in		employee from			
			question; or travel, if the travel is a regular and		disclosing the			
			necessary condition of the work performed; that		employee's wage rate;			
			each factor relied on in subsection (1)(a) of this		or require an employee			
			section is applied reasonably; that each factor		to sign a waiver or other			
			relied on in subsection (1)(a) of this section		document that: (i)			
			accounts for the entire wage rate differential; and		prohibits the employee			
			that prior wage rate history was not relied on to		from disclosing wage			
			justify a disparity in current wage rates."		rate information; or (ii)			
					purports to deny the			
					employee the right to			
					disclose the			
					employee's wage rate			
					information.			

Connecticut	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Connecticut	Public and private	Equal pay law:	Equal pay law:	Employers can pay	Employers cannot	Employers can
	employers are covered	Sex	Employers cannot discriminate in compensation	different wage rates	inquire about	discharge or ot
	by the Equal pay law.		solely based on employees' sex. They also cannot	pursuant to seniority or	applicants' wage or	discriminate ag
	5 5	Fair employment	pay employees of one sex at wage rates that are	merit systems, systems	salary history, or direct	employees for o
	Conn. Gen. Stat. § 31-	practices law:	lower than the wage rates paid to employees of	that measure earnings	third parties to inquire	discriminatory
	75	race, color, religious	the opposite sex for equal work that requires	by production quantity	about applicants' wage	compensation p
		creed, age, sex, gender	equal skill, effort, and responsibility under similar	or quality, or factors	or salary history, unless	or making com
		identity or expression,	working conditions. Such pay discrimination	other than sex (such as	they disclose such	testifying, or as
		marital status, national	occurs when employers adopt discriminatory pay	education, training, or	information voluntarily.	in proceedings
		origin, or ancestry; a	decisions or practices, employees become subject	experience) if these	These provisions do not	the Equal pay
		present or past history	to these decisions or practices, or employees are	factors are job-related	apply to employers or	
		of mental, intellectual,	affected by the application of the decisions or	and consistent with	their agents if federal or	Conn. Gen. Sta
		learning, or physical	practices. A continuing violation occurs each time	business necessity.	state law authorizes the	75
		disabilities, including	wages, benefits, or other compensation are paid.	,	disclosure or	
		blindness; or veteran	Conn. Gen. Stat. §§ 31-75 (see Smart Code® for		verification of such	
		status, sexual	the latest cases), 31-76		information for	
		orientation, or civil			employment purposes.	
		union status.	Statutory Language: Conn. Gen. Stat. Ann. § 31-75.		Employers can inquire	
			Discrimination in compensation on the basis of sex.		about other elements of	
			Prohibited practices. Employer demonstration		an applicant's	
			"(a) No employer shall discriminate in the amount of		compensation structure	
			compensation paid to any employee on the basis of		as long as they do not	
			sex. Any difference in pay based on sex shall be		inquire about the value	
			deemed a discrimination within the meaning of		of the elements of such	
			this section."		compensation	
					structure.	
			"(b) If an employee can demonstrate that his or			
			her employer discriminates on the basis of sex by		Wages means	
			paying wages to employees at the employer's		compensation for labor	
			business at a rate less than the rate at which the		or services, regardless	
			employer pays wages to employees of the		of whether the amount	
			opposite sex at such business for equal work on a		is calculated on a time,	
			job, the performance of which requires equal skill,		task, piece,	
			effort and responsibility, and which are performed		commission, or other	
			under similar working conditions, such employer		basis. <u>Conn. Gen. Stat.</u>	
			must demonstrate that such differential in pay is		§ 31-40z	
			made pursuant to (1) a seniority system; (2) a		<u>3 51-402</u>	
			merit system; (3) a system which measures			
			earnings by quantity or quality of production; or			
			(4) a differential system based upon a bona fide			
			factor other than sex, such as education, training			
			or experience. Said bona fide factor defense shall			
			apply only if the employer demonstrates that such			
			factor (A) is not based upon or derived from a sex-			
			based differential in compensation, and (B) is job- related and consistent with business necessity.			
			-			
			Such defense shall not exist where the employee			
			demonstrates that an alternative employment			
			practice exists that would serve the same			
			business purpose without producing such			
			differential and that the employer has refused to			
			adopt such alternative practice."			
			Fair employment practices law:			1

	Remedies/Damages:	Citing References
cannot	Employers that are	Equal pay law: <u>Conn.</u>
r otherwise	sued by the	<u>Gen. Stat. §§ 31-75 to</u>
against	Connecticut	31-76
or opposing	Department of Labor	Fair employment
ry	can be ordered to:	practices law: <u>Conn.</u>
on practices	pay the difference	<u>Gen. Stat. §§ 46a-51,</u>
omplaints,	between the amount of	46a-60, 46a-81c
r assisting	wages paid and the	Wage disclosure and
ngs under	maximum wage paid to	salary history:
ay law.	any other employee for	https://www.cga.ct.gov/c
	equal work;	urrent/pub/chap 557.ht
<u>Stat. § 31-</u>	pay compensatory	mConn. Gen. Stat. §
	damages; and	31-40z
	pay punitive damages if	
	violations are	Connecticut Laws:
	intentional or	http://search.cga.state.ct
	committed with reckless	.us/r/statute/dtsearch f
	indifference to	orm.asp
	employee rights under	Connecticut Department
	the Equal pay law.	of Labor:
		http://www.ctdol.state.ct.
	Employers that are	us/
	sued by employees can	
	be ordered to:	
	pay the difference	
	between the amount of	
	wages paid and the	
	maximum wage paid to	
	any other employee for	
	equal work;	
	pay compensatory	
	damages;	
	pay punitive damages if	
	violations are	
	intentional or	
	committed with reckless	
	indifference to	
	employee rights under	
	the Equal pay law;	
	pay attorneys' fees and	
	costs; and	
	comply with other court	
	orders.	
	Conn. Gen. Stat. §§ 31-	
	<u>75 to 31-76</u>	
		<u> </u>

November 10, 2021

Connecticut	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			Unless there is a bona fide occupational			
			qualification or need, employers cannot			
			discriminate in compensation based on race,			
			color, religious creed, age, sex, gender identity or			
			expression, marital status, national origin, or			
			ancestry; a present or past history of mental,			
			intellectual, learning, or physical disabilities,			
			including blindness; or veteran status, sexual			
			orientation, or civil union status. Employers and			
			employees also cannot aid, abet, incite, compel,			
			or coerce unlawful discriminatory acts or try to do			
			so.			
			Conn. Gen. Stat. <u>§§ 46a-60</u> (see Smart Code®			
			for the latest cases), 46a-81c			

Remedies/Damages:	Citing References

Delaware	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages	Citing References
Delaware	Private employers are	Equal pay law:	Equal pay law:	N/A	Employers cannot:	Employers cannot	Employers that violate	Coverage: Equal pay
	covered by the Equal	Sex	Employers cannot pay employees of one sex at		screen applicants	discharge or otherwise	the Equal pay law can	law: Del. Code Ann. tit.
	pay law. Private		wage rates that are lower than the wage rates		based on their	discriminate against	be ordered to pay a fine	<u>19, § 1101</u>
	employers with four or	Fair employment	paid to employees of the opposite sex for equal		compensation history,	employees because	of \$1,000 to \$5,000 for	Fair employment
	more employees are	practices law:	work that requires equal skill, effort, and		including by requiring	they:	each violation, unpaid	practices law: <u>Del. Code</u>
	covered by the law's	race, marital status,	responsibility under similar work conditions in the		that their prior	make complaints or	wages, liquidated	Ann. tit. 19, §§ 710 to
	mandatory poster	genetic information,	same workplace. If employers pay wage rate		compensation satisfy	give information to the	damages, reasonable	<u>711</u>
	provisions. Del. Code	color, age (40 and	differentials in violation of these prohibitions, they		minimum or maximum	Delaware Department	attorneys' fees, and	
	<u>Ann. tit. 19, § 1101</u>	older), religion, sex,	cannot reduce any employee's wage rate to		criteria; or	of Labor pursuant to the	costs.	Pay Discrimination
		pregnancy, sexual	comply with the prohibitions. Employers also		seek applicants'	Equal pay law;		Prohibitions: Equal pay
	Salary history: Public	orientation, gender	cannot make or use any private agreements with		compensation history	initiate or are about to	Del. Code Ann. tit. 19,	law: Del. Code Ann. tit.
	and private employers	identity, or national	employees to set aside or avoid the prohibitions.		from them or their	initiate any proceedings	<u>§§ 1112 to 1113</u>	19, §§ 1107A, 1110
	and their agents are	origin.			current or former	under the law; or		Fair employment
	covered by the salary		Employers can pay different wage rates pursuant		employers.	testify or are about to		practices law: <u>Del. Code</u>
	history provisions.		to seniority or merit systems, systems that			testify in such		<u>Ann. tit. 19, § 711</u>
	Del. Code Ann. tit. 19, §		measure earnings by production quantity or		Compensation includes	proceedings.		
	<u>709B</u>		quality, or any other factor besides sex.		monetary wages,			Wage Disclosure: Fair
			Del. Code Ann. tit. 19, §§ 1107A, 1110		benefits, and other	Del. Code Ann. tit. 19,		employment practices
					forms of compensation.	<u>§§ 1101, 1112</u>		law: Del. Code Ann. tit.
			Statutory Language: Del. Code Ann. tit. 19, §					19, § 711
			1107A. Differential rate of pay based on gender		Employers can discuss			
			prohibited		and negotiate			Salary History: <u>Del.</u>
			No employees shall be paid a wage at a rate less		compensation			<u>Code Ann. tit. 19, §</u>
			than the rate at which an employee of the		expectations with			<u>709B</u>
			opposite sex in the same establishment is paid for		applicants, but cannot			
			equal work on a job the performance of which		request or require their			Retaliation Prohibition:
			requires equal skill, effort and responsibility, and		compensation history.			Equal pay law:
			which is performed under similar working		Employers also can			Del. Code Ann. tit. 19,
			conditions, except where payment is made		confirm applicants'			<u>§§ 1101, 1112</u>
			pursuant to a differential based on: A seniority		compensation history			
			system; A merit system; A system which		after they have			Penalties/Remedies:
			measures earnings by quantity or quality of		received and accepted			Equal pay law: <u>Del.</u>
			production; or Any other factor other than sex;		an offer of employment			Code Ann. tit. 19, §§
			provided, that an employer who is paying a wage		that includes the terms			<u>1112 to 1113</u>
			rate differential in violation of this subsection shall		of compensation. Del.			
			not, in order to comply with this subsection,		Code Ann. tit. 19, §			Delaware Laws:
			reduce the wage rate of any employee.		<u>709B</u>			http://delcode.delaware
								.gov/index.shtml
			Fair employment practices law:					Delaware Department
			Employers cannot discriminate in compensation					of Labor:
			based on race, marital status, genetic information,					http://www.delawarewor
			color, age (40 and older), religion, sex,					ks.com
			pregnancy, sexual orientation, gender identity, or					
			national origin.					
			Englishers can avoid different (
			Employers can apply different compensation					
			standards pursuant to bona fide seniority or merit					
			systems, pursuant to systems that measure					
			earnings by production quantity or quality, or to					
			employees who work in different locations if these					
			differences are not caused by an intent to					
			discriminate based on those protected classes.					
			Del Orde Ann 44 10 0 711					
			<u>Del. Code Ann. tit. 19, § 711</u>					

employers are covered by the Engling large target to engloyers fail and to engloyer fail and tasked of engloyers came discriminate based on resky. Fail claims Shudards Act. Ha. Stat. § 21.01. 438.02.effect of the engloyer came discriminate in emprovame to engloyer sectors in public to engloyer came discriminate in emprovame mannai stats at the sector or means in public to engloyer came discriminate in employers to engloyer sectors in public to engloyer came discriminate in emprovame mannai stats at the sector or means in public to engloyer came discriminate in employers to engloyer sectors in public to engloyer sector of the research in the sector or mean is attack to engloyer sector of the research in the extension of means in public to engloyer sector of the research in the extension of means in public to engloyer bench in public to engloyer bench in public to engloyer bench in the sector of means of the engloyer bench in the engloyer to engloyer bench in the englower in the englower of the production qualify the sector of means of the englower bench in the englower in the englower bench in the englower bench in the englower is the englower in the englower in the englower is the englower in the englower in the englower is the englower into the englower in the englower is the englower in the englower in the eng	Florida	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
by the Equal pay law. The law does not apply to employees that are sadjed. to the default equal work. The sadie of the default of the default status, or race in providing equal pay of equal work. The sadie of the default of the default status, or race in providing equal pay of equal work. The sadie of the default status, or race in providing equal pay of the sadied to the default status, or race in providing equal pay of equal work. The sadie of the sadie of race, color, religion, see, pregnancy, national origin, nectures encoded on religion, see, pregnancy, national arigh, age, handlage, or see, pregnancy, national arigh, age, handlage, or the active or inclusion is patient based on race, color, religion, see, pregnancy, national arigh, age, handlage, or the active or inclusion is patient based on race, color, religion, see, pregnancy, national arigh, age, handlage, or the active or inclusion is patient based on race, color, religion, see, pregnancy, national arigh, age, handlage, or the active or inclusion is patient based on race, color, religion, see, pregnancy, national arigh, age, handlage, or the active or inclusion is patient based on race, color, religion, see, pregnancy, national arigh, age, handlage, or the active or inclusion is patient or the active or inclusion is patient. The secondly receives the terms of boas field secondly receives the terms of boas field religing differences and work religing differences and work religing differences and work religing differences and religing differences and work religing differen	Florida	-				N/A	See Fair empl
The law does not apply to employee that are subject to the foderal Fair Labor Standards equal work. Fai. Stat. 9 (25.07 sending or monti subject to the foderal Fair Cabor Standards Act. Fair complexyment practices law: Employees cannot decriminate in compensation based on rare, color, religion, sex, programs, log, bandicago, log, and log, and log status of rare to take any secton based on religion, sex, programs, relation of ring, app, handicago, log, bandicago, log and log status of the science of the sci			race		-		practices law.
u comployers that are stupped to the federal Fair employment practices isw: Employers cannot discriminate in compression that can start \$3.101.systems that measure cartings by production quality or quality or oped-fail failer of the seaso of any passed of private employers with two or more employers with two or employers and two or more employers with two or 							
subject to the foderal Far Labor Standards Act.Far i cmployment practices law: Employees cannot discriminate in compensation based on race, color, religion, sex, pregnancy, matinal status. National origin, cap, handland, orgin, app, handland origin, cap, handland, and guint of an any reasonable factor on any reasonable factor on the based on rational origin, app, handland, and take or rain to take any acino based on religion, ase, pregnancy, national origin, app, handland, and take or rain to take any acino based on religion, ase, pregnancy, national origin, app, handland, and take or rain to take any acino based on religion, ase, pregnancy, national origin, app, handland, and take or rain to take any acino based on religion, take or rain to take any acino based on religion, take or rain to take any acino based on religion, take or rain to take any acino based on religion, take or rain to take any acino based on religion, take or rain to take any acino based on religion, take or rain to take any acino based on religion, take or rain to take any acino take any acino based on religion, take or rain to take or rain take or rain to tak				equal work. Fla. Stat. § 725.07	-		
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Act. pased on race, cotor, religion, sex, pregnancy, national origin, gas, handles, or marial latus. quantity or quality, or		-			-		
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Statutory Language: Fla. Stat. Ann. § 448.07. "(2)				time spent, number of operations accomplished,			
				and quality produced or handled.			
				Statutory Language: Fla Stat App & 448.07 (2)			
				Discrimination on basis of sex prohibited.—			

	Remedies/Damages:	Citing References
ployment v.	Remedies/Damages: Employers that violate the Equal pay law can be ordered to pay compensatory damages, punitive damages, and reasonable attorneys' fees. Fla. Stat. § 725.07	Citing References Equal pay law: Fla. Stat. §§ 1.01, 448.07, 725.07 Fair employment practices law: Fla. Stat. §§ 760.02, 760.10 Florida Laws: http://www.leg.state.fl.u s/Statutes/

Florida	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			(a) No employer shall discriminate between					
			employees on the basis of sex by paying wages					
			to employees at a rate less than the rate at which					
			he or she pays wages to employees of the					
			opposite sex for equal work on jobs the					
			performance of which requires equal skill, effort,					
			and responsibility, and which are performed under					
			similar working conditions, except when such					
			payment is made pursuant to: A seniority system;					
			A merit system; A system which measures					
			earnings by quantity or quality of production; or A					
			differential based on any reasonable factor other					
			than sex when exercised in good faith.					
			(b) No person shall cause or attempt to cause an					
			employer to discriminate against any employee in					
			violation of the provisions of this section."					

Georgia	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Georgia	Public and private	Sex	Employers cannot pay employees of one sex at	Employers can pay	N/A	Employers cannot	Employers that violate	Coverage: Ga. Code
	employers are covered		wage rates that are lower than the wage rates	different wage rates		discharge or otherwise	the Equal pay law can	Ann. § <u>34-5-2</u>
	by the Equal pay law if		paid to employees of the opposite sex for equal	pursuant to seniority,		discriminate against	be fined up to	
	they have 10 or more		work that requires equal skill, effort and	merit or piece-rate		employees because	\$100. Employers that	Pay Discrimination
	employees.		responsibility under similar working conditions in	systems or any factor		they file complaints or	are sued can be	Prohibitions: Ga. Code
			the same workplace. Employers that violate the	other than sex. Ga.		participate in	ordered to pay any	Ann. §§ <u>34-5-2</u> to <u>34- 5-</u>
	Ga. Code Ann. § 34-5-2		Equal pay law cannot reduce any employee's	Code Ann. §§ <u>34-5-2</u> ,		investigations, hearings	wages owed to	<u>3</u>
			wage rate to comply with the law.	<u>34-5-3</u>		or other proceedings	employees, plus	Retaliation Prohibition:
						under the Equal pay	reasonable attorneys'	Ga. Code Ann. § <u>34-5-3</u>
			Statutory Language: Ga. Code Ann. § 34-5-3.			law.	fees and costs.	Penalties/Remedies:
			Prohibition of discrimination. "(a) No employer					Ga. Code Ann. §§ <u>34-5-</u>
			having employees subject to any provisions of this			Ga. Code Ann. § 34-5-3	Ga. Code Ann. §§ <u>34-5-</u>	<u>3, 34-5-5</u> Georgia
			chapter shall discriminate, within any				<u>3</u> , <u>34-5-5</u>	Laws:
			establishment in which such employees are					http://www.georgia.gov
			employed, between employees on the basis of					
			sex by paying wages to employees in such					
			establishment at a rate less than the rate at which					
			he pays wages to employees of the opposite sex					
			in such establishment for equal work in jobs which					Georgia Department of
			require equal skill, effort, and responsibility and					Labor:
			which are performed under similar working					https://dol.georgia.gov/
			conditions, except where such payment is made					
			pursuant to (1) a seniority system, (2) a merit					
			system, (3) a system which measures earnings by					
			quantity or quality of production, or (4) a differential					
			based on any other factor other than sex. An					
			employer who is paying a wage rate differential in					
			violation of this subsection shall not, in order to					
			comply with this subsection, reduce the wage rate					
			of any employee."					

Hawaii	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Hawaii	Private employers and	Equal Pay:	Equal pay law:	Equal Pay:	Fair employment	Employers and their	Employers can be	Coverage: Equal pay
	their agents are	Sex, race, religion	Employers cannot discriminate in the payment of	Employers can vary	practices law:	agents can't discharge	ordered to stop acts or	law: <u>Haw. Rev. Stat. §</u>
	covered by the Equal		wages based on race, religion, or sex. Wages do	wage rates for	Employers and their	or otherwise	practices that violate or	<u>387-1</u>
	pay law. The law does	Fair employment	not include tips or gratuities. Employers that pay	employees in the same	employees or agents	discriminate against	will violate the Equal	Fair employment
	not apply to employees	practices law:	wage rate differentials in violation of the Equal pay	work classification	cannot inquire about	employees because	pay law and to comply	practices law: Haw.
	who work:	Sex	law cannot reduce any employee's wage rate to	based on seniority,	applicants' salary	they:	with the law.	Rev. Stat. §§ <u>378-1 to</u>
	for guaranteed		comply with the law. The law cannot be	length of service, shift	history. Employers and	complain to employers,	Employers that willfully	<u>378-2, 378-3</u>
	compensation totaling		contravened or set aside through a private	or time of day worked,	their employees or	the Hawaii Department	violate the law or	
	\$2,000 or more per		agreement.	work hours, or	agents also cannot rely	of Labor and Industrial	related orders are guilty	Pay Discrimination
	month;			substantial differences	on applicants' salary	Relations, or anyone	of a misdemeanor and	Prohibitions: Equal pay
	for their brother, sister,		Fair employment practices law:	in duties or services	history to determine	else about their wages	fined \$50 to \$500	law: <u>Haw. Rev. Stat.</u>
	brother-in-law, sister-in-		Employers cannot discriminate against employees	performed. <u>Haw. Rev.</u>	their salary, benefits, or	not being paid in	and/or imprisoned for	§§ 387-1, 387-4 to 387-
	law, son, daughter,		based on sex by paying employees of one sex at	Stat. §§ 387-1, 387-4 to	other compensation	accordance with the	up to one year. The	4.5
	spouse, parent, or		wage rates that are less than those paid to	387-4.5	during the hiring	Equal pay law;	same penalty applies to	Fair employment
	parent-in-law;		employees of the opposite sex for equal work that		process, including	initiate or trigger any	employers and their	practices law: Haw.
	in a bona fide		requires equal skill, effort, and responsibility	Fair employment	employment contract	proceedings related to	agents who pay or	Rev. Stat. <u>§§ 378-1 to</u>
	executive,		under similar work conditions in the same	practices law:	negotiations.	the Equal pay law; or	agree to pay	378-2.3, 378-3
	administrative,		establishment.	Employers can pay		testify or are about to	employees less than	Haw. Code R. 12-46-1,
	supervisory, or			wage differentials	Employers and their	testify in those	what they are entitled to	12-46-183
	professional capacity;		Employers also cannot discriminate in	based on:	employees or agents	proceedings.	under the law. That	
	in a position where their		compensation based on:	seniority or merit	can, without inquiring	F	penalty also applies to	Wage Disclosure: Fair
	minimum wage or their		race, gender identity or expression, sexual	systems;	about salary history,	Haw. Rev. Stat. §§ 387-	employers and their	employment practices
	maximum hours without		orientation, age, religion, color, disability, marital	systems that measure	engage in discussions	<u>1, 387-12</u>	agents who violate the	law: Haw. Rev. Stat. §
	overtime pay are		status, or arrest and court records;	earnings by production	with applicants about	<u>.,</u>	law's retaliation	378-2.3
	determined by the		sex, which includes pregnancy, childbirth, or	quantity or quality;	their expectations		prohibition.	010 2.0
	federal Fair Labor		related medical conditions;	bona fide occupational	regarding salary,			Salary History: Fair
	Standards Act or Hawaii		reproductive health decisions;	qualifications; or	benefits, and other		Haw. Rev. Stat. § 387-	employment practices
	law; or		ancestry, which includes national origin;	other permitted factors	compensation. If		<u>12</u>	law: <u>Haw. Rev. Stat.</u>
	in specific positions that		employees' status as victims of domestic or sexual	besides sex.	applicants disclose			§ 378-2.4
	are excluded from the		violence if they notify employers, or employers		their salary history			30102.1
	definition of "employee"		have actual knowledge, of this status; or	The Fair employment	voluntarily and without			Retaliation Prohibition:
	in <u>Haw. Rev. Stat. §</u>		employees' credit history or credit report.	practices law does not	prompting, employers			Equal pay law: Haw.
	387-1.			affect the terms or	and their employees or			Rev. Stat. §§ 387-1,
	<u></u>		Employers and their employees cannot aid, abet,	conditions of employer-	agents can verify that			387-12
	Haw. Rev. Stat. § 387-1		incite, compel, or coerce unlawful discriminatory	provided bona fide	history and consider it			Penalties/Remedies:
	<u></u>		practices or try to do so. Haw. Rev. Stat. §§ 378-1	retirement, pension,	in determining			Equal pay law: Haw.
			to 378-2.3, 378-3	employee benefit, or	applicants' salary,			Rev. Stat. § <u>387-12</u>
			Haw. Code R. 12-46-1, 12-46-183	insurance plans that	benefits, and other			Hawaii Laws:
			Haw. 0000 N. 12-40-1, 12-40-100	are not intended to	compensation.			http://www.capitol.hawa
			Statutory Language: Haw. Rev. Stat. Ann. § 378-	evade the law's	compensation.			ii.gov/
			2.3. Equal pay; sex discrimination	purpose.	The salary history			Hawaii Department of
			"(a) No employer shall discriminate between		provisions do not apply			Labor and Industrial
			employees because of sex, by paying wages to		to attempts by			Relations: http:
			employees in an establishment at a rate less than		employers and their			//labor.hawaii.gov/
			the rate at which the employer pays wages to		employees or			///abor.nawaii.gov/
			employees of the opposite sex in the		applicants to verify			
			establishment for equal work on jobs the		applicants' disclosure of			
			performance of which requires equal skill, effort,		non-salary-related			
			and responsibility, and that are performed under		information or to			
			similar working conditions. Payment differentials					
					conduct background			
			resulting from: A seniority system; A merit system;		checks. If these			
			A system that measures earnings by quantity or		verifications or checks			
			quality of production; A bona fide occupational		disclose applicants'			
			qualification; or A differential based on any other		salary history, however,			
		1		1	that disclosure cannot	1		

permissible factor other than sex [.] do not violate this section. be relied on to determine their salary, benefits, or other compensation during against an employee for, nor prohibit an employee from, disclosing the employee's wages, discussing and inquiring about the wages of other employees, or aiding or encouraging other employees to exercise their rights under this section." be relied on to determine their salary, benefits, or other compensation during the hiring process, including employment contract negotiations. Applicants do not include applicants for an internal transfer or promotion with their current employer. Applicants do not include applicants for an internal transfer or promotion with their current employer. Inquire means communicating written, verbal, or other questions or Inquire means communicating written, verbal, or other	
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communicating written, verbal, or other	
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statements to	
applicants, their current	
or former employers, or	
the current or former	
employees or agents of	
those employers to	
obtain applicants' salary	
history. It also means	
conducting searches of	
publicly available	
records or reports to	
obtain applicants' salary	
history. It does not	
include informing	
applicants, in writing or	
otherwise, about a	
position's proposed or	
anticipated salary or	
salary range.	
Salary history includes	
applicants' current or	
prior salary, benefits,	
and other	
compensation, but	
does not include	
objective productivity	
measures such as	
revenue or sales	
reports. Haw. Rev.	
Stat. § 378-2.4	

Remedies/Damages:	Citing References

Idaho	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Idaho	Public and private	Equal pay law: Sex	Equal pay law:	Employers can pay	N/A	Employers cannot	Employers that are	Coverage: Equal pay
	employers are covered		Employers cannot discriminate against employees	differentials pursuant to		discharge or otherwise	sued can be ordered to:	law: Idaho Code Ann. §
	by the Equal pay law.	Fair employment	in the same establishment based on sex.	established seniority		discriminate against	stop discriminatory	<u>44-1701</u>
		practices law: race,	Specifically, employers cannot pay employees of	systems or merit		employees because	practices;	Fair employment
	https://legislature.idaho.	color, religion, sex,	one sex wage rates that are lower than the wage	increase systems that		they file complaints or	pay unpaid wages to	practices law: Idaho
	gov/statutesrules/idstat/ti	national origin, age,	rates paid to employees of the opposite sex for	do not discriminate		participate in	which employees are	Code Ann. <u>§§</u> 67-5902,
	tle44/t44ch17/sect44-	disability	comparable work that requires comparable skill,	based on sex. Idaho		proceedings under the	entitled;	67-5909 to 67-5910
	1701/		effort, and responsibility.	Code Ann. §§ 44-1701		Equal pay law.	pay additional	
				to_44-1702			liquidated damages	Pay Discrimination
	Idaho Code Ann. § 44-		Statutory Language: Idaho Code Ann. § 44-1702.			Idaho Code Ann. § 44-	equal to the amount of	Prohibitions: Equal pay
	1701		Discriminatory payment of wages based upon sex			<u>1702</u>	unpaid wages for willful	law: Idaho Code Ann.
	1101		prohibited				violations;	<u>§§ 44-1701</u> to <u>44-1702</u>
			"(1) No employer shall discriminate between or				pay reasonable	Fair employment
			among employees in the same establishment on				attorneys' fees and	practices law: Idaho
			the basis of sex, by paying wages to any				costs; and	Code Ann. § 67-5909
			employee in any occupation in this state at a rate				comply with other court	
			less than the rate at which he pays any employee				orders, including orders	Retaliation Prohibition:
			of the opposite sex for comparable work on jobs				to reinstate employees.	Equal pay law: Idaho
			which have comparable requirements relating to					Code Ann. § <u>44- 1702</u>
			skill, effort and responsibility. Differentials which				Idaho Code Ann. § 44-	
			are paid pursuant to established seniority systems				<u>1704</u>	Penalties/Remedies:
			or merit increase systems, which do not					Equal pay law: Idaho
			discriminate on the basis of sex, are not within					Code Ann. <u>§ 44-1704</u>
			this prohibition."					Idaho Laws:
								https://legislature.idaho
			"(2) No person shall cause or attempt to cause an					.gov/statutesrules/idstat
			employer to discriminate against any employee in					/ Idaho Department of
			violation of this act."					Labor, Human Rights
								Commission: https:
			"(3) No employer may discharge or discriminate					//humanrights.idaho.go
			against any employee by reason of any action					v/
			taken by such employee to invoke or assist in any					
			manner the enforcement of this act."					
			Fair employment practices law:					
			Employers cannot discriminate against employees					
			in compensation based on race, color, religion,					
			sex, national origin, age, or disability. They also					
			cannot reduce any employee's wages to comply					
			with this prohibition. Employers can observe the					
			terms of bona fide seniority systems if they are not					
			used to evade the purposes of the Fair					
			employment practices law. Idaho Code Ann. § 67-					
			5909					

Illinois	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Illinois	Public and private	Equal pay law: Sex,	Equal pay law:	Equal pay law:	Equal pay law: Effective	Employers cannot	Employers that are	Coverage: Equal pay
	employers with	African Americans	Employers cannot discriminate based on sex in	Employers can pay	Sept. 29, 2019, it is	interfere with, restrain,	sued by the Illinois	law:820 III. Comp. Stat.
	employees in Illinois		the payment of wages. Specifically, employers	different wage rates	unlawful for an	or deny employees'	Department of Labor	<u>112/5, 112/27; III.</u>
	are covered by Illinois	Fair employment	cannot pay wage rates to employees of one sex	pursuant to:	employer, employment	exercise of any rights	can be fined and	Admin. Code tit. 56, §§
	Equal pay law.	practices law: sex,	that are lower than wage rates paid to employees	seniority systems;	agency, or employee or	under the Equal pay	ordered to pay the	320.120 to 320.130
	Employees do not	physical or mental	of the opposite sex for the same or substantially	established, bona fide,	agent thereof to:	law. Employers also	amount of unpaid	Fair employment
	include independent	disability	similar work that requires, until Sept. 29, 2019,	uniform, and objective	screen job applicants	cannot discharge or	wages plus costs.	practices law: 775 III.
	contractors. The law	-	equal skill, effort, and responsibility and is	merit systems that	based on their current	otherwise discriminate	Depending on their	Comp. Stat. 5/1-103 to
	also applies to		performed under similar work conditions. Effective	reward employees with	or prior wages or salary	against employees	business size and the	5/2-102 (2019 III. Laws
	employers' officers or		Sept. 29, 2019, employers cannot pay wage rates	promotions, bonuses,	histories, including	because they:	seriousness of	101-0430 (H.B. 252))
	agents who willfully and		to employees of one sex that are lower than wage	pay raises, or other	benefits or other	ask about, disclose,	violations:	1
	knowingly permit		rates paid to employees of the opposite sex that	advantages based on	compensation, by	compare, or otherwise	employers with fewer	Pay Discrimination
	employers to evade		are lower than wage rates paid to other	competence, expertise,	requiring that the wage	discuss their wages or	than four employees	Prohibitions: Equal pay
	final judgments or final		employees for the same or substantially similar	proficiency, and human	or salary history of an	other employees'	can be fined up to	law: 820 III. Comp. Stat.
	awards under the law.		work that requires substantially similar skill, effort,	relations;	applicant satisfy	wages;	\$500 per affected	<u>112/10</u> (2019 III. Laws
	820 III. Comp. Stat.		and responsibility and is performed under similar	systems that measure	minimum or maximum	aid or encourage other	employee for a first	101-0177 (H.B. 834)); III.
	<u>112/5, 112/27; III.</u>		work conditions.	earnings by production,	criteria;	employees to exercise	offense, up to \$2,500	Admin.
	Admin. Code tit. 56, §§			quantity, or quality; or	request or require a	their rights under the	per affected employee	Code tit. 56, § 320.120
	320.120 to 320.130		Employers cannot discriminate against African	differentials that are not	wage or salary history	Equal pay law;	for a second offense	Fair employment
			Americans in the payment of wages. Specifically,	based on sex, race, or	as a condition of being	file charges or initiate	and up to \$5,000 per	practices law: 775 III.
	Equal wage law:		employers cannot pay wage rates to African-	other factors protected	considered for	proceedings related to	affected employee for a	Comp. Stat. 5/1-101.1
	Manufacturing		American employees that are lower than wage rates	under Illinois Fair	employment, as a	the law;	subsequent offense;	to 5/2-104; III. Admin.
	employers with six or		paid to other employees for the same or	employment practices	condition of being	give or are about to	and	Code tit. 56, § 5210.50
	more employees in		substantially similar work that requires, until Sept.	law (775 III. Comp.	interviewed, as a	give information in	employers with four or	1
	Illinois are covered by		29, 2019, equal skill, effort, and responsibility and	Stat. Ann. 5/1-101 et	condition of continuing	connection with	more employees can	Wage Disclosure:
	the equal wage law.		is performed under similar work conditions.	seq.), provided,	to be considered for an	inquiries or	be fined up to	Equal pay law: <u>820 III.</u>
	820 Ill. Comp. Stat.		Effective Sept. 29, 2019, employers cannot pay	effective Sept. 29,	offer of employment, as	proceedings related to	\$2,500 per affected	Comp. Stat. 112/10
	<u>110/1</u>		wage rates to African-American employees that are	2019, that the factor is	a condition of an offer	the law;	employee for a first	(2019 III. Laws 101-
			lower than wage rates paid to other employees for	not based on a	of employment or an	testify or are about to	offense, up to \$3,000	0177 (H.B. 834))
			the same or substantially similar work that	compensation	offer of compensation;	testify in inquiries or	per affected employee	1
			requires substantially similar skill, effort, and	differential based on	or	proceedings related to	for a second offense	Salary History: Equal
			responsibility and is performed under similar work	sex or another	request or require that	the law; or	and up to \$5,000 per	pay law: <u>820 III. Comp.</u>
			conditions.	protected characteristic,	an applicant disclose	effective Sept. 29,	affected employee for a	<u>Stat. 112/10</u> (2019 III.
				is job-related and	wage or salary history	2019, fail to comply	subsequent offense.	Laws 101-0177(H.B.
			Employers that pay wages to employees in	consistent with a	as a condition of	with any wage or salary		834))
			violation of these prohibitions cannot reduce other	business necessity,	employment.	history inquiry.	Employers that are	1
			employees' wages to achieve compliance.	and accounts for the			sued by employees can	Retaliation Prohibition:
				compensation	An employer also may	Employers and their	be ordered to pay the	Equal pay law: <u>820 III.</u>
			Wage means any compensation for employment,	differential.	not lawfully seek the	agents also cannot	amount of unpaid	Comp. Stat. 112/5 to
			regardless of whether it is paid periodically or		wage or salary history,	knowingly discharge or	wages plus interest,	<u>112/10</u> (2019 III. Laws
			deferred until a later date. It includes wage, salary,	Employers also can	including benefits or	otherwise discriminate	reasonable attorneys'	101-0177 (H.B. 834)),
			commission, bonus, profit-sharing, and pension	pay different wage	other compensation, of	against employees	fees and costs, and,	112/35
			payments; vacation, holiday, sick, overtime, and	rates to employees	a job applicant from the	because they:	effective Sept. 29,	16
			premium pay; health, life, and disability insurance	who work in different	applicant's current or	complain to employers	2019, compensatory	
			benefits; cafeteria plan and education benefits;	counties for work that	former employer,	or the Illinois	damages if the	Penalties/Remedies:
			and uniform, hotel, and vehicle expenses.	requires equal skill,	unless:	Department of Labor	employee shows the	Equal pay law: <u>820 III.</u>
			Substantially similar work means a sub-	effort, and responsibility		about violations of the	employer acted with	Comp. Stat. 112/5,
			Substantially similar work means comparable work	and is performed under	or salary history is a	Fair employment	malice or reckless	<u>112/30 to 112/35</u> (2019
			on jobs that require comparable skill, effort, and	similar work conditions.	matter of public record	practices law;	indifference, and	III. Laws 101-0177
			responsibility. The focus is on actual job	8 <u>20 III. Comp. Stat.</u>	under the Freedom of	initiate proceedings	punitive damages and	(H.B. 834)); III.
			requirements and genuine differences in how work	<u>112/10</u> (2019 III. Laws	Information Act, or any	related to the Equal pay	injunctive relief as may	Admin. Code tit. 56, §§
			is performed, rather than job classifications or	101- 0177 (H.B. 824)); III	other equivalent State or	law or consult counsel	be appropriate.	<u>320.100, 320.120,</u> 220.240
			titles.	0177 (H.B. 834)); III. Admin. Code tit. 56, §	federal law; the ich applicant's	for this purpose; testify or are about to	If employers fail to pay unpaid wages within 15	<u>320.340</u>
					the job applicant's	-		1
				320.120.	wage or salary history	testify in investigations	calendar days after	I

Illinois Coverage Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
	Skill means experience, training, education, and		is contained in a	or proceedings under	payment is required by	Illinois Laws:
	ability that are needed to meet the job	Fair employment	document completed	the law; or	the department or	http://www.ilga.gov/legisl
	requirements.	practices:	by the applicant's	offer any evidence of	ordered by a court,	ation/ilcs/ilcs.asp Illinois
		Employers can apply	current or former	violations of the law.	they must pay	
	Effort is physical or mental exertion needed to	different compensation	employer and then		employees an	Regulations:
	perform the total requirements of the job. Factors	standards pursuant to	made available to the	820 Ill. Comp. Stat.	additional 1 percent of	http://www.ilga.
	that cause or alleviate fatigue on the job are	merit or retirement	public by the employer,	<u>112/5 to 112/10 (2019</u>	unpaid wages for each	gov/commission/jcar/ad
	considered in determining effort. Occasional or	systems, unless these	or submitted or posted	III. Laws 101-0177	calendar day that	mincode/titles.html
	sporadic activities that require extra exertion do	systems or their	by the employer to	<u>(H.B. 834)), 112/35</u>	payment is delayed.	
	not justify a finding of equal or unequal effort.	administration	comply with State or		The amount of this	Illinois Department of
		effectively violate the	federal law; or		penalty cannot exceed	Labor:
	Responsibility is the degree of accountability	Fair employment	the job applicant is a		twice the sum of unpaid	http://www.state.il.us/ag
	required to perform the job. Minor or occasional	practices law or are	current employee and		wages due to	ency/idol/ Illinois
	responsibilities that are not significant or important	used to evade it. 775 III.	is applying for a		employees.	
	do not justify a finding of equal or unequal	Comp. Stat. 5/1-101.1	position with the same		Wage disclosure and	Department of Human
	responsibility.	to 5/2-104; III. <u>Admin.</u>	current employer.		salary history violations	Rights:
		<u>Code tit. 56, § 5210.50.</u>	Nathing in the		(effective Sept. 29,	http://www2.illinois.
	Similar work conditions are surroundings (such as		Nothing in these		2019): A civil action may	gov/dhr/Pages/default.
	toxic chemicals or fumes) and physical hazards	Equal wage law:	provisions prevents an		be brought against an	aspx
	that employees regularly encounter. Frequency	Employers cannot pay	employer, employment		employer for violations	
	and intensity are considered in determining	manufacturing	agency, or employee or		of the wage disclosure	
	whether work conditions are similar. Slight or	employees unequal	agent thereof from:		or salary history	
	inconsequential differences do not justify wage	wages for equal work,	providing information		provisions within five	
	differentials if employers (or collective bargaining	by time or piecework,	about the wages,		years from the date of the violation. An	
	negotiations if applicable) do not usually take them into account when setting wage rates. Jobs	unless variations in pay rates are: based on	benefits, compensation,		employer found to have	
	in different departments or locations are not	seniority, experience,	or salary offered in relation to a position; or		violated these	
	necessarily performed under dissimilar work	training, skill, or ability;	engaging in discussions		provisions may be	
	conditions.	based on regular or	with a job applicant		ordered to pay the	
		occasional duties or	about the applicant's		employee:	
	Statutory Language: 820 III. Comp. Stat. Ann.	services performed;	expectations with		any damages incurred;	
	112/10. §10 Prohibited acts.	based on availability for	respect to wage or		special damages not to	
	"(a) No employer may discriminate between	other operations; based	salary, benefits, and		exceed \$10,000;	
	employees on the basis of sex by paying wages to	on any other	other compensation.		injunctive relief as may	
	an employee at a rate less than the rate at which	reasonable			be appropriate; and	
	the employer pays wages to another employee of	classification besides	An employer does not		reasonable attorneys'	
	the opposite sex for the same or substantially	sex; or authorized by	violate these provisions		fees and costs	
	similar work on jobs the performance of which	contracts between	when a job applicant		necessary to make the	
	requires substantially similar skill, effort, and	employers and	makes a voluntary		employee whole, as	
	responsibility, and which are performed under	recognized bargaining	wage or salary history		determined by the	
	similar working conditions, except where the	agents. 820 III. Comp.	disclosure, provided the		court.	
	payment is made under: a seniority system; a	Stat. 110/1	employer does not rely			
	merit system; a system that measures earnings by		on the voluntary		An employee that	
	quantity or quality of production; or a differential	Employers can pay	disclosure when		receives special	
	based on any other factor other than: (i) sex or (ii)	different wage rates	determining whether to		damages may only	
	a factor that would constitute unlawful	pursuant to: seniority or	offer the applicant		recover compensatory	
	discrimination under the Illinois Human Rights Act,1	merit systems; systems	employment, making a		damages to the extent	
	provided that the factor: (A) is not based on or	that measure earnings	compensation offer, or		that they exceed the	
	derived from a differential in compensation based	by production quantity	determining future		special damages	
	on sex or another protected characteristic; (B) is	or quality; or	wages, salary, benefits,		amount. Employers	
	job-related with respect to the position and	differentials based on	or other compensation.		that violate these	
	consistent with a business necessity; and (C)	factors other than sex	820 III. Comp. Stat.		provisions may also be	
	accounts for the differential."	and mental or physical	112/10 (2019 III. Laws		ordered to pay a civil	
		disability.	101-0177 (H.B. 834))		penalty of up to	
	Fair employment practices law:	1	. ,,			

Illinois	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			Employers cannot discriminate based on sex in			
			negotiating or establishing wages, benefits, or			
			other compensation. Employers also cannot			
			differentiate wages or benefits based on sex			
			among employees performing the same or			
			substantially similar work under similar work			
			conditions. In addition, employers cannot aid,			
			abet, compel, or coerce anyone to violate the Fair			
			employment practices law.			
			Agreements and waivers (effective Jan. 1, 2020):			
			Certain agreements, clauses, covenants, and			
			waivers related to Fair employment practices law			
			are invalid. For more information, see			
			"Agreements and Waivers" in Illinois Equal			
			Employment Opportunity.			
			Minimum wage law:			
			Employers cannot discriminate based on sex in			
			the payment of wages. Specifically, employers			
			cannot pay wage rates to employees of one sex			
			that are lower than wage rates paid to employees			
			of the opposite sex for the same or substantially			
			similar work that requires equal skill, effort, and			
			responsibility and is performed under similar work			
			conditions.			
			Employers cannot discriminate based on mental			
			or physical disability in the payment of wages.			
			Specifically, employers cannot pay wage rates to			
			employees with disabilities that are lower than			
			wage rates paid to employees without disabilities			
			for the same or substantially similar work that			
			requires equal skill, effort, and responsibility and			
			is performed under similar work conditions.			
			Employers can pay a subminimum wage to			
			employees with disabilities under certain			
			conditions. For more information, see "Amount of			
			Subminimum Wage" in Illinois Minimum Wage.			
			820 III. Comp. Stat. 105/4			
			Wages of Women and Minors Act: Employers			
			cannot employ women (age 18 or older) or minors			
			(under age 18) in Illinois at an oppressive and			
			unreasonable wage that is less than the fair and			
			reasonable value of services rendered and			
			insufficient to meet the minimum cost of living			
			necessary for their health. Any contract, agreement,			
			or understanding related to such employment is			
			null and void.			
			Employers and corporate officers as exacts			
			Employers and corporate officers or agents cannot pay or agree to pay women or minors less than			
			the rates applicable to them under a mandatory			
	1	1				

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	Remedies/Damages:	Citing References
	\$5,000 per affected	
	employee for each	
	violation, depending on	
	their business size and	
	the seriousness of	
	violations.	
	Retaliation prohibition:	
	Employers that violate	
	the retaliation	
	prohibition are fined up	
	to \$5,000 per affected	
	employee for each	
	violation, depending on	
	their business size and	
	the seriousness of	
	violations. Employers	
	and their agents who	
	commit knowing	
	violations can be	
	ordered to pay back	
	and front pay, restore	
	the value of lost	
	benefits, pay an	
	additional equal	
	amount as liquidated	
	damages and comply	
	with other remedies.	
	820 III. Comp. Stat.	
	<u>112/5, 112/30</u> to 1 <u>12/35</u>	
	(2019 III. Laws 101-	
	0177 (H.B. 834)) <u>; III.</u>	
	Admin. Code tit. 56, §§	
	<u>320.100,</u>	
	<u>320.120,</u> <u>320.340</u>	

Illinois	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			minimum fair wage order. Employers can employ women or minors at subminimum fair wage rates under certain conditions if their earning capacity is impaired by age or by physical or mental deficiency or injury.					
			820 III. Comp. Stat. 125/1 to 125/2, 125/8, 125/15					

Indiana	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Indiana	Public and private	Sex	Employers cannot pay employees of one sex at	Employers can pay	N/A	N/A
	employers are covered		wage rates that are lower than the wage rates	different wage rates		
	by the Equal pay law if		paid to employees of the opposite sex for equal	pursuant to seniority,		
	they have two or more		work that requires equal skill, effort, and	merit, or piece-rate		
	employees. The law		responsibility under similar working conditions in	systems or any factor		
	does not apply to		the same workplace. Employers that violate the	other than sex.		
	employers that are		Equal pay law cannot reduce any employee's	Ind. Code § 22-2-2-4		
	subject to the federal		wage rate to comply with the law.			
	Fair Labor Standards		Statutory Language: Ind. Code Ann. § 22-2-2-4.			
	Act.		Minimum wage; discrimination; tip credits; overtime			
	Ind. Code § 22-2-2-3		pay; exceptions; domestic service; railway or other			
			carrier; remedial education (effective April 1, 2020)			
			"(a) No employer having employees subject to any			
			provisions of this section shall discriminate, within			
			any establishment in which employees are			
			employed, between employees on the basis of			
			sex by paying to employees in such			
			establishment a rate less than the rate at which			
			the employer pays wages to employees of the			
			opposite sex in such establishment for equal work			
			on jobs the performance of which requires equal			
			skill, effort, and responsibility, and which are			
			performed under similar working conditions,			
			except where such payment is made pursuant to:			
			(1) a seniority system; a merit system; a system			
			which measures earnings by quantity or quality of			
			production; or a differential based on any other			
			factor other than sex. (b) An employer who is			
			paying a wage rate differential in violation of			
			subsection (a) shall not, in order to comply with			
			subsection (a), reduce the wage rate of any			
			employee, and no labor organization, or its			
			agents, representing employees of an employer			
			having employees subject to subsection (a) shall			
			cause or attempt to cause such an employer to			
			discriminate against an employee in violation of			
			subsection (a)."			

Employers that violate the Equal pay law are guilty of a class C infraction and fined up to \$500, imprisoned for up to 60 days, or both. For a subsequent violation, employers are guilty of a class B misdemeanor and fined up to \$1,000, imprisoned for up to 180 days, or both. Employers that knowingly or intentionally violate the law are guilty of a class A infraction and fined up to \$5,000, imprisoned for up to one year, or both. Employers that are sued also can be ordered to pay the balance of wages due, plus liquidated damages of an equal amount, reasonable attorneys' fees, and court costs.

Ind. Code <u>§§ 22-2-2-9</u>, 22-2-2-11 **Citing References**

Coverage: Ind. Code § 2<u>2-2-2-3</u>

Pay Discrimination Prohibitions: Ind. Code § 22-2-2-4 Penalties/Remedies: Ind. Code §§ 22-2-2-9, 22-2-2-11

Indiana Laws: http://www.ai.org/legisla tive/ic/code/ Indiana Department of Labor: https://www.in.gov/dol/

lowa	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
lowa	See Fair employment	Age, race, creed, color,	Employers cannot discriminate in pay based on	N/A	N/A	See Fair emp
	practices law.	sex, sexual orientation,	age, race, creed, color, sex, sexual orientation,			practices law.
		gender identity,	gender identity, national origin, religion, or			
		national origin, religion,	disability. Specifically, employers cannot pay			
		or disability	wages to employees in a protected class at rates			
			that are less than the rates paid to other			
			employees for equal work that requires equal skill,			
			effort, and responsibility under similar working			
			conditions in the same establishment. Such pay discrimination occurs when discriminatory pay			
			decisions or other practices are adopted; when			
			employees become subject to these decisions or			
			practices; and when employees are affected by			
			the application of the decisions or practices,			
			including each time wages, benefits, or other			
			compensation are paid.			
			Employers cannot remedy these violations by			
			reducing any employees' wage rate.			
			Employers and their employees cannot			
			intentionally aid, abet, compel, or coerce anyone			
			to commit unlawful discriminatory practices.			
			Iowa Code §§ 216.6A (see Smart Code® for the			
			latest cases), 216.11			
			Statutory Language: Iowa Code Ann. § 216.6A			
			Additional unfair or discriminatory practicewage			
			discrimination in employment			
			"2. a. It shall be an unfair or discriminatory practice			
			for any employer or agent of any employer to			
			discriminate against any employee because of the age, race, creed, color, sex, sexual orientation,			
			gender identity, national origin, religion, or			
			disability of such employee by paying wages to			
			such employee at a rate less than the rate paid to			
			other employees who are employed within the			
			same establishment for equal work on jobs, the			
			performance of which requires equal skill, effort,			
			and responsibility, and which are performed under			
			similar working conditions. An employer or agent of			
			an employer who is paying wages to an employee at a rate less than the rate paid to other			
			employees in violation of this section shall not			
			remedy the violation by reducing the wage rate of			
			any employee.			
			b. For purposes of this subsection, an unfair or			
			discriminatory practice occurs when a			
			discriminatory pay decision or other practice is			
			adopted, when an individual becomes subject to a			
			discriminatory pay decision or other practice, or			
			when an individual is affected by application of a			
			discriminatory pay decision or other practice,			
			including each time wages, benefits, or other compensation is paid, resulting in whole or in part			
			from such a decision or other practice.			
				1		

n	Remedies/Damages:	Citing References
mployment	For violations of the pay	Coverage: Iowa Code
aw.	discrimination	§§ 216.2, 216.6A lowa
	provisions, damages	Admin. Code r. 161-2.1
	include reasonable	
	attorneys' fees, court	Pay Discrimination
	costs, and an amount	Prohibitions: Iowa Code
	equal to two times	§§ 216.6A, 216.11
	(three times for willful	Penalties/Remedies:
	violations) the wage	Iowa Code § 216.15
	differential owed to	lowa Laws:
	employees for the	https://www.legis.iowa.g
	period when they were	ov/law/iowaCode lowa
	subject to unlawful pay	Regulations:
	discrimination.	https://www.legis.iowa.
	[Note: The Iowa	gov/law/administrativer
	Supreme Court clarified	ules
	that employees cannot	aloo
	seek damages under	
	the law's pay	
	discrimination	
	provisions (Iowa Code	
	§ <u>216.6A</u>) for wage	
	payments that occurred	
	before April 28, 2009,	
	when the provisions	
	were enacted. The	
	court also found that	
	employees can seek	
	damages for wage	
	claims under the law's	
	general discrimination	
	provisions <u>(Iowa Code</u>	
	§ 216.6) in addition to	
	the pay discrimination	
	provisions; however,	
	these damages are	
	limited to wage	
	payments that occurred	
	within 300 days before	
	they filed a complaint	
	with the Iowa Civil	
	Rights Commission	
	(Dindinger v. Allsteel	
	Inc., 860 N.W.2d 557	
	(2015).]	
	、 / .	
	lowa Code § 216.15	

lowa	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			It shall be an affirmative defense to a claim arising					
			under this section if any of the following applies:					
			Payment of wages is made pursuant to a seniority					
			system.					
			Payment of wages is made pursuant to a merit					
			system.					
			Payment of wages is made pursuant to a system					
			which measures earnings by quantity or quality of					
			production.					
			Pay differential is based on any other factor other					
			than the age, race, creed, color, sex, sexual					
			orientation, gender identity, national origin,					
			religion, or disability of such employee.					
			4. This section shall not apply to any employer					
			who regularly employs less than four individuals.					
			For purposes of this subsection, individuals who					
			are members of the employer's family shall not be					
			counted as employees."					

Kansas Private and public Equal pay law: sex Equal pay law: sex Equal pay law: sex Employees cannot pay employees of one sex at mage rates that are oliver than the wage rates built of the federal built o	ory Retaliation	Salary History	Employer Defenses	Key Provisions	Protected Classes	Coverage	Kansas
the rederal goverment, are goverment, the law does covered by the Equal pay law. The law does not apply to employees or apply to employees of the oppositie sex for equal work that requires equal skill, effort and reasonable factor other that are subject to the federal Fair Labo a bona fide exacutive, a doministrative or professional capacity; and employees who are 18 years of age or younger and work on an occasional or part- time basis.Fair employment region. and employees who are 18 years of age or younger and work on an occasional or part- time basis.Fair employment regionswage rates that are to wages paid bords.multication of the systems or any reasonable factor other that are subject to the federal fair Labo setting hours.multication of the setting hours.multication of setting hours.Statutory Language Kan. Stat. Ann. § 44-1205 Same; discrimination in payment of wages within establishment between sexes prohibled; exceptions "On and after January 1, 1978, no employee thaving employees of the basis of sex by paying wages to employees on the basis of sex by paying wages to employees on the basis of sex by paying wages to employees insuch or endower so the opposite sex in such or equal too; (a) system (b) a meet system; (b) a meet system; (c) a system where such payment is made pursuant to (a) A seniority, meet or wages paid to employee in used too endower so the opposite sex in such any system; (b) a meet system; (c) a system where such payment is made pursuant to: (a) A seniority system; (b) a meet system; (c) a system where such payment is made pursuant to: (a) A seniority wage rate differential in violation of this section, to reduce the wage rate of any employee." Fair employment practices law: Employee scan cond	Employers can	N/A	Employers can pay	Equal pay law:	Equal pay law: sex	Private and public	Kansas
goverment, are covered by the Equal pay law. The law does not apply to employee that are subject to the federal Fair Labor Standards Act; employees who work in a bona fide executive, administrative or professional capacity; and employees who are 18 years of age or younger and work on an occasional or part. time basis.practices law: responsibility under similar working conditions in the same workplace. Employers asis o cannot make sex-based distinctions in paying wages setting hours.iment or picce-rate make sex-based distinctions in paying wages responsibility under similar working conditions in the same workplace. Employers asis o cannot make sex-based distinctions in paying wages within establishment to thewen sexes prohibited; work statist. Ann. § 44- 1205 Kan. Admin. Regs. 21-32-1Kan. Stat. Ann. § 44- 1202Table and the sex. the same set of the opposite sex in such establishment in which such employees or both sexes as hall discriminate, within any establishment to requal work such establishment to requal work such establishment to employees of the opposite sex in such establishment to engulaves of the opposite sex in such establishment to requal work set or myores of the opposite sex in a defermential based on a factor or other than sex. An employee: Traduction; or (a) a differential based on a factor or other than sex. An employee who is paying wage rate differential involution; or (b) a differential based on a factor other than sex. An employee: Traduction; or (c) a differential based on a factor or other than sex. An employee: who is paying wage rate differential involution; or the section shall not be required; in order to comply with the provisions of this section, to reduce the wage rate of any employee.mean employee modelesciniminate in com	discharge or ot		different wage rates	Employers cannot pay employees of one sex at		employers, excluding	
covered by the Equal pay law. The law does not apply to employen that are subject to the federal Fair Labor Standards Act; employees who work in a bona fide executive, administrative or professional capacity; and employees who are 18 years of age or younger and work on an ecosional or part- time basis.religion, color, sex, disability, national origin, ancestry, or age (40 or older)work that requires equal skill, effort and responsibility under similar working conditions in paying wages or setting hours.systems or any reasonable factor other than sex. Kan. Stat. Ann. § 44- 120-5Kan. Stat. Ann. § 44- 1202Statutory Language Kan. Stat. Ann. § 44-120-5 same; discrimination in payment of wages within establishment between sexes prohibited; oxceptions "On and after January 1, 1978, no employer having employees of both sexes shall discriminate, within any establishment in which such employees are employed, between employees are employed, between employees are the basis of sex by paying wages to employees and the basis of sex by paying wages to employees and the basis of sex by paying wages to employees of the dwinking equal which are performance of which requires equal skill, effort and responsibility, and which are performance of which requires equal skill, effort and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to: (a) A seniority system; (b) a merit system; (c) a system which measures earnings by quantity or quality or production; or (d) a differential based on a factor other than sex. A employee: who is paying wage rate differential involation of this section, shall not the required, in order to comply with the provisions of this section, to reduce the wage rate of any employ	discriminate ag		pursuant to seniority,	wage rates that are lower than the wage rates	Fair employment	the federal	
 pay law. The law does not apply to employers that are subject to the federal Fair Labor Standards Act; employees who work in a bona fide executive, administrative or professional capacity; and employees who are 18 years of age or younger and work on an occasional or partime basis. Kan. Stat. Ann. S. 44-1205. Statutory Language Kan. Stat.	employees who		merit or piece-rate	paid to employees of the opposite sex for equal	practices law: race,	government, are	
 noi apply to employers that are subject to the federal Fair Labor Standards Act; employees who work in a bona fide executive, administrative or professional capacity; and employees who are 18 years of age or younger and work on an occasional or part- time basis. Kan. Stat. Ann. § 44-1205 Same; discrimination in payment of wages within establishment between sexes prohibited; exceptions Within any establishment in which such employees who are 18 years of age or younger and work on an occasional or part- time basis. Kan. Stat. Ann. § 44- 1202 Kan. Stat. Ann. § 44- 1202	complaints or		systems or any	work that requires equal skill, effort and	religion, color, sex,	covered by the Equal	
that are subject to the federal Fair Labor Standards Act; employees who work in a bona fide executive, administrative or professional capacity; and employees who are 18 years of age or younger and work on an occasional or part- time basis.make sex-based distinctions in paying wages or setting hours.Kan. Stat. Ann., § 44-1205. Same; discrimination in payment of wages within establishment between sexes prohibited; exceptionsZ1-32-1Younger and work on an occasional or part- time basis."On and after January 1, 1978, no employer having employees of both sexes shall such employees are employed, between employees in such establishment in which such employees in such establishment for equal work on jobs, the performance of which requires equal skill, effort and responsibility, and which are eperformed under similar working conditions, except where such payment is made pursuant to (a) A seriority system; (b) a merit system; (b) a system which measures earnings by quantity or quality of production; or (d) a differential based on a factor other than sex. An employer who is paying wage rate differential in violation of this section shall not be required, in order to comply with the provisions of this section, to reduce the wage rate of any employee."	participate in		reasonable factor other	responsibility under similar working conditions in	disability, national	pay law. The law does	
federal Fair Labor Standards Act; employees who work in a bona fide executive, administrative or professional capacity; and employees who are 18 years of age or younger and work on an occasional or part- time basis.Statutory Language Kan. Stat. Ann. § 44-1205. Same; discrimination in payment of wages within establishment between sexes prohibited; exceptions "On and after January 1, 1978, no employer having employees of both sexes scale an occasional or part- time basis.1202 Kan. Admin. Regs. 21-32-1Kan. Stat. Ann. § 44- 1202"On and after January 1, 1978, no employer having employees of both sexes scale employees in such establishment in which such employees in such establishment at rate less to employees in such establishment for equal work on jobs. the performace of which requires equal skill, effort and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to: (a) A seniority system; (b) a merit system; (c) a system which measures earnings by quantity or quality of production; or (d) a differential based on a factor other than sex. An employer who is paying wage rate differential in violation of this section, to reduce the wage rate of any employee."Fair employment practices law: Employers cannot discriminate in compensation	investigations,		than sex.	the same workplace. Employers also cannot	origin, ancestry, or age	not apply to employers	
Standards Act; 21-32-1 employees who work in a bona fide executive, administrative or professional capacity; Statutory Language Kan. Stat. Ann. § 44-1205. and employees who and employees who are 18 years of age or younger and work on an occasional or part- time basis. 'On and after January 1, 1978, no employer having employees of both sexes shall discriminate, within any establishment in which an occasional or part- time basis. 'on employees are employed, between employees on the basis of sex by paying wages to employees is such establishment tarate less than the rate of wages paid to employees of the opposite sex in such establishment for equal work on jobs, the performance of which requires equal skill, effort and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to: (a) A seniority system; (b) a merit system; (c) a system which measures earnings by quantity or quality of production, or (d) a differential based on a factor other than sex. An employer who is paying wage rate differential in violation of this section shall not be required, in order to comply with the provisions of this section, to reduce the wage rate of any employee. Fair employment practices law: Employees cannot discriminate in compensation	or other anti-		Kan. Stat. Ann. § 44-	make sex-based distinctions in paying wages or	(40 or older)	that are subject to the	
employees who work in a bona fide executive, administrative or professional capacity; and employees who are 18 years of age or younger and work on an occasional or part- time basis.Statutory Language Kan. Stat. Ann. § 44-1205. Same; discrimination in payment of wages within exceptionsKan. Stat. Ann. § 44- 1202"On and after January 1, 1978, no employer having employees of both sexes shall such employees are employed, between employees in such employees are employed, between employees in such establishment to which an occasional or part- time basis.Kan. Stat. Ann. § 44- 1202"On and after January 1, 1978, no employer having employees in such establishment in which such employees are employed, between employees in such establishment for equal work on jost, the performance of which requires equal skill, effort and responsibility, and which are performance of which requires equal skill, effort and responsibility, and which are performance of which requires equal skill, effort and responsibility, and which are performance of upravent is made pursuant to: (a) A seniority system; (b) a merit system; (c) a system which measures earnings by quantity or quality of production; or (d) a differential based on a factor other than sex. An employee rule of any employee."Fair employment practices law: Employees.Fair employment practices law: Employees.	discrimination		<u>1205</u> Kan. Admin. Regs.	setting hours.		federal Fair Labor	
a bona fide executive, administrative or professional capacity; and employees who are 18 years of age or younger and work on an occasional or part- time basis.Same; discrimination in payment of wages within establishment between sexes prohibited; exceptionsKan. Stat. Ann. § 44- 1202Younger and work on an occasional or part- time basis.Younger and work on discriminate, within any establishment in which such employees in such establishment at a rate less to employees in such establishment at a rate less to employee in such establishment for equal work on jobs, the performance of which requires equal skill, effort and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to: (a) A seniority system; (b) a merit system; (c) a system which measures earnings by quantity or quality of production; or (d) a differential based on a factor other than sex. An employe with the provisions of this section, to reduce the wage rate of any employees; in order to comply with the provisions of this section, to reduce the wage rate of any employees; and other provisions of this section, to reduce the wage rate of any employees; the proformation of this section shall not be required, in order to comply with the provisions of this section, to reduce the wage rate of any employees; and discriminate in compensation	proceedings.		21-32-1			Standards Act;	
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Fair employment practices law: Employers cannot discriminate in compensation				of this section, to reduce the wage rate of any			
Employers cannot discriminate in compensation				employee."			
Employers cannot discriminate in compensation							
				Fair employment practices law:			
				Employers cannot discriminate in compensation			
based on race, religion, color, sex, disability,				based on race, religion, color, sex, disability,			
national origin, ancestry, or age (40 or older).							
Kan. Stat. Ann.§§ 44-1009, 44-1113							

	Remedies/Damages:	Citing References
annot	Employers that are	Coverage: Equal pay
otherwise	sued can be ordered to	law: Kan. Stat. Ann. §
against	pay the balance of	<u>44-1202</u>
vho file	wages to which	Fair employment
or	employees are entitled,	practices law: Kan. Stat.
n	reasonable attorneys'	Ann. 44-1002, 44- 1112
is, hearings	fees and costs.	
-	Employers that violate	Pay Discrimination
n	the Equal pay law,	Prohibitions: Equal pay
	falsify records or	law: <u>Kan. Stat. Ann.</u>
	retaliate against	<u>§ 44-1205</u>
<u>nn. § 44-</u>	employees also can be	Kan. Admin. Regs. 21-
	fined	32-1
	\$200 to \$1,000.	Fair employment
		practices law: Kan. Stat.
	Kan. Stat. Ann. §§ 44-	<u>Ann.§§ 44-1009</u> , 44-
	<u>1208, 44-1210, 44-1211</u>	1113
		Retaliation Prohibition: <u>Kan. Stat. Ann. § 44-</u> <u>1210</u>
		Penalties/Remedies: Equal pay law: <u>Kan.</u> <u>Stat. Ann. §§ 44-1208,</u> <u>44-1210, 44-1211</u>
		Kansas Laws: http://www.kslegislature. org/li/statute/ Kansas Regulations: http://www.kssos.org/ Kansas Department of Labor: http://www.dol.ks. gov/home/html/about_ ALL.html

employers (and their agents) are covverd by the Equal pay law if the s are covverd by and some and components are amployees of more anappioses in the stands of an exployees of the equal besis with a standard dright, account discrimination and account was that are laws that ar	Kentucky C	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages	Citing References
Image: part of the Sequence of the Sequence of the opposite of the opposite of the opposite of the sequence of the sequ	Kentucky P	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	N/A	Employers cannot	Employers that are sued	Coverage: Equal pay law:
have two or more Fair employment practices one sex at wage rates that are less that wage is the sponse systems is employees because they by the amount of wage is intermotive or more increases systems is employees that is an employees because they by the amount of wage is intermotive or more increases systems is intermotive or more increases is indicated on the sponse is intermotive or more increases systems is intermotive or more increases is indicated on the sponse is indicate	e	employers (and their	Sex	Employers cannot discriminate based on sex, in any	Employers can pay wage	•	discharge or otherwise	can be ordered to:	Ky. Rev. Stat. Ann. §§
have two or more employees in the state action of 20 or more calendar weeks in the face, coir, face action range state in a do and origin, sex, or age of 0.40 and oder); becausetates paid to employees a the state is the state state action range is the state state is the state is the state is the state state is the state i	ar	igents) are covered by		occupation in Kentucky, by paying employees of	rate differentials pursuant	t	discriminate against	stop violations;	<u>337.420</u> to <u>337.423;</u> <u>803</u>
ench of 20 or more calend 20 or more talend at odd 20 or more talend at odd odd 20 or more than and odd odd 20 or more than and odd odd 20 or more than and a disbuilty.or In that do not discriminate than and exit than and exit than and exit than and the span and that do not discriminate than and exit than and work that requires comparable skill. In that do not discriminate than the span and that and that the span and that do not discriminate than the facult 20 mires. In that do not discriminate than the facult 20 mires and that and the span and that do not discriminate than the facult 20 mires and that and that the span and that do not discriminate than the facult 20 mires and that do not discriminate than the facult 20 mires and that do not discriminate than the facult 20 mires that and that do not discriminate that the facult 20 mires that and that do not discriminate that	th	he Equal pay law if they	Fair employment practices	one sex at wage rates that are less than the wage	to established seniority o	r	employees because they	pay the amount of wages	<u>Ky. Admin. Regs. 1:025</u>
each of 20 or more calendar weeks in the calendar weeks in the (d) and older), sexue argebright, because (d) and older), comparison (d) and older), compar					merit increase systems		-		Fair employment practices
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current or proceeding calendar year. The grant or duce any with a disability or because they are a qualified person- of the Equal pay law. they cannot reduce any with a disability or because they are a qualified person- of the Equal pay law. they cannot reduce any with a disability or because they are a qualified person- of the Equal pay law. they cannot reduce any with a disability or because they are a qualified person- of the Equal pay law. they cannot reduce any with a disability or because they are a qualified person- to avoid comply ying with the law. be any workplace senoking the any workplace senoking the any workplace senoking the quality or qu					-	3			§§ <u>344.010</u> , <u>344.030</u> ,
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FLSA's requirements are policy).Unlawful pay discrimination can occur even when man ad women are not employed in the same job at the same time. For example, if a woman is hired than the Equal pay law file a statement with the requirements, and they file a statement with the regarding their FLSA coverage.to testify in any ment and women are not employed in the same job standards pursuant to standards pursuant to standards pursuant to systems that measure early law or systems that measure early law or sys									§§ <u>337.420</u> to <u>337.423;</u>
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file a statement with the Kentucky Department of Workplace Standards regarding their FLSA 							the law.	\$100.10\$1,000.	-
Kentucky Department of Workplace Standards regarding their FLSA coverage.posical conditions that constitute substantial disabilities and are verifiable through medically accepted clinicalensure compliance.to systems that measure earnings by production earnings by production antity or quality or to employees who work in medically accepted clinical337.427, 337.990Retailation Pr Equal pay law Stat. Ann. §s 337.423, 337.990Ky. Rev. Stat. Ann, §s 303 Ky. Admin. Regs. 803 Ky. Admin. Regs. 10225or laboratory diagnostic techniques.Wage rates cover all payments made to or on behalf of employees are remployees are remployee benefits, vacation or holiday pay, and misurance benefits, vacation or holiday pay, and are afforded the same writh disabilities.Wage rates cover all payments made to or on behalf of employees are remployee benefits such as pension or race, color, religion, national origin, sex or are afforded the same work this doiling in-kined for work-ine work they do not include reasonable payments for employees of opposite sexes is not considered a work they does of opposite sexes is not considered a work thouse sex is not considered a work thouse set			-		-		Ky Poy Stat App 88	Ky Boy Stat App 88	<u>99 <u>344.040</u>, <u>344.100</u></u>
Workplace Standards regarding their FLSA coverage.constitute substantial disabilities and are verifiable through molically accepted clinical of aboratory diagnostic tables, 20, 337,422; 337,422, 337,422, 337,422; 337,422; 337,422; 40, 1025Couption includes any industry, trade, busines, employment, or type of employment. of aboratory diagnostic of employees as remuneration for employment, of employees as remuneration for employment, of employees as remuneration for employment, including in-kind payments and amounts paid by including in-kind payments and amounts paid by of employees as remuneration or holiday pay, and insurance benefits, vacation or holiday pay, and presided complex, or HIV are afforded the same by the retaliation prohibitionconstruct substantial including in-kind payments and amounts paid by including in-kind payments and amounts paid by work; they do not include reasonable payments for employees are for or or work-related work; they do not include reasonable payments for employees of both sexes.earling by production employees and applicants including in-kind payments and amounts paid by attion or holiday pay, and are afforded the same employees of opposite sexes is not considered at violation if the resulting benefits are equal for employees of opposite sexes is not considered at violation if the resulting benefits are equal for employees of both sexes.attional origin, sex or attional origin, sex or Ann. § § 344.040, 344.100337.990Equal pay law stat. Ann. § astonal origin, sex or attional origin, sex or attional origin, sex or attional origin, sex or avaita, Ann. § § 344.040, 344.100337.990Equal back for attional origin, sex or attional origin, sex or attional origin, sex or attional									Retaliation Prohibition:
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coverage.verifiable through medically accepted clinicalemployment, or type of employment.employees who work in different locations if these337.423, 337Ky. Rev. Stat. Ann, §§ 337.420, 337.423; B03 Ky. Admin. Regs.or laboratory diagnostic techniques.Wage rates cover all payments made to or on behalf of employees are cover all payments and amounts paid by who have AIDS, AIDS- related complex, or HIV are afforded the same prohibitionWage rates cover all payments and amounts paid by employees for employee benefits such as pension or race, color, religion, national origin, sex or age (40 and older), or a use hit disabilities.Mann. § 337.423, 337 (40, 337.423, 337Public and private employees are cover by the retaliation prohibitionpremium pay for overtime, weekend, or holiday are afforded the same work; they do not include reasonable payments for employees of opposite sexes in corrections as persons with disabilities.mational origin, sex or age (40 and older), or a users in consider payments for work; related may or oyposite sexes in considered a violation if the resulting benefits are equal for employees of opposite sexes.Main employees and cover age (40 and older), or a age (40 and older), or a travel. Making unequal benefit contributions for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of obth sexes.mational origin, sex or age (40, 40, 344, 100mational origin, sex or age (40, 40, 404, 344, 100Kill includes factors such as experience, training,Kill includes factors such as experience, training,Kill includes factors such as experience, training,Kill includes factors such as experience, training,		-					007.000		Stat. Ann. §§ <u>337.420</u> to
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Ky. Rev. Stat. Ann. §§ 337.420, 337.423; 803 Ky. Admin. Regs. 1:025or laboratory diagnostic techniques.Wage rates cover all payments made to or on behalf of employees as remuneration for employment, including in-kind payments and amounts paid by employees for employee benefits such as pension or related complex, or HIV are afforded the same prohibitionWage rates cover all payments made to or on behalf differences are not the result of an intention to discriminate based on also core, religion, national origin, sex or age (40 and older), or a qualified person's disabilities.Mandatory Po pay law: Ky. F Ann. § 337.420Public and private employers are covered by the retaliation prohibitionor laboratory diagnostic techniques.Wage rates cover all payments made to or on behalf of employees as remuneration for employment, insurance benefits, vacation or holiday pay, and premium pay for overtime, weekend, or holiday work; they do not include reasonable payments for reimbursable expenses incurred for work-related travel. Making unequal benefit contributions for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of both sexes.Ann. § 344.040, 344.100Si 344.040, 344.100Kentucky Law http://www.tr utes/index.as Regulations:Skill includes factors such as experience, training, Skill includes factors such as experience, training,Skill includes factors such as experience, training, discriminate againstMandatory Po pay law: Ky. F result of an intention to discriminate against		0	0						<u> </u>
337.420, 337.423; B03 Ky, Admin. Regs. 1:025techniques.of employees as remuneration for employment, including in-kind payments and amounts paid by employees and applicants insurance benefits, vacation or holiday pay, and are afforded the same protections as personsresult of an intention to discriminate based on ace, color, religion, national origin, sex or age (40 and older), or a qualified person's disabilities.pay law: Ky. F ace, color, religion, national origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.pay law: Ky. F ace, color, religion, national origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.pay law: Ky. F ace, color, religion, national origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.pay law: Ky. F ace, color, religion, national origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.mational origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.mational origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.mational origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.mational origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.mational origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.mational origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.mational origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.mational origin, sex or age (40 and older), or a qualified person's d	к		2						Mandatory Poster: Equal
803 Ky. Admin. Regs. 1:025Employees and applicants including in-kind payments and amounts paid by who have AIDS, AIDS- related complex, or HIV are afforded the same protections as personsEmployees and applicants insurance benefits, vacation or holiday pay, and premium pay for overtime, weekend, or holiday work; they do not include reasonable payments for reimbursable expenses incurred for work-related travel. Making unequal benefit contributions for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of obto sexes.atis cirminate based on attional origin, sex or age (40 and older), or a gage (40 and older), or a disability. Ky. Rev. Stat.Ann. § s 337.43803 Ky. Admin. Regs. 1:025Employees and applicants insurance benefits, vacation or holiday pay, and previum pay for overtime, weekend, or holiday work; they do not include reasonable payments for reimbursable expenses incurred for work-related travel. Making unequal benefit contributions for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of both sexes.Ann. § § 344.040, 344.100Stat. Ann. § s 344.040, 344.100Kentucky Law http://www.tro utes/index.asSkill includes factors such as experience, training, discriminate againstKentucky Law Equal Doportunity Act: Employees also cannot discriminate againstKentucky Law http://www.tro discriminate against									pay law: Ky. Rev. Stat.
1:025who have AIDS, AIDS- related complex, or HIV are afforded the same protections as persons with disabilities.employers for employee benefits such as pension or race, color, religion, national origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat. Ann.Penalties/Rer Equal pay law set (40 and older), or a qualified person's sissing as persons with disabilities.Penalties/Rer Equal pay law set at. Ann. §\$ s37.9901:025who have AIDS, AIDS- related complex, or HIV are afforded the same protections as persons with disabilities.employers for employee benefits such as pension or race, color, religion, national origin, sex or age (40 and older), or a qualified person's Ann.Penalties/Rer Equal pay law set at. Ann. §\$ s37.9901:025work; they do not include reasonable payments for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of both sexes.Main Equal Opportunity Act: Employers also cannot discriminate againstRegulations: employees also cannot discriminate against			-						Ann. § <u>337.433</u>
Public and private employers are covered by the retaliation prohibitionrelated complex, or HIV are afforded the same protections as persons with disabilities.insurance benefits, vacation or holiday pay, and premium pay for overtime, weekend, or holiday work; they do not include reasonable payments for reimbursable expenses incurred for work-related travel. Making unequal benefit contributions for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of both sexes.national origin, sex or age (40 and older), or a qualified person's disability. Ky. Rev. Stat.Penalties/Rer Equal pay law age (40 and older), or a qualified person's disability. Ky. Rev. Stat.Penalties/Rer approhibitioninsurance benefits, vacation or holiday pay, and protections as persons with disabilities.insurance benefits, vacation or holiday protections as persons with disabilities.Penalties/Rer Equal pay law gag (40 and older), or a qualified person's disability. Ky. Rev. Stat.Ann. violation if the resulting benefits are equal for employees of both sexes.Sa44.040, 344.100 Equal Opportunity Act: Employers also cannotPenalties/Index. Builties.Skill includes factors such as experience, training,Skill includes factors such as experience, training,Equal Opportunity Act: Employers also cannot discriminate againstPenalties/Index. Builties.					race, color, religion,				
employers are covered by the retaliation prohibitionprotections as persons with disabilities.work; they do not include reasonable payments for reimbursable expenses incurred for work-related travel. Making unequal benefit contributions for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of both sexes.qualified person's disability. Ky. Rev. Stat. Ann. §§ 344.040, 344.100Stat. Ann. §§ disability. Ky. Rev. Stat. Ann. §§ 344.040, 344.100Kentucky Law or constructionSkill includes factors such as experience, training, discriminate againstSkill for constructions for employees also cannot discriminate againstKentucky Law employees also cannot discriminate against			related complex, or HIV		-				Penalties/Remedies:
by the retaliation prohibition with disabilities. reimbursable expenses incurred for work-related travel. Making unequal benefit contributions for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of both sexes. Equal Opportunity Act: Employers also cannot discriminate against discrimin	P	Public and private	are afforded the same	premium pay for overtime, weekend, or holiday	age (40 and older), or a				Equal pay law: Ky. Rev.
prohibition travel. Making unequal benefit contributions for employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of both sexes. Ann. §§ 344.040, 344.100 Kentucky Law http://www.lrd Equal Opportunity Act: Equal Opportunity Act: Employers also cannot Http://www.lrd Skill includes factors such as experience, training, discriminate against discriminate against http://www.lrd	er	employers are covered	protections as persons	work; they do not include reasonable payments for	qualified person's				Stat. Ann. §§ <u>337.427</u> ,
employees of opposite sexes is not considered a violation if the resulting benefits are equal for employees of both sexes. \$\$ 344.040, 344.100 Kentucky Law http://www.lrd Equal Opportunity Act: Equal Opportunity Act: Equal Opportunity Act: Regulations: Skill includes factors such as experience, training, discriminate against Mittp://www.lrd Mittp://www.lrd	b	y the retaliation	with disabilities.	reimbursable expenses incurred for work-related	disability. Ky. Rev. Stat.				<u>337.990</u>
violation if the resulting benefits are equal for employees of both sexes.Equal Opportunity Act: Employers also cannothttp://www.lro utes/index.as Regulations: http://www.lroSkill includes factors such as experience, training,discriminate againsthttp://www.lro	p	prohibition		•					
employees of both sexes.Equal Opportunity Act: Employers also cannotutes/index.as Regulations: http://www.indSkill includes factors such as experience, training,discriminate againsthttp://www.ind					§§ <u>344.040</u> , <u>344.100</u>				Kentucky Laws:
Employers also cannot Regulations: Skill includes factors such as experience, training, discriminate against									http://www.lrc.ky.gov/Stat
Skill includes factors such as experience, training, discriminate against									utes/index.aspx Kentucky
									0
					0				http://www.lrc.ky.gov/kar/f
				-					rntpage.htm Kentucky
									Labor Cabinet, Department of Workplace
Effort is the degree or amount of physical or mental the basis of the results of Standards:									
				5 1 5					https://labor.ky.gov/stand
					-				ards/Pages/default.aspx
exerted in different ways. HIV infection is a bona				•					ards/r ages/deladit.aspx
fide occupational				5					
Responsibility is the degree of accountability needed qualification. Ky. Rev.									
to perform a job, with an emphasis on the Stat. Ann. §§ 207.130 ,									
importance of the job obligation.									
Establishment applies to all work performed in an									
establishment, even if employees perform the work									
away from the physical premises of the									
establishment where they are employed.				establishment where they are employed.					

Kentucky	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			Ky. Rev. Stat. Ann. <u>337.420, 337.423;</u> 803 Ky. Admin.			
			<u>Regs. 1:025</u>			
			Statutory Language Ky. Rev. Stat. Ann. § 337.423.			
			Discrimination prohibited			
			"(1) No employer shall discriminate between			
			employees in the same establishment on the basis of sex, by paying wages to any employee in any			
			occupation in this state at a rate less than the rate			
			at which he or she pays any employee of the			
			opposite sex for comparable work on jobs which			
			have comparable requirements relating to skill, effor	t		
			and responsibility.			
			Differentials which are paid pursuant to established seniority systems or merit increase systems, which			
			do not discriminate on the basis of sex, shall not be			
			included within this prohibition. Nothing in KRS			
			337.420 to 337.433 and 337.990(11) shall apply to			
			any employer who is subject to the federal Fair Labor			
			Standards Act of 1938,1 as amended, when that act imposes comparable or greater requirements than			
			contained in KRS 337.420 to 337.433 and			
			337.990(11) and when the employer files with the			
			commissioner of the Department of Workplace			
			Standards a statement that the employer is covered			
			by the federal Fair Labor Standards Act of 1938, as			
			amended. An employer who is paying a wage differential in			
			violation of KRS 337.420 to 337.433 and			
			337.990(11) shall not, in order to comply with it,			
			reduce the wage rates of any employee.			
			No person shall cause or attempt to cause an			
			employer to discriminate against any employee in violation of KRS 337.420 to 337.433 and			
			337.990(11)."			
			No employer may discharge or discriminate against			
			any employee by reason of any action taken by			
			such employee to invoke or assist in any manner the	È		
			enforcement of KRS 337.420 to 337.433 and 337.990(11)."			
			Fair employment practices law:			
			Employers cannot discriminate against employees in			
			compensation based on race, color, religion,			
			national origin, sex, or age (40 and older); because they are a qualified person with a disability; or			
			because they are a smoker or nonsmoker (as long			
			as they comply with any workplace smoking policy).			
			Equal Opportunity Act:			
			Employers cannot discriminate against employees			
			and applicants with respect to wages or rates of pay			
			on the basis of physical disability, unless the disability restricts the employee's or applicant's			
			usability restricts the employee's of applicables			

Remedies/Damages	Citing References

Kentucky	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages	Citing References
			ability to perform a job or otherwise permitted by law. Physical disabilities are congenital or acquired physical conditions that constitute substantial disabilities and are verifiable through medically accepted clinical or laboratory diagnostic techniques. Employees and applicants who have AIDS, AIDS-related complex, or HIV are afforded the same protections as persons with disabilities.					

Louisiana	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Louisiana	Public and private	Race, color, religion,	Employers cannot intentionally discriminate	Employers that pay	N/A	See Fair employment	See Fair employment	Coverage: La. Rev. Stat.
	employers with 20 or	sex, national origin, age	against employees in compensation based on	wages in violation of		practices law.	practices law.	Ann. §§ 23:302, 23:312,
	more employees in	(40 or older), disability,	race, color, religion, sex or national origin. They	these pay				23:323, 23:
	Louisiana for each	sick cell trait, genetic	also cannot intentionally pay employees of one	discrimination				<u>332, 23:341, 23:352,</u>
	working day in each of	information, if female	sex wage rates that are lower than the wage rates	prohibitions cannot				23:368
	20 or more calendar	(pregnancy, childbirth,	paid to employees of the opposite sex for equal	reduce any employees'				Pay Discrimination
	weeks in the current or	or related medical	work that requires equal skill, effort and	wages to comply with				Prohibitions: La. Rev.
	preceding calendar	conditions)	responsibility under similar working conditions.	the prohibitions.				Stat. Ann. 23:311 to
	year, employment			Employers can apply				23:312, 23:322 to
	agencies and labor		Employers also cannot discriminate against	different compensation				23:323, 23:332, 23:342,
	organizations are		employees in compensation based on age (40	standards, under				23:352, 23:368
	covered by the		and older) or reduce the wage rate of any	certain circumstances,				
	discrimination		employee to comply with this prohibition.	if such differences are				Louisiana Laws:
	prohibitions. Employees		In addition, employers cannot:	not the result of an				http://www.legis.state.la.
	do not include domestic		discriminate against employees in compensation	intention to discriminate				us/
	service workers and		based on disability if they can perform the	based on race, color,				
	anyone employed by a		essential functions of their job with reasonable	religion, sex or national				
	parent, spouse or child.		accommodation;	origin.				
			discriminate against employees in compensation	Specifically, employers				
	La. Rev. Stat. Ann. §§		because they have sickle cell trait or reduce the	can differentiate				
	23:302, 23:312, 23:		wage rate of any employee to comply with this	compensation pursuant				
	323, 23:332, 23:341,		prohibition;	to bona fide seniority or				
	23:352, 23:368		discriminate against otherwise qualified	merit systems; pursuant				
			employees in compensation based on their	to systems that				
			genetic information or information about their	measure earnings by				
			requests for or receipt of genetic services; or	production quantity or				
			discriminate against female employees in	quality; based on				
			compensation based on pregnancy, childbirth or	factors other than sex;				
			related medical conditions.	or to employees who				
				work in different				
			La. Rev. Stat. Ann. 23:311 to 23:312, 23:322 to	locations.				
			23:323, 23:332, 23:342, 23:352, 23:368					
				Employers can				
			Statutory Language La. Stat. Ann. § 23:332.	differentiate				
			Intentional discrimination in employment	compensation based on				
			"A. It shall be unlawful discrimination in	reasonable factors				
			employment for an employer to engage in any of	other than age or to				
			the following practices:	comply with bona fide				
			(1) Intentionally fail or refuse to hire or to	seniority systems that				
			discharge any individual, or otherwise to	are not designed to				
			intentionally discriminate against any individual	evade this pay				
			with respect to compensation, or terms,	discrimination				
			conditions, or privileges of employment, because	prohibition.				
			of the individual's race, color, religion, sex, or	promotion				
			national origin.					
			(3) Intentionally pay wages to an employee at a					
			rate less than that of another employee of the					
			opposite sex for equal work on jobs in which their					
			performance requires equal skill, effort, and					
			responsibility and which are performed under					
			similar working conditions. An employer paying					
			wages in violation of this Section may not reduce					
			the wages of any other employee in order to					
			comply with this Section."					
	1	1						

Maine	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Maine	Public and private	Equal pay law:	Equal pay law:	Employers can pay	Equal pay law (effective	Employers cannot	Employers that violate	Coverage: Equal pay
	employers are covered	Sex	Employers cannot discriminate based on sex in	different wages	on or about Sept. 17,	discharge or	the Equal pay law can	law: Me. Rev. Stat. Ann.
	by the Equal pay law.		any occupation by paying employees of one sex	pursuant to established	2019):	discriminate against	be ordered to pay:	<u>tit. 26, § 628</u>
		Fair employment	at wage rates that are less than the wage rates	seniority systems, merit	An employer cannot	employees because	a fine of \$100 to \$500	Fair employment
	Me. Rev. Stat. Ann. tit.	practices law:	paid to employees of the opposite sex for	increase systems, or	use or inquire about an	they file complaints	for each violation;	practices law: Me. Rev.
	<u>26, § 628</u>	Race, color, sex,	comparable work that requires comparable skill,	differences in the shift	applicant's	under the Equal pay	the amount of unpaid	Stat. Ann. tit. 5, § 4553
		sexual orientation,	effort, and responsibility at the same establishment	or time of day worked if	compensation history,	law or otherwise assist	wages;	(2019 Me. Laws 464
		physical or mental	in Maine. An establishment operated at different	these differentials do	from the applicant or	in enforcing the law.	damages equal to twice	(L.D. 1701))
		disability, religion, age,	locations is considered a single establishment if	not discriminate based	the applicant's current		the amount of unpaid	94-348-003 Me. Code
		ancestry or national	employees are engaged in functionally similar	on sex. Seniority	or former employer,	Me. Rev. Stat. Ann. tit.	wages; and	R. §§ 1 to 2
		origin, previous	operations and there is a substantial degree of	systems are systems	unless an employment	<u>26, § 628</u>	reasonable interest,	
		assertions of workers'	central authority for establishing personnel rules	that give preference to	offer has been		reasonable attorneys'	Pay Discrimination
		compensation claims or	and approving wage rates.	workers based on	negotiated and made to		fees, and costs.	Prohibitions: Equal pay
		rights, or previous		years of service. Merit	the applicant which			law: Me. Rev. Stat.
		reports of or refusals to	Wages are all forms of compensation for	increase systems are	includes all terms of		Me. Rev. Stat. Ann. tit.	Ann. tit. 26, § 628
		commit illegal acts. Sex	employment, including:	bona fide, uniform,	compensation. After		<u>26, §§ 626-A, 628-A</u>	12-170-12 Me. Code R.
		includes pregnancy or	periodic or deferred payments;	objective systems that	such an offer has been		(2019 Me. Laws 35	§ I
		related medical	wage, salary, profit-sharing, expense account,	reward employees with	negotiated and made,		(L.D. 278)	Fair employment
		conditions.	monthly minimum, bonus, board, lodging,	promotions, pay	the employer can			practices law: Me. Rev.
			vacation, or holiday payments;	increases, or other	inquire about or confirm			Stat. Ann. tit. 5, §§
			premium pay for weekend, holiday, or other work	advantages based on	the applicant's			4553, 4571 to 4572-A
			in excess or outside of employees' regular	competence.	compensation history.			94-348-003 Me. Code
			schedule; and		These provisions do			R. §§ 1, 3, 13
			uniform cleaning, company car, or gasoline		not apply if federal or			
			allowances.		state law specifically			Wage Disclosure: Equal
					requires disclosure or			pay law: <u>Me. Rev. Stat.</u>
			Skill means job performance requirements,		verification of			<u>Ann. tit. 26, § 628</u> (2019
			including experience, training, education, ability,		compensation history			Me. Laws 35 (L.D.
			human relations, and communication. Job		for employment			278))
			performance efficiency is not a factor in evaluating		purposes.			
			skill level.		Me. Rev. Stat. Ann. tit.			Salary History: Equal
					<u>26, § 628-A (</u> 2019 Me.			pay law: <u>Me. Rev. Stat.</u>
			Effort is the physical or mental exertion required to		Laws 35 (L.D. 278))			<u>Ann. tit. 26, § 628- A</u>
			perform all of a job's requirements to a		Fair employment			(2019 Me. Laws 35 (L.D.
			reasonable, necessary extent under the job's		practices law (effective			278))
			working conditions.		on or about Sept. 17,			Fair employment
					2019):			practices law: Me. Rev.
			Responsibility is the degree of accountability and		If an employer violates			Stat. Ann. tit. 5, § 4577
			reliability required.		the compensation			(2019 Me. Laws 35
					history provisions by			(L.D. 278))
			Salary history: Violations of the provisions on		directly or indirectly			Detelietien Drehihitien
			compensation history inquiries can constitute		inquiring			Retaliation Prohibition:
			evidence of unlawful employment discrimination		about an applicant's			Equal pay law: <u>Me. Rev.</u>
			under the Equal pay law. For more information,		compensation history			<u>Stat. Ann. tit. 26, § 628</u>
			see "Salary History" in this summary. Me. Rev.		from the applicant or			
			Stat. Ann. tit. 26, § 628; 12-170-12 Me. Code R. §		the applicant's current			Penalties/Remedies:
					or former employer, or			Equal pay law: <u>Me. Rev.</u>
			Fair amployment practices low Employees are t		otherwise seeking an			Stat. Ann. tit. 26,
			Fair employment practices law: Employers cannot		applicant's			§§ 626-A, 628-A (2019
			discriminate in compensation based on race,		compensation history			Me. Laws 35 (L.D. 278)
			color, sex, sexual orientation, physical or mental		information, such			
			disability, religion, age, ancestry or national origin,		actions constitute			Maine Laws:
			previous assertions of workers' compensation		evidence of unlawful			http://www.mainelegisla
			claims or rights, or previous reports of or refusals		employment			ture.org/legis/statutes/
1					discrimination under			Maine Regulations:

November 10, 2021

Maine	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			to commit illegal acts. Sex includes pregnancy or		the Fair employment	
			related medical conditions.		practices law and the	
					Equal pay law, unless:	
			Salary history: Violations of the provisions on		an employment offer	
			compensation history inquiries can constitute		that includes all terms	
			evidence of unlawful employment discrimination		of compensation has	
			under the Fair employment practices law. For		already been	
			more information, see "Salary History" in this		negotiated and made to	
			summary.		the applicant;	
			Me. Rev. Stat. Ann. tit. 5, §§ 4553, 4571 to 4572-A;		the employer is seeking	
			94-348-003 Me. Code R. §§ 1, 3, 13		to confirm	
					compensation history	
			Statutory Language: Me. Rev. Stat. tit. 26, § 628.		information that was	
			Equal pay		voluntarily disclosed by	
			"An employer may not discriminate between		the applicant, without	
			employees in the same establishment on the		prompting by the	
			basis of sex by paying wages to any employee in		employer; or	
			any occupation in this State at a rate less than the		federal or state law	
			rate at which the employer pays any employee of		specifically requires	
			the opposite sex for comparable work on jobs that		disclosure or	
			have comparable requirements relating to skill,		verification of	
			effort and responsibility.		compensation history	
			Differentials that are paid pursuant to established		for employment	
			seniority systems or merit increase systems or		purposes.	
			difference in the shift or time of the day worked that			
			do not discriminate on the basis of sex are not		Me. Rev. Stat. Ann. tit.	
			within this prohibition. An employer may not		<u>5, § 4577</u> (2019 Me.	
			discharge or discriminate against any employee by		Laws 35 (L.D. 278))	
			reason of any action taken by such employee to			
			invoke or assist in any manner the enforcement of			
			this section. An employer may not prohibit an			
			employee from disclosing the employee's own			
			wages or from inquiring about or disclosing			
			another employee's wages if the purpose of the			
			disclosure or inquiry is to enforce the rights			
			granted by this section. Nothing in this section			
			creates an obligation to disclose wages."			
			"The Department of Labor shall annually report to			
			the joint standing committee of the Legislature			
			having jurisdiction over			
			labor matters on progress made in the State to			
			comply with this section. The report must be			
			issued annually on Equal Pay Day as designated			
			pursuant to Title 1, section 145."			

Remedies/Damages:	Citing References
Remedies/Damages:	Citing References http://www.maine.gov/so s/cec/rules/index. html Maine Department of Labor, Bureau of Labor Standards: http: //www.maine.gov/labor/ Office of the Maine Attorney General: http://www.maine.gov/ag /

Maryland	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Maryland	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	Equal Pay for Equal	Employers cannot	Employers that are	Coverage: Equal pay
	employers (and their	Sex, gender identity	Employers cannot discriminate by paying	Employers can pay	Work—Inquiring About	discharge or otherwise	sued for violating the	law: Md. Code Ann.,
	agents) are covered by		employees of one sex or gender identity at wage	different wages based	Wages—Prohibition On	discriminate against	Equal pay law can	Lab. & Empl. §§ 3- 301
	Maryland Equal pay	Fair employment	rates that are less than the wage rates paid to	on:	Adverse Action, 2020	employees because	subject to injunctive	to 3-302
	law if they do business	practices law:	employees of the opposite sex or gender identity.	seniority systems or	Maryland Laws Ch. 25	they:	relief and can be	Fair employment
	in the state and employ	race, color, religion,	Specifically, this prohibition applies to employees	merit increase systems	(H.B. 14)	make complaints to	ordered to:	practices law: Md. Code
	both men and women	sex, age, national	who work in any occupation in the same	that do not discriminate	"(a) An employer may	their employer, the	pay damages;	Ann., State Gov't. §§ 20-
	in a lawful enterprise.	origin, marital status,	establishment if they perform work that is	based on sex or gender	not:	Maryland Division of	pay wages owed plus	601, 20-604, 20-606
		sexual orientation,	comparable or on the same operation, in the	identity;	prohibit an employee	Labor and Industry or	an equal amount as	
	Md. Code Ann., Lab. &	gender identity, or	same business, or of the same type. Employers	jobs that require	from:	another person;	liquidated damages for	Pay Discrimination
	Empl. §§ 3-301, 3- 302	genetic information; a	that violate these prohibitions cannot reduce any	different abilities,	inquiring about,	initiate or trigger	violations of the law's	Prohibitions: Equal pay
		disability if the nature	employees' wages to comply with the prohibitions.	different skills, or the	discussing, or	lawsuits under the	pay discrimination	law: Md. Code Ann.,
		and extent of the		regular performance of	disclosing the wages of	Equal pay law or	prohibitions;	Lab. & Empl. §§ 3-301,
		disability are not	Wage means all compensation for employment,	different duties or	the employee or	related proceedings; or	pay actual damages	3-304
		reasonably related to	including board, lodging and other benefits	services;	another employee; or	have testified or will	plus an equal amount	Fair employment
		preventing job	provided to employees for employers'	work that is performed	requesting that the	testify in lawsuits under	as liquidated damages	practices law: Md. Code
		performance; or a	convenience. Employees are considered to work	on different shifts or at	employer provide a	the Equal pay law or	for violations of the	Ann., State Gov't §§ 20-
		refusal to submit to a	at the same establishment if they work for the	different times of day;	reason for why the	related proceedings.	law's wage disclosure	605 to 20-607, 20-801
		genetic test or make	same employer at workplaces located in the same	work performed on	employee's wages are	· · · · · · · · · · · · · · · · · · ·	provisions; and	
		genetic test results	Maryland county. Gender identity is defined in Md.	different shifts or at	a condition of	Md. Code Ann., Lab. &	pay reasonable	Wage Disclosure: Equal
		available.	Code Ann., State Gov't § 20-101.	different times of day;	employment;	Empl. §§ 3-301, 3-308	attorneys' fees, costs,	pay law: <u>Md. Code Ann.</u> ,
			<u></u>	systems that measure	require an employee to		and interest for pay	Lab. & Empl.
			Employment opportunities:	performance based on	sign a waiver or any		discrimination or wage	§ 3-304.1
			Employers cannot provide less favorable	production quality or	other document that		disclosure violations.	
			employment opportunities to employees based on	quantity; or	purports to deny the			Retaliation Prohibition:
			their sex or gender identity. Specifically,	bona fide factors other	employee the right to		Employers that violate	Equal pay law: <u>Md.</u>
			employers cannot:	than sex or gender	disclose or discuss the		the Equal pay law two	Code Ann., Lab. &
			assign or direct employees to less favorable	identity (including	employee's wages; or		or more times within a	Empl. §§ 3-301, 3-308
			career tracks or positions;	education, training, or	take any adverse		three-year period can	
			fail to provide employees with information about	experience), if they are	employment action		be required to pay a	Penalties/Remedies:
			promotions or advancement in the full range of	job-related, consistent	against an employee		civil penalty equal to 10	Equal pay law: Md.
			career tracks offered; or	with business	for:		percent of the damages	Code Ann., Lab. &
			limit or deprive employees of employment	necessity, and account	inquiring about the		owed.	Empl. §§ 3-307 to 3-
			opportunities that would otherwise be available.	for entire wage	employee's wages or		Employers are guilty of	308
			Md. Code Ann., Lab. & Empl. §§ 3-301, 3-304	differential.	another employee's		a misdemeanor and	Fair employment
				These exceptions do	wages;		fined up to \$300 if they	practices law: Md. Code
			Fair employment practices law:	not prevent employees	disclosing the		hinder, delay, or	Ann., State Gov't § 20-
			Employers cannot discriminate in compensation	from showing that	employee's own wages;		otherwise interfere with	607
			based on race, color, religion, sex, age, national	employers' reliance on	discussing another		the division's	
			origin, marital status, sexual orientation, gender	the exceptions is a	employee's wages if		enforcement of the law,	Maryland Laws:
			identity, or genetic information; a disability if the	pretext for	those wages have been		or if they deny the	http://mgaleg.maryland.g
			nature and extent of the disability are not	discriminating based on	disclosed voluntarily;		division's access to	ov/
			reasonably related to preventing job performance;	sex or gender identity.	asking the employer to		workplaces that it is	Maryland Department
			or a refusal to submit to a genetic test or make		provide a reason for the		authorized to inspect	of Labor, Division of
			genetic test results available.	Fair employment	employee's wages; or		under the law.	Labor and Industry:
			-	practices law:	aiding or encouraging			https://www.dllr.state.m
			Compensation discrimination occurs when	Employers can observe	another employee's		Md. Code Ann., Lab. &	d.us/labor/
			employers adopt discriminatory compensation	the terms of bona fide	exercise of rights under		Empl. §§ 3-307 to 3-	Maryland Office of the
			decisions or other practices and when employees	seniority systems or	this section."		308(+UPDATE	Attorney General:
			become subject to these decisions or practices or	employee benefit			OCTOBER 1, 2020*)	http://www.
			are affected by the application of the decisions or	plans, such as			. ,	marylandattorneygener
			practices, including each time discriminatory	retirement, pension, or				al.gov/
			wages, benefits, or other compensation are paid.	insurance plans, that				-
				-	1			1
				are not a subterfuge for				

Maryland	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			Employers and their employees cannot aid, abet,	of the Fair employment		
			incite, compel, or coerce anyone to commit	practices law; however,		
			unlawful discriminatory acts; directly or indirectly	the plans cannot be		
			try to commit unlawful discriminatory acts; or	used as an excuse for		
			obstruct or prevent anyone from complying with	failing to hire any		
			the Fair employment practices law or any order	applicant.		
			issued under the law.			
			Md. Code Ann., State Gov't §§ 20-605 to 20-607			
			(see Smart Code® for the latest cases), 20-801			
			Statutory Language: Md. Code Ann., Lab. & Empl. §			
			3-304. Equal pay for equal work			
			"Providing less favorable employment			
			opportunities" defined (a) In this section,			
			"providing less favorable employment			
			opportunities" means:			
			assigning or directing the employee into a less			
			favorable career track, if career tracks are offered,			
			or position;			
			failing to provide information about promotions or			
			advancement in the full range of career tracks			
			offered by the employer; or			
			limiting or depriving an employee of employment			
			opportunities that would otherwise be available to			
			the employee but for the employee's sex or			
			gender identity.			
			In general (b)(1) An employer may not discriminate between			
			employees in any occupation by:			
			paying a wage to employees of one sex or gender			
			identity at a rate less than the rate paid to			
			employees of another sex or gender identity if			
			both employees work in the same establishment			
			and perform work of comparable character or			
			work on the same operation, in the same			
			business, or of the same type; or			
			providing less favorable employment opportunities			
			based on sex or gender identity.			
			(2) For purposes of paragraph (1)(i) of this			
			subsection, an employee shall be deemed to work			
			at the same establishment as another employee if			
			the employees work for the same employer at			
			workplaces located in the same county of the			
			State.			
			Effect of requirement			
			Except as provided in subsection (d) of this			
			section, subsection (b) of this section does not			
			prohibit a variation in a wage that is based on:			
			a seniority system that does not discriminate on			
			the basis of sex or gender identity; (2) a merit			
			increase system that does not discriminate on the			
			basis of sex or gender identity;			
			jobs that require different abilities or skills;			
			jobs that require the regular performance of			
			different duties or services;			

Remedies/Damages:	Citing References

Maryland	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			work that is performed on different shifts or at			
			different times of day;			
			a system that measures performance based on a			
			quality or quantity of production; or			
			a bona fide factor other than sex or gender			
			identity, including education, training, or			
			experience, in which the factor: (i) is not based on			
			or derived from a gender-based differential in			
			compensation; (ii) is job related with respect to			
			the position and consistent with a business			
			necessity; and (iii) accounts for the entire			
			differential.			
			Exceptions cannot be pretext for discrimination			
			This section does not preclude an employee from			
			demonstrating that an employer's reliance on an			
			exception listed in subsection (c) of this section is			
			a pretext for discrimination on the basis of sex or			
			gender identity.			
			Reduction in wages			
			An employer who is paying a wage in violation of			
			this subtitle may not reduce another wage to			
			comply with this subtitle."			

n	Remedies/Damages:	Citing References

Massachusetts	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Massachusetts	Public and private	Equal pay law: Gender	Equal pay law:	Equal pay law:	Equal pay law:	Employers ca
	employers and their		Employers cannot discriminate based on gender	Employers can vary	Employers cannot seek	discharge or
	agents are covered by	Fair employment	in the payment of wages. Wages include all forms	wages based on:	applicants' wage or	discriminate a
	the Equal pay law.	practices law:	of remuneration for employment.	seniority systems,	salary history from	employees b
		race, color, religious		provided that leave for	them or their current or	they:
	Mass. Gen. Laws ch.	creed, national origin,	Employers also cannot pay employees of one	pregnancy-related	former employers.	make compla
	<u>149, § 1</u>	sex, gender identity,	gender at salary or wage rates that are less than	conditions and	Employers also cannot	their employe
		sexual orientation,	the rates paid to employees of a different gender	protected parental,	require that this history	Massachuse
		genetic information,	for comparable work. Comparable work is work	family, or medical leave	meet certain criteria.	general's offi
		pregnancy or related	that is substantially similar because it requires	do not reduce seniority;		another pers
		conditions, ancestry,	substantially similar skills, effort, and	merit systems;	Employers can confirm	to the Equal
		veteran status, or age	responsibility under similar work conditions. Job	systems that measure	or allow applicants to	initiate or trig
		(40 and older), unless	titles or job descriptions alone do not determine	earnings by quantity or	confirm their wage or	proceedings
		this discrimination is	whether work is comparable. Work conditions	quality of production,	salary history if they	the law; or
		based on a bona fide	include environmental and other similar	sales, or revenue;	voluntarily disclose it.	testify or are
		occupational	circumstances normally taken into consideration in	the job's location;	Employers also can	testify in thes
		qualification.	setting salaries or wages, including reasonable	education, training, or	seek or confirm this	proceedings.
		qualification.	shift differentials and a job's physical surrounding	experience to the	history after an offer of	proceedings.
				extent these factors are		
			and hazards.		employment with	Employers ca discharge or
			Employers cannot reduce any employee's wares	reasonably job-related;	compensation has been	•
			Employers cannot reduce any employee's wages solely to achieve compliance with the pay	or travel that is a regular,	negotiated and made.	retaliate agai
				C	Mass. Gen. Laws ch.	employees b
			discrimination prohibitions.	necessary job	<u>149,</u>	they:
				condition. <u>Mass. Gen.</u>	<u>§ 105A</u>	oppose unlav
			Fair employment practices law: Employers cannot	Laws ch. 149, §§ 1,		practices und
			discriminate in compensation based on race,	<u>105A</u>		Equal pay lav
			color, religious creed, national origin, sex, gender			make or indic
			identity, sexual orientation, genetic information,	Fair employment		intent to make
			pregnancy or related conditions, ancestry, veteran	practices law:		complaints u
			status, or age (40 and older), unless this	Employers can observe		law;
			discrimination is based on a bona fide	the terms of bona fide		otherwise init
			occupational qualification.	seniority systems that		trigger procee
			Employers and their employees cannot aid, abet,	are not a subterfuge for		under the law
			incite, compel, or coerce unlawful discriminatory	evading the Fair		testify or are
			acts or try do so. Mass. Gen. Laws ch. 151B, §§ 1,	employment practices		testify, assist
			4; Mass. Regs. Code tit. 804, § 3.01	law.		otherwise pa
						investigations
			Statutory Language: Mass. Gen. Laws Ann. ch. 149,			proceedings
			§ 105A. Discrimination on basis of gender in			law.
			payment of wages prohibited; enforcement;			
			unlawful practices; good faith self-evaluation of			Mass. Gen. L
			payment practices			<u>149, § 105A</u>
			"(b) No employer shall discriminate in any way on			
			the basis of gender in the payment of wages, or			
			pay any person in its employ a salary or wage rate			
			less than the rates paid to its employees of a			
			different gender for comparable work; provided,			
			however, that variations in wages shall not be			
			prohibited if based upon: (i) a system that rewards			
			seniority with the employer; provided, however,			
			that time spent on leave due to a pregnancy-			
			related condition and protected parental, family			
			and medical leave, shall not reduce seniority; (ii) a			
			merit system; (iii) a system which measures			
			earnings by quantity or quality of production,			

Remedies/Damages:

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<u>Laws ch.</u> 4

Pay discrimination prohibitions: Employers that violate the pay discrimination

prohibitions are fined up to \$100. Employers that are sued also can be ordered to pay any unpaid wages plus an equal amount in liquidated damages, reasonable attorneys' fees, and costs. If employees recover unpaid wages under the Equal pay law and the federal Equal Pay Act for the same violations, they must return the lesser amount to employers. Wage disclosure: Employers that violate the wage disclosure provisions are fined up to \$100. Employers that are sued also can be ordered to pay damages, reasonable attorneys' fees, and costs.

Salary history: Employers that violate the salary history provisions are fined up to \$100. Employers that are sued also can be ordered to pay damages, reasonable attorneys' fees, and

costs. Retaliation prohibition: Employers that violate the retaliation prohibition are fined up to \$100. Employers that are sued also can be ordered to pay damages, reasonable attorneys' fees, and costs.

Mass. Gen. Laws ch. 149, §§ 105A to 105B

Citing References

Coverage: Equal pay law: Mass. Gen. Laws <u>ch. 149, § 1</u> Fair employment practices law: Mass. Gen. Laws ch. 151B, §§ 1, 4; Mass. Regs. Code tit. 804, § 3.01

Pay Discrimination Prohibitions: Equal pay law: Mass. Gen. Laws ch. 149, §§ 1, 105A Fair employment practices law: Mass. Gen. Laws ch. 151B, §§ 1, 4; Mass. Regs. Code tit. 804, § 3.01

Wage Disclosure: Equal pay law: Mass. Gen. Laws ch. 149, § 105A Salary History: Equal pay law: Mass. Gen. Laws ch. 149, § 105A **Retaliation Prohibition:** Equal pay law: Mass. Gen. Laws ch. 149, §§ 105A to 105B

Penalties/Remedies: Equal pay law: Mass. Gen. Laws ch. 149, §§ 105A to 105B

Massachusetts Laws: http://www.malegislatur e.

gov/Laws/GeneralLaws /Search

Massachusetts Office of the Attorney General: http://www.mass. gov/ago/

Massachusetts	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			sales, or revenue; (iv) the geographic location in					
			which a job is performed; (v) education, training or					
			experience to the extent such factors are					
			reasonably related to the particular job in					
			question; or (vi) travel, if the travel is a regular					
			and necessary condition of the particular job.					
			An employer who is paying a wage differential in					
			violation of this section shall not reduce the wages					
			of any employee					
			solely in order to comply with this section."					

Michigan	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Michigan	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	State department and	Employers cannot	Employers are fined up	Equal pay law: Mich.
	employers (and their	Sex	Employers cannot discriminate based on sex by	Employers can pay	government agencies	discharge or otherwise	to \$1,000 if they violate	Comp. Laws §§
	agents) with two or		paying employees of one sex at wage rates that	different wage rates	shall not inquire about	discriminate against	the Equal pay law's pay	408.412, 408.416 to
	more employees at any	Fair employment	are lower than those paid to employees of the	pursuant to:	a job applicant's	employees because	discrimination	<u>408.421, 408.423,</u>
	one time in a calendar	practices law:	opposite sex for equal work that requires equal	seniority or merit	current or previous	they:	prohibitions. Anyone	750.556
	year are covered by	Religion, race, color,	skill, effort and responsibility under similar	systems;	salaries unless and	serve, are about to	who violates the law	Fair employment
	Michigan Equal pay law	national origin, age,	working conditions at the same workplace. If	systems that measure	until the department or	serve or might serve on	also is guilty of a	practices law: Mich.
	for the remainder of	sex, height, weight or	employers violate this prohibition, they cannot	earnings by production	agency first makes a	the Michigan Wage	misdemeanor. In	Comp. Laws §§ 37.2
	that year. Employees	marital status.	reduce any employee's wage rate to comply with	quantity or quality; or	conditional offer of	Deviation Board;	addition, employers	37.2204, 37.2211103 to
	are employees age 16		the prohibition.	differentials based on	employment, including	testify, are about to	that are sued can be	37.2202, 37.2203 to
	or older who work on			factors other than sex.	an explanation of	testify or might testify	ordered to pay wages	Salary History: Executive
	employer premises or		Fair employment practices law:	Mich. <u>Comp</u> . Laws <u>§</u>	proposed	before the board; or	owed to employees	Directive No. 2019-10.
	at a fixed,		Employers cannot discriminate in compensation	<u>408.423</u>	compensation and shall	might testify in	plus an equal amount in	
	employer-designated		based on religion, race, color, national origin, age,		not make inquiry of	investigations under the	damages, reasonable	Michigan Laws:
	worksite; they do not		sex, height, weight or marital status.	Fair employment	current or prior	Equal pay law.	attorneys' fees and	http://www.legislature.mi
	include employees who		Mich. Comp. Laws §§ 37.2202, 37.2211	practices law:	employer or search		costs.	.gov/%28S%
	are exempt from			Employers can apply	public records	Mich. Comp. Laws §	Mich. Comp. Laws §§	28z10sop55ddfmgyjwqk
	federal minimum wage		Statutory Language: Mich. Comp. Laws Ann. §	different compensation	databases to ascertain	<u>408.421</u>	<u>408.419, 750.556</u>	ncig55%29%29/mileg.as
	requirements,		750.556. Discrimination between sexes in payment	standards pursuant to	an applicant's current		Wage disclosure:	px? page=Home
	employees covered by		of wages	bona fide seniority or	or previous salary. A		Employers that violate	Michigan Department of
	29		"Any employer of labor in this state, employing	merit systems.	state department or		the wage disclosure	Licensing and
	U.S.C. § 214 and		both males and females, who shall discriminate in		government agency		provisions are fined up	Regulatory Affairs: https:
	certain agricultural or		any way in the payment of wages as between		shall take reasonable		to \$1,000 by the	//www.michigan.gov/lar
	temporary summer		sexes who are similarly employed, shall be guilty		measures to avoid		Michigan Department	a/
	camp workers. If the		of a misdemeanor. No female shall be assigned		inadvertently		of Licensing and	
	Michigan minimum		any task disproportionate to her strength, nor shall		discovering salary		Regulatory Affairs. They	
	wage is at or below the		she be employed in any place detrimental to her		history while gathering		also are guilty of a	
	federal minimum wage,		morals, her health or her potential capacity for		other information about		misdemeanor. In	
	the Equal pay law does		motherhood. Any difference in wage rates based		an applicant.		addition, employers that	
	not apply to employers		upon a factor other than sex shall not violate this		Information		violate the retaliation	
	that are subject to		section."		unintentionally		prohibition can be	
	federal minimum wage				discovered relating to		ordered to rehire or	
	requirements.				an applicant's salary		reinstate employees	
					history must not be		with back pay.	
	Mich. Comp. Laws §§				used by the department			
	<u>408.41</u> 2; <u>408.420</u>				or agency in an		Mich. Comp. Laws §§	
					employment decision.		<u>408.483</u> , 4 <u>08.488</u>	
					A state department or			
					government agency			
					may request and verify			
					current or previous			
					compensation			
					information for a job			
					applicant before a			
					conditional offer of			
					employment that			
					includes compensation			
					information only if the			
					applicant voluntarily provides the			
					information or if			
					verification is required			
					by applicable law. If a			
					state department or			
					government agency			

November 10, 2021

Michigan	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
					already is in	
					possession of a job	
					applicant's	
					compensation	
					information on the	
					effective date of this	
					directive, it shall not	
					use that information in	
					any employment	
					decision unless	
					required by law or a	
					collective bargaining	
					agreement. This	
					directive does not	
					prevent a job applicant	
					from volunteering	
					information about	
					compensation, but an	
					applicant's refusal to	
					volunteer	
					compensation	
					information must not be	
					considered in an	
					employment decision.	
					Executive Directive No.	
					2019-10.	

Remedies/Damages:	Citing References

Minnesota	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Minnesota	Private employers with	Equal pay law:	Equal pay law:	Employers can pay	N/A	Employers ca
	one or more employees	Sex	Employers cannot discriminate based on sex by	different wage rates		discriminate a
	are covered by		paying employees of one sex at wage rates that	pursuant to seniority or		employees in
	Minnesota Equal pay	Fair employment	are lower than those paid to employees of the	merit systems; systems		tenure, or othe
	law. Employees	practices law:	opposite sex for equal work that requires equal	that measure earnings		and conditions
	provide services in	Race, color, creed,	skill, effort, and responsibility under similar	by production quantity		employment b
	Minnesota to	religion, national origin,	working conditions. Wages are all forms of	or quality; or any other		they file comp
	employers that pay or	sex, marital status,	compensation (including the cash value of non-	factor besides sex.		under the Equ
	agree to pay them at a	public assistance	cash compensation) for services provided by	Minn. Stat. <u>§§ 181.66,</u>		law, or becaus
	fixed rate. They do not	status, familial status,	employees, regardless of whether payments are	<u>181. 67</u>		testify or are a
	include partners,	membership or activity	made by employers or other entities. Wage rate is			testify in inves
	independent	in local commissions,	the basis of compensation and includes			proceedings,
	contractors, or	disability, sexual	compensation based on the time spent in the			actions under
	employees who provide	orientation, or age,	performance of such services, or on the number			<u>Minn. Stat. § 1</u>
	services only partly in	unless this	of operations accomplished, or on the quantity			
	the state, unless they	discrimination is	produced or handled. Employers that pay wage			
	entered into an	justified by a bona fide	rates in violation of these prohibitions cannot			
	employment contract or their payments usually	occupational qualification.	reduce any employee's wage rate to comply with			
	are made or will be	quanneation.	the prohibitions.			
	made in the state.		Fair employment practices law:			
	Minn. Stat. § 181.66		Employers cannot discriminate in compensation			
	<u>Minin: Otat: § 101.00</u>		based on race, color, creed, religion, national			
	Public and private		origin, sex, marital status, public assistance			
	employers are covered		status, familial status, membership or activity in			
	by the wage disclosure		local commissions, disability, sexual orientation,			
	provisions.		or age, unless this discrimination is justified by a			
	Minn. Stat. § 181.172		bona fide occupational qualification.			
			No person (as defined in <u>Minn. Stat. § 363A.03</u>)			
			can:			
			intentionally aid, abet, incite, compel, or coerce			
			another person to violate the Fair employment			
			practices law, or attempt to do so;			
			intentionally obstruct or prevent another person			
			from complying with the Fair employment			
			practices law or any related orders; or			
			resist, prevent, impede, or interfere with the			
			Department of Human Rights in the performance			
			of its duties.			
			<u>Minn. Stat. § 363A.08</u>			
			Statutory Language: Minn. Stat. Ann. § 181.67.			
			Wage discrimination based on sex; protection of			
			employees involved in proceeding			
			"General prohibition. No employer shall			
			discriminate between employees on the basis of			
			sex by paying wages to employees at a rate less			
			than the rate the employer pays to employees of			
			the opposite sex for equal work on jobs the			
			performance of which requires equal skill, effort,			
			and responsibility, and which are performed under			
			similar working conditions, except where such			
			payment is made pursuant to a seniority system, a			
			merit system, a system which measures earnings			

cannot a against in hiring, ther terms ons of t because nplaints qual pay ause they about to estigations, s, or criminal er the law. <u>\$ 181.67</u>

Remedies/Damages:

Employers that are sued can be ordered to pay any unpaid wages for the one-year period preceding the filing of these lawsuits, punitive damages of up to the amount of such unpaid wages, and reasonable attorneys' fees. Unpaid wages means the difference between wages paid to employees and wages required to be paid under the Equal pay law. Employers that violate the law also are guilty of a misdemeanor.

<u>Minn. Stat. §§ 181.66,</u> 181.68, 181.70

Wage disclosure: If employers violate the wage disclosure provisions (excluding the employer policy requirements), the Minnesota Department of Labor and Industry can order them to: stop violations; take affirmative steps to comply with the provisions; pay back pay, gratuities, compensatory damages, and an additional equal amount as liquidated damages; pay a fine of up to \$1,000 per employee for each repeated or willful violation; pay litigation and hearing costs; and pay interest on the unpaid balance of these amounts from the date the order is signed until it is paid.

Citing References

Coverage: Fair employment practices law: <u>Minn. Stat. §§</u> <u>363A. 03, 363A.26</u> Equal pay law: Minn. Stat. § <u>181.66</u>

Pay Discrimination Prohibitions: Fair employment practices law: <u>Minn. Stat. §</u> <u>363A.08</u> Equal pay law: <u>Minn.</u> <u>Stat. §§ 181.66 to</u> <u>181.68</u>

Retaliation Prohibition: Equal pay law: Minn. <u>Stat. § 181.67</u>

Penalties/Remedies: Equal pay law: https://www.revisor.mn. gov/statutes/cite/181.67 Minn. Stat. §§ 181.66, 181.68, 181.70

Minnesota Laws: https://www.revisor.mn. gov/statutes/ Minnesota Department of Labor and Industry: https://www.dli.mn.gov/ Minnesota Department of Labor and Industry, Division of Labor Standards and Apprenticeship: https://www.dli.mn.gov/l aborlaw

Minnesota	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			by quantity or quality of production, or a differential			
			based on any other factor other than sex.			
			Provided, that an employer who is paying a wage rate differential in violation of sections 181.66 to			
			181.71 shall not, in order to comply with the			
			provisions of sections 181.66 to 181.71, reduce			
			the wage rate of any employee."			

Remedies/Damages:	Citing References
Employers that are	
sued by employees	
also can be ordered to:	
stop violations;	
reinstate employees;	
pay back pay and	
restore lost service	
credits;	
expunge employees'	
adverse records related	
to violations;	
pay damages;	
pay reasonable	
attorneys' fees, costs,	
and other expenses;	
and	
comply with other	
remedies.	
Mine Chat SS 477 00	
Minn. Stat. §§ 177.23,	
177.27, 181.172,	
181.944	

Mississippi	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Mississippi	N/A	N/A	N/A	N/A	N/A	N/A	No state statutory or	Mississippi Laws:
							regulatory provisions	https://www.ms.gov/
							apply generally to private-	
							sector employment.	

Missouri	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Missouri	Public and private	Equal pay law: Women	Equal pay law:	Equal pay law:	N/A	See Fair emplo
	employers are covered		Employers cannot pay women at wage rates that	Employers can pay		practices law.
	by the Equal pay law.	Fair employment	are lower than the wage rates paid to men for the	wage differentials to		
		practices law:	same quantity, quality, and classification of work	women and men in		
	Mo. Rev. Stat. §	Race, color, religion,	at the same workplace. Wages are compensation	good faith based on		
	<u>290.400</u>	national origin, sex,	for labor measured by time, piece, or other	seniority or length of		
		ancestry, age (40 to	factors. Mo. Rev. Stat. § 290.410	service; ability or		
		69), or disability.		skills; differences in		
			Statutory Language: Mo. Ann. Stat. § 290.410.	duties or services		
			Employer not to pay female lower wage	performed; work		
			"Notwithstanding any other provisions of the law,	performed on different		
			no employer shall pay any female in his employ at	shifts or at different		
			wage rates less than the wage rates paid to male	times of day; hours of		
			employees in the same establishment for the	work; restrictions or		
			same quantity and quality of the same	prohibitions on lifting or		
			classification of work, provided that nothing herein	moving objects in		
			shall prohibit a variation of rates of pay for male	excess of specified		
			and female employees engaged in the same	weight; or reasonable		
			classification of work based upon a difference in	differentiations based		
			seniority, length of service, ability, skill, difference	on factors other than		
			in duties or services performed, difference in the	sex.		
			shift or time of day worked, hours of work, or			
			restrictions or prohibitions on lifting or moving	Fair employment		
			objects in excess of specified weight, or other	practices law:		
			reasonable differentiation, or factors other than	Employers can apply		
			sex, when exercised in good faith."	different compensation		
				standards pursuant to		
			Fair employment practices law:	bona fide seniority or		
			Employers cannot discriminate in compensation	merit systems, pursuant		
			based on race, color, religion, national origin, sex,	to systems that		
			ancestry, age (40 to 69), or disability. Unlawful	measure earnings by		
			discrimination occurs when employees' and	production quantity or		
			applicants' protected class is the motivating factor	quality, or to		
			for an adverse decision or action. Their protected	employees who work in		
			class is the motivating factor if it actually plays a	different locations if these differences or		
			role in and has a determinative influence on the adverse decision or action. Employers also cannot			
			adverse decision of action. Employers also cannot aid, abet, incite, compel, or coerce unlawful	systems are not intended, designed, or		
			discriminatory acts or try to do so.	used to discriminate		
				based on a protected		
				class.		
				Mo. Rev. Stat. §		
				<u>213.055</u>		
				213.000		
		1				

	Remedies/Damages:	Citing References
loyment	Employers that are	Coverage: Equal pay
	sued for violating the	law: <u>Mo. Rev. Stat. §</u>
	Equal pay law can be	<u>290.400</u>
	ordered to pay lost	Fair employment
	wages and court costs.	practices law: Mo. Rev.
		<u>Stat. § 213.010</u>
	<u>Mo. Rev. Stat. §</u>	
	<u>290.440</u>	Pay Discrimination
		Prohibitions: Equal pay
		law: <u>Mo. Rev. Stat. §</u>
		<u>290.410</u>
		Fair employment
		practices law: <u>Mo. Rev.</u>
		<u>Stat. § 213.055</u>
		Depoltion/Demodiate
		Penalties/Remedies:
		Equal pay law: <u>Mo. Rev.</u>
		<u>Stat. § 290.440</u>
		Missouri Laws:
		http://www.moga.mo.
		gov/mostatutes/statute
		sAna.html
		Missouri Labor and
		Industrial Relations
		Commission:
		http://www.
		labor.mo.gov/LIRC/

Montana	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Montana	Public and private	Equal pay law: Female	Equal pay law:	See Fair employment	N/A	See Fair employment	Employers that violate	Coverage: Equal pay
	employers are covered		Employers cannot pay female employees less	practices law.		practices law.	the Equal pay law are	law: Mont. Code Ann. §
	by the Equal pay law.	Fair employment	than male employees for equivalent services or				guilty of a	39-3-104
		practices law:	for the same amount or class of work in the same				misdemeanor and can	Fair employment
	Mont. Code Ann. § 39-3-	race, creed, religion,	industry or workplace.				be fined \$25 to \$500 for	practices law: Mont.
	104	color, national origin,	Mont. Code Ann. § 39-3-104.				each violation.	Code Ann. <u>§§ 49-2-10</u> 1,
		age, physical or mental	, i i i i i i i i i i i i i i i i i i i					49-2-303
		disability, marital status	Statutory Language: Mont. Code Ann. § 39-3-104.				Mont. Code Ann. § 39-3-	
		or sex (including	Equal pay for women for equivalent service				<u>104</u>	Pay Discrimination
		pregnancy), unless a	"(1) It is unlawful for the state or any county,					Prohibitions Equal pay
		position's reasonable	municipal entity, school district, public or private					law: Mont. Code Ann.
		demands require	corporation, person, or firm to employ women in					§ 39-3-104
		distinctions based on	any occupation within the state for compensation					
		age, physical or mental	less than that paid to men for equivalent service					Penalties/Remedies:
		disability, marital status	or for the same amount or class of work or labor in					Equal pay law: Mont.
		or sex.	the same industry, school, establishment, office,					Code Ann. § 39-3- 104
			or place of employment of any kind or description.					
			If the state or any county, municipal entity, school					Montana Laws:
			district, public or private corporation, person, or					http://leg.mt.gov/bills/m
			firm violates any of the provisions of subsection					ca_toc/index.htm
			(1), it is guilty of a misdemeanor and upon					Montana Department of
			conviction thereof shall be fined not less than \$25					Labor and Industry:
			or more than \$500 for each offense."					http://dli.mt.gov/
			of more than \$500 for each offense.					http://dil.int.gov/
			Fair employment practices law:					
			Employers cannot discriminate in compensation					
			based on race, creed, religion, color, national					
			origin, age, physical or mental disability, marital					
			status or sex (including pregnancy), unless a					
			position's reasonable demands require					
			distinctions based on age, physical or mental					
			disability, marital status or sex. Mont. Code Ann. §					
			49-2-303.					
			Otatutare Language Mart Orde Arm S 40.0.000					
			Statutory Language: Mont. Code Ann. § 49-2-303.					
			Discrimination in employment "(1) It is an unlawful					
			discriminatory practice for:					
			an employer to refuse employment to a person, to					
			bar a person from employment, or to discriminate					
			against a person in compensation or in a term,					
			condition, or privilege of employment because of					
			race, creed, religion, color, or national origin or					
			because of age, physical or mental disability,					
			marital status, or sex when the reasonable					
			demands of the position do not require an age,					
			physical or mental disability, marital status, or sex					
			distinction;					
			(2) The exceptions permitted in subsection (1)					
			based on bona fide occupational qualifications					
			must be strictly construed."					

Nebraska	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Nebraska	Private employers (and	Equal pay law:	Equal pay law:	Equal pay law:	N/A	Employers cannot	Employers are guilty of	Coverage: Equal pay
	their agents) are	Sex	Employers cannot discriminate based on sex by	Employers can pay		discharge or	a class III misdemeanor	law: Neb. Rev. Stat. §
	covered by Nebraska		paying employees of one sex at wage rates that	wage differentials		discriminate against	and fined up to \$500,	<u>48-1220</u> ; 139 Neb.
	Equal pay law if they	Fair employment	are less than the wage rates paid to employees of	pursuant to established		employees because	imprisoned for up to	Admin. Code § <u>1-002</u>
	have two or more	practices law:	the opposite sex for equal work that requires	seniority systems, merit		they take any action to	three months or fined	Fair employment
	employees for each	Race, color, religion,	equal skill, effort and responsibility under similar	increase systems,		invoke or assist with the	and imprisoned if they:	practices law: Neb.
	working day in each of	sex, disability, marital	working conditions in the same establishment.	systems that measure		Equal pay law's	violate the law;	Rev. Stat. §§ <u>48-1102</u>
	20 or more calendar	status, national origin or	Wage rates are all forms of compensation,	earnings by production		enforcement.	discharge or otherwise	to <u>48-1103;</u> 138 Neb.
	weeks in the current or	pregnancy, childbirth or	including in-kind payments; employer payments	quantity or quality or			discriminate against	Admin. Code § <u>1.001</u>
	preceding calendar	related medical	for medical, hospital, accident, life insurance or	any factor other than		Neb. Rev. Stat. § <u>48-</u>	employees for	
	year. The law also	conditions.	retirement benefits; profit-sharing or bonus plans;	sex.		<u>1221</u>	complaining to	Pay Discrimination
	applies to any business		and leave. Employers that violate the Equal pay	1			employers, the	Prohibitions: Equal pay
	financed wholly or		law cannot reduce any employee's wage rate to	Fair employment			commission or any	law: Neb. Rev. Stat.
	partly under Nebraska's		comply with the law.	practices law:			person about alleged	§§ <u>48-1219</u> to <u>48-1221;</u>
	Investment Finance		Neb. Rev. Stat. §§ <u>48-1219</u> to <u>48-1221</u> ; 139 Neb.	Employers can apply			violations; or discharge	139 Neb. Admin. Code
	Authority Act and all		Admin. Code §§ <u>1-003, 1-005</u>	different compensation			or otherwise	§§ <u>1-003,</u> <u>1-005</u> Fair
	Nebraska state or local			standards pursuant to			discriminate against	employment practices
	government employers.		Fair employment practices law:	bona fide seniority or			employees for initiating	law: Neb. Rev. Stat. §§
	It does not apply to		Employers cannot discriminate in compensation	merit systems, pursuant			or triggering any	<u>48-1104, 48- 1107.01,</u>
	federal government		based on race, color, religion, sex, disability,	to systems that			proceedings related to	<u>48-1111</u>
	employers or		marital status, national origin or pregnancy,	measure earnings by			the law or for testifying	
	corporations wholly		childbirth or related medical conditions.	production quantity or			or preparing to testify in	Wage Disclosure: Fair
	owned by the federal		Chatutanul annuana Nah, Davi Chat Ann. 5 40	quality or to employees			these proceedings.	employment practices
	government.		Statutory Language: Neb. Rev. Stat. Ann. § <u>48-</u> 1221. Prohibited acts	who work in different locations if these			Employers are quilty of	law: Neb. Rev. Stat. §
	Neb. Rev. Stat. § <u>48-</u>		"(1) No employer shall discriminate between	differences are not the			Employers are guilty of a class V misdemeanor	<u>48–1114</u> (2019 Neb.
	<u>1220; 139 Neb. Admin.</u>		employees in the same establishment on the	result of an intention to			and fined up to \$100 if	L.B. 217)
	<u>Code § 1-002</u>		basis of sex, by paying wages to any employee in	discriminate based on			they hinder, delay or	Retaliation Prohibition:
	<u>Code § 1-002</u>		such establishment at a wage rate less than the	race, color, religion,			otherwise interfere with	Equal pay law: Neb.
			rate at which the employer pays any employee of	sex, disability, marital			the Nebraska Equal	Rev. Stat. § <u>48-1221</u>
			the opposite sex in such establishment for equal	status or national			Opportunity	100. Otat. 9 <u>40- 122 1</u>
			work on jobs which require equal skill, effort and	origin.			Commission's	Penalties/Remedies:
			responsibility under similar working conditions.	Neb. Rev. Stat. §§ <u>48-</u>			enforcement duties.	Equal pay law: Neb.
			Wage differentials are not within this prohibition	<u>1104, 48-1107.01, 48-</u>			Employers that are	Rev. Stat. §§ <u>28-106</u> ,
			where such payments are made pursuant to: (a) An	1111			sued can be ordered to:	48-1219 to 48-1220, 48-
			established seniority system; (b) a merit increase				stop violations; pay the	1223, 48-1227; 139
			system; or (c) a system which measures earning				amount of wages owed	Neb. Admin. Code
			by quantity or quality of production or any factor				to employees; pay	§ <u>1-002</u>
			other than sex.				liquidated damages, up	
							to the amount of wages	Nebraska Laws:
			An employer who is paying a wage differential in				owed to employees, for	http://nebraskalegislatur
			violation of the provisions of sections <u>48-1219</u> to				willful violations;	e.gov/laws/browse-
			48-1227 shall not, in order to comply with it,				reinstate employees;	statutes.php
			reduce the wage rates of any employee.				pay reasonable	Nebraska Regulations:
			No person shall cause or attempt to cause an				attorneys' fees and	http://www.sos.ne.gov/ru
			employer to discriminate against any employee in				costs; comply with	les-and- regs/regsearch
			violation of the provisions of sections $48-1219$ to				other remedies.	Nebraska Equal
			<u>48-1227</u> .					Opportunity
							Neb. Rev. Stat. §§ <u>28-</u>	Commission:
			No employer may discharge or discriminate				<u>106, 48-1219</u> to <u>48-</u>	http://www.neoc.ne.
			against any employee by reason of any action				<u>1220, 48-1223, 48-</u>	gov/
			taken by such employee to invoke or assist in any				<u>1227;</u> 139 Neb. Admin.	
			manner the enforcement of the provisions of				Code § <u>1-002</u>	
			sections <u>48-1219</u> to <u>48-1227</u> ."					

Nevada	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Nevada	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	An employer or an	Employers ca
	employers are covered	Sex	Employers cannot discriminate based on sex by	Employers can pay	employment agency	force, intimida
	by the Equal pay law if		paying employees of one sex at wages that are	wage differentials	shall not, orally or in	threats of disr
	they have control or	Fair employment	lower than the wages paid to employees of the	pursuant to seniority or	writing, personally or	from employm
	custody of any	practices law:	opposite sex for equal work that requires equal	merit systems,	through an agent, seek	other tactics t
	employment,	Race, color, religion,	skill, effort, and responsibility under similar	compensation systems	the wage or salary	or try to induc
	workplace, or	sex, sexual orientation,	working conditions in the same establishment.	where wages are based	history of an applicant	employees to
	employee. Employee	gender identity or	Wages are the amount that employers agree to	on production quality or	for employment; rely on	from testifying
	includes a male or	expression, age,	pay employees for the time they have worked	quantity, or other	the wage or salary	investigations
	female person who	disability, or national	(computed in proportion to time) and commissions	factors besides sex.	history of an applicant	proceedings r
	works for an employer	origin.	owed to employees, excluding bonus or profit-	Nev. Rev. Stat. §§	to determine whether to	the Equal pay
	under any express,		sharing payments. Employers that violate these	608.012, 608.017	offer employment to an	Employers als
	implied, oral, or written		pay discrimination prohibitions cannot reduce any		applicant or the rate of	discharge or p
	appointment or contract		employee's wages to comply with the prohibitions.	Fair employment	pay for the applicant; or	employees for
	of hire or		Nev. Rev. Stat. Ann. § 608.017.	practices law:	refuse to interview,	testimony.
	apprenticeship,			Employers can apply	hire, promote or employ	,
	regardless of whether		Fair employment practices law:	different compensation	an applicant, or	Nev. Rev. Sta
	the person is lawfully or		Employers cannot discriminate in compensation	standards pursuant to	discriminate or retaliate	608.015
	unlawfully employed.		based on race, color, religion, sex, sexual	bona fide seniority or	against an applicant if	
	[Note: The Nevada		orientation, gender identity or expression, age,	merit systems, pursuant	the applicant does not	
	Supreme Court has		disability, or national origin.	to systems that	provide wage or salary	
	held that the state's			measure earnings by	history.	
	wage-protection law,		Lawful activities: Employers cannot discriminate	production quantity or		
	which includes the		against employees in compensation because they	quality, or to		
	equal pay provisions,		lawfully use any product off employer premises	employees who work in		
	does not impose		during nonwork hours in Nevada, unless such use	different locations if		
	personal liability on		adversely affects their ability to perform their job	these differences are		
	individual managers		or the safety of their co-workers.	not the result of an		
	(Boucher v. Shaw, 196		Nev. Rev. Stat. §§ 613.330 to 613.333, 613.380	intention to discriminate		
	P.3d 959, 2008 BL			based on race, color,		
	267398 (Nev.		Statutory Language: Nev. Rev. Stat. Ann. §	religion, sex, sexual		
	2008))].		608.017. Discrimination on basis of sex prohibited;	orientation, gender		
			exceptions	identity or expression,		
	Nev. Rev. Stat. §§		"1. It is unlawful for any employer to discriminate	age, disability, or		
	608.007 to 608.011		between employees, employed within the same	national origin.		
			establishment, on the basis of sex by paying	induction on givin		
			lower wages to one employee than the wages			
			paid to an employee of the opposite sex who			
			performs equal work which requires equal skill,			
			effort and responsibility and which is performed			
			under similar working conditions.			
			2. The provisions of subsection 1 do not apply			
			where wages are paid pursuant to:			
			A seniority system; A merit system; A compensation			
			system under which wages are determined by the			
			quality or quantity of production; or A wage			
			differential based on factors other than sex.			
			3. An employer who violates the provisions of this			
			section shall not reduce the wages of any			
			employees in order to comply with such			
			provisions."			

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rs cannot use
imidation,
f dismissal
oloyment, or
tics to induce
nduce
es to refrain
ifying in
tions or
ngs related to
l pay law.
rs also cannot
e or penalize
es for such

<u>. Stat. §</u>

Remedies/Damages:

Employers that violate the Equal pay law are guilty of a misdemeanor. The Nevada labor commissioner's office also can fine them up to \$5,000 for each violation. In addition, employers that are sued can be ordered to pay the amount of wages owed to employees and reasonable attorneys' fees.

Nev. Rev. Stat. §§ 608.140, 608.195

Citing References

Coverage: Equal pay law: <u>Nev. Rev. Stat.</u> §§ 608.007 to 608.011 Fair employment practices law: <u>Nev.</u> <u>Rev. Stat. §§ 613.310</u> to 613.320

Pay Discrimination Prohibitions: Equal pay law: Nev. Rev. Stat. \S 608.012, 608.017 Fair employment practices law: Nev. Rev. Stat. \S 613.330 to 613.333, 613.380

Wage Disclosure: Fair employment practices law: <u>Nev. Rev. Stat. §</u> <u>613.330</u>

Salary History: SB 293 Effective Oct. 1, 2021.

Retaliation Prohibition: Equal pay law: <u>Nev.</u> <u>Rev. Stat. § 608.015</u>

Penalties/Remedies: Equal pay law: Nev. Rev. Stat. <u>§§ 608.140,</u> <u>608.195</u>

Nevada Laws: http://www.leg.state.nv.u s/law1.cfm

Nevada Department of Business and Industry, Office of the Labor Commissioner: http://www.laborcommis sioner.com/ Nevada Office of the Attorney General: http://ag.nv.gov/

			The Pay Equity Project – Fifty-	State Pay Equity I	aw Summary			
New Hampshire	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
New Hampshire	Public and private	Equal pay law:	Equal pay law:	Employers can pay	N/A	Employers cannot	Employers that violate	Coverage: Equal pay
	employers and their	Sex	Employers cannot discriminate based on sex by	different rates pursuant		discharge or otherwise	the Equal pay law are	law: <u>N.H. Rev. Stat.</u>
	agents are covered by	N.H. Rev. Stat. Ann. §	paying employees of one sex at rates that are less	to:		discriminate against	guilty of a violation or	<u>Ann. § 275:36</u>
	the Equal pay law.	<u>275: 37</u>	than the rates paid to employees of the opposite	seniority, merit, or		employees because	misdemeanor and fined	Fair employment
	Employees do not		sex for equal work that requires equal skill, effort,	performance-based		they:	up to \$2,500. They also	practices law: <u>N.H. Rev.</u>
	include domestic	Fair employment	and responsibility under similar working	systems;		make charges, file	can be ordered to stop	<u>Stat. Ann. § 354-A:</u> 2
	service, agricultural,	practices law:	conditions. Employers that violate these	systems that measure		complaints, or initiate	doing business at	
	temporary or service	Age, sex, gender	prohibitions cannot reduce any employee's wage	earnings by production		investigations	affected facilities, pay	Pay Discrimination
	workers, or employees	identity, race, color,	rate to comply with the prohibitions.	quantity or quality;		(including investigations	up to \$2,500 in	Prohibitions: Equal pay
	of a nonprofit social	marital status, physical	N.H. Rev. Stat. Ann. § 275:37	expertise;		by employers),	additional fines, and	law: <u>N.H. Rev. Stat.</u>
	club or fraternal,	or mental disability,		shift differentials; and		proceedings, hearings,	pay any unpaid wages	<u>Ann. § 275:37</u>
	charitable, educational,	religious creed,	Fair employment practices law:	demonstrable factors		or lawsuits related to	due to employees plus	Fair employment
	religious, scientific, or	national origin, or	Employers cannot discriminate in compensation	other than sex, such as		the Equal pay law; or	an equal amount in	practices law: N.H. Rev.
	literary association.	sexual orientation,	based on age, sex, gender identity, race, color,	education, training, or		testify, plan to testify,	liquidated damages.	Stat. Ann. <u>§§ 354-A:2,</u>
	NULL Davis Otati Arma S	unless this	marital status, physical or mental disability,	experience.		assist, or otherwise	NULL Davis Otati Arra SS	<u>354-A:7</u>
	N.H. Rev. Stat. Ann. §	discrimination is based	religious creed, national origin, or sexual	Fain annulas maant		participate in these	<u>N.H. Rev. Stat. Ann. §§</u>	
	<u>275:36</u>	on a bona fide	orientation, unless this discrimination is based on a bona fide occupational qualification.	Fair employment		investigations, proceedings, hearings,	<u>273:11 to 273:11-a,</u> 275:39 to 275:40,	Wage Disclosure: Equal pay law: N.H. Rev. Stat.
		occupational qualification.	N.H. Rev. Stat. Ann. §§ 354-A:2, 354-A:7	practices law: Employers cannot		or lawsuits.	<u>275:41-a</u>	Ann. <u>§§ 275: 38-a,</u>
		qualification.	N.H. Rev. Stat. Ann. 38 554-A.2, 554-A.7	discriminate in		of lawsuits.	<u>273.41-a</u>	275:41-b
			Statutory Language: N.H. Rev. Stat. Ann. § 275:37	compensation based		N.H. Rev. Stat. Ann. §		<u>273.41-</u> 0
			Equal Pay.	on age, sex, gender		<u>275:38-a</u>		Retaliation Prohibition:
			"I. No employer or person seeking employees	identity, race, color,		<u>210.00 u</u>		Equal pay law: N.H.
			shall discriminate between employees on the	marital status, physical				Rev. Stat. Ann. §
			basis of sex by paying employees of one sex at a	or mental disability,				275:38-a
			rate less than the rate paid to employees of the	religious creed,				
			other sex for equal work that requires equal skill,	national origin, or				Penalties/Remedies:
			effort, and responsibility and is performed under	sexual orientation,				Equal pay law: N.H.
			similar working conditions, except where such	unless this				Rev. Stat. Ann. §§
			payment is made pursuant to: A seniority system;	discrimination is based				273:11 to 273:11-a,
			A merit or performance-based system; A system	on a bona fide				275:39 to 275:40,
			which measures earnings by quantity or quality of	occupational				<u>275:41-a</u>
			production; Expertise; Shift differentials; A	qualification.				
			demonstrable factor other than sex, such as					New Hampshire Laws:
			education, training, or experience.					http://www.gencourt.sta
			"II. An employer who is paying wages in violation of					te.nh.us/rsa/html/nhtoc.
			this section shall not reduce the wage rate of any					htm
			other employee in order to comply with this					
			section."					New Hampshire
								Department of Labor:
								https://www.nh.gov/labo
								٢/

New Jersey	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
New Jersey	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	Effective Jan. 1, 2020,	Employers cannot	Employers that willfully	Coverage: Equal pay
	employers and their	Sex	Employers cannot discriminate in wage rates or	Employers can pay	employers commit an	discharge or otherwise	violate the Equal pay	law: N.J. Stat. Ann. §§
	agents are covered by	N.J. Stat. Ann. § 34:11-	payment methods based on sex.	differentials based on	unlawful employment	discriminate against	law or the retaliation	<u>34:11-56.1, 34:11-</u>
	the Equal pay law. The	56.2	N.J. Stat. Ann. § 34:11-56.2	reasonable factors	practice if they screen	employees because	prohibition are guilty of	56.12
	law does not apply to			other than sex.	job applicants based on	they make complaints	a misdemeanor and	N.J. Admin. Code §
	nonprofit hospital	Fair employment	Statutory Language: N.J. Stat. Ann. § 34:11-56.2.		their salary history,	to employers, the New	fined	12:2-2.2
	associations or	practices law:	Discrimination in pay based on sex prohibited	Fair employment	including, but not	Jersey Department of	\$50 to \$200,	
	corporations.	Protected class, which	"No employer shall discriminate in any way in the	practices law:	limited to, wages,	Labor and Workforce	imprisoned for 10 to 90	Fair employment
	Employees do not	means:	rate or method of payment of wages to any	Employers can pay	salaries, and benefits.	Development, or other	days, or both.	practices law: N.J. Stat.
	include volunteers for	race, creed, color, age,	employee because of his or her sex. A differential	different rates of	They also cannot	people related to the	Employers that are	Ann. §§ 10:5-5, 10:5-
	nonprofit organizations	affectional or sexual	in pay between employees based on a reasonable	compensation or	require that a job	Equal pay law; initiate	sued also can be	12, 10:5-12.6
	or corporations and	orientation, pregnancy,	factor or factors other than sex shall not constitute	benefits if they can	applicant's salary	or trigger proceedings	ordered to pay:	,
	farm, domestic service,	breastfeeding, sex,	discrimination within the meaning of this section."	show that this	history satisfies a	related to the law; or	The full amount of	Pay Discrimination
	or hotel workers.	gender identity or		differential is pursuant	minimum or maximum	testify or are about to	salary or wages owed	Prohibitions: Equal Pay
	Notification	expression, disability,	Fair employment practices law:	to seniority or merit	criteria.	testify in these	to employees;	:aw: <u>N.J. Stat. Ann. §</u>
	requirements and	or liability for service in	Employers cannot discriminate in compensation or	systems or if they can		proceedings.	An additional equal	34:11-56.2
	mandatory poster:	the U.S. armed forces;	terms, conditions, and privileges of employment	show that:	Effective Jan. 1, 2020,	p	amount as liquidated	Fair employment
	Public and private	national origin,	based on a protected class. However, they can	the differential is based	employers may verify a	N.J. Stat. Ann. §§ 34:11-	damages; and	practices law: <u>N.J. Stat.</u>
	employers in New	ancestry, or nationality;	discriminate based on competence, performance,	on one or more	job applicant's salary	<u>56.1, 34:11-56.6</u>	Reasonable attorneys'	Ann. <u>§§ 10:5-3,</u> 10:5-
	Jersey are covered by	marital, civil union, or	conduct, or other reasonable standards.	legitimate, bona fide	history or consider	00.1, 04.11-00.0	fees and costs.	12, 10:5-12.6
	the law's notification	domestic partnership	Discrimination in compensation or the financial	factors other than the	salary history in			N.J. Admin. Code §
	requirements and	status; or	terms or conditions of employment occurs each	characteristics of a	determining what salary		N.J. Stat. Ann. §§ 34:11-	13:13-2.6
	mandatory poster	genetic information,	time employees are affected by the application of	protected class, such	and benefits to offer to		56.6, 34:11-56.8	13.13-2.0
	provisions if they have	atypical hereditary	discriminatory compensation decisions or other	as training, education,	an applicant, but only if		<u>30.0, 34.11-30.8</u>	Wage Disclosure: Fair
	50 or more employees	cellular or blood trait, a	practices, including each time they are paid	experience, or	the applicant voluntarily			Employment Practices
	(as defined above) who	refusal to submit to a	wages, benefits, or other compensation resulting	production quantity or	offers their salary			Law: N.J. Stat. Ann. §
	work in or outside the		in any way from these decisions or practices.	· · · ·	history without any			10:5-12
		genetic test, or a refusal	In any way from these decisions of practices.	quality; these factors are not				10.5-12
	state.	to make genetic test results available.	Employers also connet ney employees who are		prompting.			Salany History Salany
	N. I. Otat. Ann. SS 24.44		Employers also cannot pay employees who are	based on, and do not				Salary History: Salary
	N.J. Stat. Ann. <u>§§ 34:11-</u>	Fair employment	members of a protected class at a rate of	perpetuate the	Effective Jan. 1, 2020,			history law: <u>N.J. Stat.</u>
	<u>56.1, 34:11-</u>	practices law: <u>N.J. Stat.</u>	compensation or benefits that is less than the rate	differential based on,	where salary history			<u>Ann. §§ 34:6B-20</u> , 10:5-
	<u>56.12</u>	Ann. §§ 10:5- 5, 10:5-	paid to other employees for substantially similar	the characteristics of a	information is publicly			12.12
	N.J. Admin. Code §	<u>12, 10:5-12.6</u>	work in terms of skill, effort, and responsibility.	protected class;	available, an employer			Detaliation Drahibition.
	<u>12:2-2.2</u>		Employers that violate this prohibition cannot	each of the factors is	may acquire that			Retaliation Prohibition:
	Dublic and private		reduce any employee's rate of compensation or	reasonably applied;	information, but the			Equal pay law: <u>N.J. Stat.</u>
	Public and private		benefits in order to comply with the prohibition.	one or more of the	employer cannot retain			<u>Ann. §§ 34:11- 56.1,</u>
	employers and		Wage rate comparisons are based on wage rates	factors account for the	or consider that			<u>34:11-56.6</u>
	employment agencies		in all of an employer's operations or facilities.	entire differential;	information in			David Mina (David a dia a
	are covered by the			the factors are job-	determining the salary			Penalties/Remedies:
	salary history law.		Employers cannot require employees and	related for affected	of an applicant, unless			Equal pay law: N.J. Stat.
	<u>N.J. Stat. Ann. § 34:6B-</u>		applicants to waive any of the protections	positions;	the applicant			Ann. <u>§§ 34:11- 56.6,</u>
	<u>20</u>		provided by the Fair employment practices law.	the factors are based	volunteers their salary			<u>34:11-56.8</u>
				on a legitimate	history without			Fair employment
			No person (as defined in N.J. Stat. Ann. § 10:5-5)	business necessity;	prompting.			practices law: N.J. Stat.
			can aid, abet, incite, compel, or coerce unlawful	and				Ann. <u>§§ 10:5-5, 10:5- 12</u>
			discriminatory acts or attempt to do so.	there is no alternative	Effective Jan. 1, 2020,			<u>to 10:5-13</u> (2019 N.J.
				that would serve the	employers cannot			Laws 436 (S.B. 3878)),
			Fair employment practices law: N.J. Stat. Ann. §§	same business purpose	consider a job			10:5-17
			10:5-5, 10:5-12, 10:5-12.6	without producing the	applicant's refusal to			
				differential.	volunteer salary history			New Jersey Laws:
			Salary history: Effective Jan. 1, 2020, employers		information while			http://www.njleg.state.nj
			who use salary history to screen a job applicant		making any			.us/
			who is a member of a protected class, as defined in		employment decisions.			
			N.J. Stat. Ann. § 10:5-12, or who require that the					New Jersey
			salary history of an applicant who is a member of a					Regulations:

New Jersey	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			protected class satisfy a minimum or maximum		Effective Jan. 1, 2020,	
			criteria, violate the fair employment law.		employers may request	
			N.J. Stat. Ann. § 10:5-12.12		that an applicant	
					provide a written	
					authorization to confirm	
					their salary history, but	
					only after the employer	
					has made an offer of	
					employment to that	
					applicant, and the offer	
					includes an explanation	
					of the entire	
					compensation package.	
					compensation package.	
					Effective Jan. 1, 2020,	
					these provisions do not	
					apply to:	
					internal transfers or	
					promotions with an	
					employee's current	
					employer, or use by an	
					employer of previously	
					acquired knowledge of	
					an applicant's salary	
					history due to prior	
					employment with the	
					employer;	
					internal transfers or	
					promotions with an	
					employee's current	
					employee's current employer, or use by an	
					employer of previously	
					acquired knowledge of	
					an applicant's salary	
					history due to prior	
					employment with the	
					employer;	
					employer actions pursuant to federal	
					•	
					laws or regulations that	
					expressly require the	
					disclosure or	
					verification of salary	
					history for employment	
					purposes, or require	
					knowledge of salary	
					history to determine an	
					employee's	
					compensation;	
					attempts by an	
					employer to obtain or	
					verify non-salary	
					information as part of a	
					background check, as	
					long as the employer	

Remedies/Damages:	Citing References
	http://www.state.nj.us/o al/rules.html
	ai/rules.ntmi
	New Jersey
	Department of Labor
	and Workforce
	Development:
	https://nj.gov/labor/
	incpo.,,iij.got/id.bot/
	New Jersey Department of Law and
	Public Safety, Office of
	the Attorney General,
	Division on Civil Rights:
	https://www.nj.
	gov/lps/dcr/index.html

New Jersey	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
					specifies in the	
					information request that	
					salary history should	
					not be disclosed, and	
					as long as the employer	
					does not retain any	
					salary history	
					information received as	
					part of the background	
					check and does not	
					consider that disclosed	
					information while	
					determining an	
					applicant's	
					compensation package;	
					and	
					employer inquiries	
					about a job applicant's	
					experience with	
					incentive and	
					commission plans, but	
					only if the opening for	
					which the applicant is	
					being considered	
					includes such a plan as	
					part of the total	
					compensation package.	
					Effective Jan. 1, 2020,	
					employers may provide	
					a job applicant with	
					salary information or	
					wage rates set by	
					collective bargaining	
					agreements or by	
					statute, and may pay	
					those rates if the	
					applicant is hired.	
					Effective Jan. 1, 2020,	
					employers who recruit	
					employees or do	
					business in at least one	
					state other than New	
					Jersey may include a	
					salary history inquiry on	
					their employment	
					applications, so long as	
					a statement	
					immediately precedes	
					that inquiry instructing	
					applicants for positions	
					physically located in	
					New Jersey to not	
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n	Remedies/Damages:	Citing References
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New Jersey	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
					answer the salary	
					history inquiry.	
					Effective Jan. 1, 2020,	
					employers also violate	
					New Jersey's fair	
					employment law (N.J.	
					Stat. Ann. §§ 10:5-1 to	
					10:5-49) if they	
					unlawfully use salary	
					history to screen job	
					applicants who are	
					members of a	
					protected class, or if	
					they require that the	
					salary history of the	
					applicant who is a	
					member of a protected	
					class satisfies a	
					minimum or maximum	
					criteria. N.J. Stat. Ann.	
					§§ 34:6B-20, <u>10:5-</u>	
					<u>12.12</u>	

on	Remedies/Damages:	Citing References

New Mexico	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
New Mexico	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	N/A	Employers an
	employers (and their	Sex	Employers cannot pay employees of one sex at	Employers can pay		agents canno
	agents) with four or	N.M. Stat. Ann. § 28-23-	wage rates that are lower than the wage rates	wage differentials		discharge, de
	more employees are	<u>3.</u>	paid to employees of the opposite sex for equal	pursuant to seniority or		deny promoti
	covered by the Equal		work that requires equal skill, effort and	merit systems or		otherwise dis
	pay law.	Fair employment	responsibility under similar working conditions in	systems that measure		against emplo
		practices law:	the same establishment. Wage means	earnings by production		asserting clai
	N.M. Stat. Ann. § 28-23-	race, age, religion,	compensation for performance of employee	quantity or quality.		the Equal pay
	<u>2</u>	color, national origin,	services, including the cash value of all	N.M. Stat. Ann. § <u>§ 28-</u>		assisting othe
		ancestry, sex, physical	compensation paid in any medium other than	<u>23-2, 28-23-3</u>		asserting suc
		or mental handicap,	cash. Employers also cannot reduce employees'			or informing o
		serious medical	wages to comply with the Equal pay law. N.M.	Fair employment		about their rig
		condition, spousal	Stat. Ann. § 28-23-3.	practices law:		the law.
		affiliation, sexual		Employers cannot		N.M. Stat. An
		orientation, gender	Fair employment practices law:	discriminate in		<u>5</u>
		identity, or, effective	Employers cannot discriminate in compensation	compensation against		
		May 20, 2020,	against otherwise qualified employees based on	otherwise qualified		
		pregnancy, childbirth,	race, age, religion, color, national origin, ancestry,	employees based on		
		or related conditions	sex, physical or mental handicap, serious medical	race, age, religion,		
		unless such	condition, spousal affiliation, sexual orientation,	color, national origin,		
		discrimination is based	gender identity, or, effective May 20, 2020,	ancestry, sex, physical		
		on a bona fide	pregnancy, childbirth, or related conditions unless	or mental handicap,		
		occupational	such discrimination is based on a bona fide	serious medical		
		qualification or another	occupational qualification or another statutory	condition, spousal		
		statutory prohibition.	prohibition.	affiliation, sexual		
		N.M. Stat. Ann. §§ 28-1-	N.M. Stat. Ann. §§ 28-1-2, 28-1-7 (2020 N.M. Laws	orientation, gender		
		<u>2, 28-1-7</u>	49 (H.B. 25))	identity, or, effective		
		(2020 N.M. Laws 49		May 20, 2020,		
		(H.B.	Statutory Language: N.M. Stat. Ann. § 28-23-3.	pregnancy, childbirth,		
		25)).	Prohibition on paying employees less for same work	or related conditions		
			"A. No employer shall discriminate, within any	unless such		
			establishment in which such employees are	discrimination is based		
			employed, between employees on the basis of	on a bona fide		
			sex by paying wages to employees in the	occupational		
			establishment at a rate less than the rate that the	qualification or another		
			employer pays wages to employees of the	statutory prohibition.		
			opposite sex in the establishment for equal work	Fair employment		
			on jobs the performance of which requires equal	practices law: <u>N.M. Stat.</u>		
			skill, effort and responsibility and that are	Ann.		
			performed under similar working conditions,	<u>§§ 28-1-2, 28-1-7</u> (2020		
			except where the payment is made pursuant to a:	N.M. Laws 49 (H.B.		
			seniority system; merit system; or system that	25))		
			measures earnings by quantity or quality of			
			production. B. An employer shall not reduce the			
			wage of an employee to comply with this section.			
			C. No agreement between an employer and an			
			employee for a specific wage in violation of the Fair			
			Pay for Women Act shall prevent the employee from			
			raising a claim based on a violation of the Fair Pay			
			for Women Act."			
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and their not demote, dition to or iscriminate oloyees for aims under ay law, hers in uch claims uch claims u others rights under

<u>nn. § 28-23-</u>

Remedies/Damages:

Employers that violate the Equal pay law can be ordered by the New Mexico Human Rights Commission to: stop discriminatory practices; take further affirmative action, including reporting compliance with commission orders; and pay actual damages and reasonable attorneys' fees

Employers that are sued can be ordered to: hire, reinstate and promote employees; stop discriminatory practices; post notice in their place of business describing violations or a copy of a cease and desist order; pay employees unpaid wages (limited to six years prior to the date of the last pay violation) and damages from retaliation; pay actual, triple and punitive damages; pay costs and reasonable attorneys' fees; and comply with other court orders.

Employers might not be ordered to pay triple damages or any other amount exceeding the amounts established in the Equal pay law if employers establish that any action was taken in good faith and with reasonable grounds for believing such action did not violate the law. <u>N.M. Stat. Ann. § 28-23-</u>6

Citing References

Coverage: Equal pay law: <u>N.M. Stat. Ann. §</u> <u>28-23-2</u> Fair employment

practices law: N.M. Stat. Ann. <u>§§ 28-1-2, 28-1-9;</u> N.M. Code R. § 9.1.1.7

Pay Discrimination Prohibitions: Equal pay law: N.M. Stat. Ann. $\frac{222}{2}$ Pair employment practices law: N.M. Stat. Ann. $\frac{222}{2}$ Pair employment (2020 N.M. Laws 49 (H.B. 25))

Retaliation Prohibition: Equal pay law: N.M. Stat. Ann. <u>§ 28-23-5</u> <u>Penalties/Remedies:</u> Equal pay law: N.M. Stat. Ann. <u>§ 28-23-6</u>

New Mexico Laws: http://www.newmexico. gov/

New Mexico Regulations: http://www.nmcpr.state.n m.us/nmac/

New Mexico Department of Workforce Solutions, Labor Relations Division, Human Rights Bureau: http://www.dws.state. nm.us/LaborRelations/ HumanRights/Informati on

New Mexico Human Rights Commission: http://governor.state. nm.us/Human_Rights.a spx

New York	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
New York	All employers in New	Protected Classes	Fair employment practices law:	Employers can pay	Equal pay law (effective	Employers ca
	York are covered by the	applies to equal pay	Employers cannot discriminate in compensation	different wage rates	Jan. 6, 2020):	retaliate agai
	Fair employment	and fair employment	based on age (18 and older), race, creed, color,	pursuant to:	Employers cannot:	applicants or
	practices law.	discrimination law.	national origin, sexual orientation, gender identity	seniority or merit	rely on applicants' wage	employees b
	Employees exclude	Protected classes	or expression, military status, sex, disability,	systems;	or salary history in	their prior wa
	domestic service	include: age (18 and	predisposing genetic characteristics, familial	systems that measure	deciding whether to	salary history
	workers, except under	older), race, creed,	status (including pregnancy), marital status, or	earnings by production	offer them employment	retaliate agai
	the harassment	color, national origin,	domestic violence victim status. National origin	quantity or quality; or	or determining their	applicants or
	provisions, and people	sexual orientation,	includes ancestry.	bona fide factors other	wages or salary;	employees b
	employed by their	gender identity or		than status within one	seek, request, or	they do not p
	parent, spouse, or	expression, military	No person (as defined in N.Y. Exec. Law § 292) can	or more protected	require (orally or in	their wage of
	child. Special	status, sex, disability,	aid, abet, incite, compel, or coerce unlawful	classes, such as	writing) applicants' or	history; or
	provisions apply to	predisposing genetic	discriminatory acts or try to do so.	education, training, or	employees' wage or	retaliate agai
	licensing agencies,	characteristics, familial		experience.	salary history as a	applicants, e
			No employees It is uployeful for an employer to	experience.	condition of	
	employment agencies,	status (including	No employees: It is unlawful for an employer to	Any such here fide		or former em
	labor organizations,	pregnancy), marital	permit unlawful discrimination against non-	Any such bona fide	employment or	who file com
	and certain religious	status, or domestic	employees in its workplace. Nonemployees	factors cannot be	promotion, or as a	the New Yor
	employers. Any person	violence victim status.	include contractors, subcontractors, vendors,	based upon or derived	condition of being	Department
	(as defined in N.	National origin includes	consultants, or other persons providing services	from a differential in	interviewed or	alleging viola
	Y. Exec. Law § 292) is	ancestry. <u>N.Y. Lab. Law</u>	pursuant to a contract in the workplace. An	pay based on status in	continuing to be	the salary his
	covered by the	<u>§§ 190, 194</u> (2019 N.Y.	employer may be held liable for discrimination	one or more protected	considered for	provisions.
	prohibitions against	Laws 93 (S.B. 5248))	against a nonemployee when the employer, its	classes and must be	employment;	
	aiding, abetting,		agents, or supervisors knew or should have known	job-related and	seek, request, or	N.Y. Lab. Lav
	inciting, compelling, or		that such nonemployee was subjected to an	consistent with	require (orally or in	(2019 N.Y. La
	coercing unlawful		unlawful discriminatory practice in the workplace,	business necessity.	writing) applicants' or	(S.B. 6549)
	discriminatory acts.		and the employer failed to take immediate and	Business necessity	employees' wage or	
			appropriate corrective action. The extent of the	means that a factor	salary history from a	Employers ca
	N.Y. Exec. Law §§ 292,		employer's control and any other legal	bears a manifest	current or former	discharge, th
	296 (2019 N.Y. Laws		responsibility the employer might have over the	relationship to the job	employer or employee,	penalize, or o
	160 (S.B. 6577); 2019		person who engaged in discriminatory conduct is	in question.	or an agent of such an	discriminate
	N.Y. Laws 161 (S.B.		considered when liability is determined.		employer, except as	against empl
	6594)			Employers cannot pay	provided below;	because:
	,		Agreements and waivers: Certain agreements,	different wage rates	refuse to interview, hire,	they make c
	Employees and interns		clauses, covenants, and waivers related to the	pursuant to bona fide	promote, employ, or	to anyone, in
	are covered under this		Fair employment practices law are invalid.	factors other than sex if	otherwise retaliate	their employ
	law.		N.Y. Exec. Law §§ 292, 296 (2019 N.Y. Laws 160	employees can show	against applicants or	York State D
			(S.B. 6577); 2019 N.Y. Laws 161 (S.B. 6594))	that:	employees based on	of Labor, or t
			(0.D. 0077), 2010 (0.1. Edw3 101 (0.D. 0004))	these pay practices	their prior wage or	York attorney
			Equal pay law:	result in pay	salary history;	office, about
			Subject to the exceptions below, employers	differentials based on	refuse to interview, hire,	conduct that
			cannot pay employees or interns who are	status within one or		reasonably b
			members of protected classes under the Fair		promote, employ, or otherwise retaliate	violates the s
				more protected classes		
			employment practices law wage rates that are	(disparate impact);	against applicants or	labor law or o
			lower than the wage rates paid to employees or	alternative pay	employees because	orders;
			interns who are not members of the same	practices would serve	they do not provide	employers or
			protected classes for:	the same business	their wage or salary	people believ
			equal work that requires equal skill, effort, and	purpose without	history; or	employees n
			responsibility under similar working conditions in	resulting in such pay	refuse to interview,	complaints;
			the same establishment; or	differentials; and	hire, promote, employ,	they initiate of
			substantially similar work, when viewed as a	employers refuse to	or otherwise retaliate	about to initia
			composite of skill, effort, and responsibility, and	adopt such alternative	against applicants,	proceedings
			performed under similar working conditions in the	pay practices.	employees, or former	the labor law
			same establishment.		employees who file	they provide
					complaints with the	to the depart
					New York State	attorney gen

n	Remedies/Damages:
cannot:	Employers that fail to
gainst	pay wages in
or	accordance with the
s based on	Equal pay law are guilty
wage or	of a misdemeanor and
ory;	fined \$500 to \$20,000
gainst	or imprisoned for up to
or	one year for a first
sbecause	violation. For each
t provide	subsequent violation
or salary	that occurs within six
	years of a conviction
gainst	for a prior violation,
, employees,	employers are guilty of
employees	a felony and fined \$500
mplaints with	to \$20,000, imprisoned
ork State	for up to one year plus
nt of Labor	
olations of	one day, or fined and
	imprisoned. The same
history	penalties apply to
	officers or agents of
	corporations,
<u>aw § 194-a</u>	partnerships, or limited
Laws 94	liability companies if
)	they knowingly permit
	these violations.
cannot	Employers that
threaten,	otherwise violate or fail
or otherwise	to comply with the law
te or retaliate	are guilty of a
nployees	misdemeanor and fined
	up to \$100 for a first
complaints	offense; fined \$100 to
including	\$500, imprisoned for up
oyer, the New	to 30 days, or fined and
Department	imprisoned for a second
or the New	offense; and fined at
ney general's	least
ut employer	\$300, imprisoned for up
at they	to 60 days, or fined and
/ believe	imprisoned for a
e state's	subsequent offense.
or department	The same penalties
	apply to employers'
or other	agents or employees
ieve that	who violate or fail to
s made those	comply with the law.
s;	They also apply to
e or are	officers or agents of
itiate	corporations if they
gs related to	knowingly permit these
aw;	violations.
de information	The New York State
artment or	Department of Labor
eneral;	

Citing References

Coverage: Fair employment practices law: <u>N.Y. Exec. Law §§</u> <u>292, 296</u> (2019 N.Y. Laws 160 (S.B. 6577); 2019 N.Y. Laws 161 (S.B. 6594))

Pay Discrimination Prohibitions: Fair employment practices law: N.Y. Exec. Law §§ 292, 296 (2019 N.Y. Laws 160 (S.B. 6577); 2019 N.Y. Laws 161 (S.B. 6594))

Wage Dis<u>closure: Equal</u> pay law: N.Y. Lab. Law <u>§ 194</u> N.Y. Comp. Codes R. & Regs. tit. 12, §§ 194-1.1 to 194-1.4

Salary History: Equal pay law: N.Y. Lab. Law § 194-a (2019 N.Y. Laws 94 (S.B. 6549))

Retaliation Prohibition: Equal pay law: N.Y. Lab. Law § <u>194-a (2019 N.Y.</u> Laws 94 (S.B. 6549))

Penalties/Remedies: Equal pay law:<u>N.Y. Lab.</u> Law §§ 2, 194-a (2019 N.Y. Laws 94 (S.B. 6549)), 196, 197 to 198a, 213, 218, 219, 219-c

New York Laws: http://public.leginfo.stat e.ny.us/lawssrch.cgi? NVLWO:

New York Regulations: https://www.dos.ny.gov/i nfo/nycrr.html

New York State Department of Labor: http://www.labor.state.ny . us/

New York	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
New Fork	Overage		Protected classes under the Fair employment	Employer Detenses	Department of Labor	they testify or are about	can order employers	New York State
			practices law include: age, race, creed, color,		alleging violations of		that violate the law to:	Industrial Board of
			national origin, sexual orientation, gender identity		the salary history	to testify in investigations or	comply with law;	
			or expression, military status, sex, disability,		provisions.	proceedings under the	pay the amount of any	Appeals: http://industrialappeals.
			predisposing genetic characteristics, familial		provisions.	labor law;	wages owed to	
			status (including pregnancy), marital status, and		Employers can confirm		employees for the six-	ny.gov/
						they otherwise exercise		New York State Office of
			domestic violence victim status; any employee otherwise protected from discrimination under N.Y.		wage or salary history only if, at the time that	their rights under the	year period preceding the initiation of the	the Attorney General:
			Exec. Law § 296(1)(a) to (1)(c); and any intern		an employment offer	labor law; or they are involved in an	administrative action:	-
			protected from discrimination under N.Y. Exec.		with compensation is	adverse determination	pay an additional	https://ag.ny. gov/
			Law § 296-c. Wages include earnings based on		made, the applicant or	received by employers	amount (the amount of	
			time, piece, commission, or other factors and		employee responds to	from the department.	any wages owed to	
			certain wage and benefit supplements.		the offer by providing	nom me department.	employees or up to	
			Employees work in the same establishment if they		wage or salary history	Effective Oct. 25, 2019,	three times that amount	
			work for the same employer in the same county or		information to support a	to threaten, penalize, or	for willful violations) as	
			smaller geographical region.		wage or salary higher	otherwise discriminate	liquidated damages,	
					than the wage or salary	or retaliate against	unless they prove a	
			N.Y. Lab. Law §§ 190, 194 (2019 N.Y. Laws 93		offered by the	employees includes:	good- faith basis for	
			(S.B. 5248))		employer. Employees	contacting or	believing they were in	
					and applicants can	threatening to contact	compliance with the	
			Statutory Language: N.Y. Lab. Law § 194.		voluntarily (and without	federal immigration	law;	
			Differential in rate of pay because of protected class		prompting) disclose or	authorities;	pay a fine of \$500 for	
			status prohibited		verify their wage or	otherwise reporting or	each violation;	
			"1. No employee with status within one or more		salary history, such as	threatening to report	pay an additional fine of	
			protected class or classes shall be paid a wage at		for purposes of salary	employees' suspected	up to twice the amount	
			a rate less than the rate at which an employee		negotiations.	citizenship or	of wages owed to	
			without status within the same protected class or			immigration status to	employees for repeat,	
			classes in the same establishment is paid for: (a)		These provisions do not	federal, state, or local	willful, or egregious	
			equal work on a job the performance of which		supersede any federal,	agencies; and	violations;	
			requires equal skill, effort and responsibility, and		state, or local law	otherwise reporting or	pay interest on any	
			which is performed under similar working		enacted prior to Jan. 6,	threatening to report	wages owed to	
			conditions, or (b) substantially similar work, when		2020, that requires the	the suspected	employees, from the	
			viewed as a composite of skill, effort, and		disclosure or	citizenship or	date of underpayment	
			responsibility, and performed under similar		verification of salary	immigration status of	until the date of	
			working conditions; except where payment is		history information to	employees' family or	payment;	
			made pursuant to a differential based on:		determine employees'	household members (as	pay a fine of up to	
			a seniority system;		compensation. They	defined in N.Y. Soc.	\$1,000 for a first	
			a merit system;		also do not affect any	Serv. Law § 459- a) to	violation, \$2,000 for a	
			a system which measures earnings by quantity or		applicants', employees',	federal, state, or local	second violation, and	
			quality of production; or (iv) a bona fide factor		or former employees'	agencies.	\$3,000 for a	
			other than status within one or more protected		rights under any other		subsequent violation	
			class or classes, such as education, training, or		laws or regulations,	N.Y. Lab. Law §§ 1 to 2,	that does not involve	
			experience. Such factor: (A) shall not be based		collective bargaining	<u>10, 21, 215</u> (2019 N.Y.	failing to pay wages	
			upon or derived from a differential in		agreements, or	Laws 126 (S.	owed to employees;	
			compensation based on status within one or more		employment contracts.	5791))	pay an additional 15	
			protected class or classes and (B) shall be job-		<u>N.Y. Lab. Law § 194-a</u>		percent penalty on the	
			related with respect to the position in question and		(2019 N.Y. Laws 94		total judgment amount;	
			shall be consistent with business necessity. Such		(S.B. 6549))		post a notice of	
			exception under this paragraph shall not apply				violations and other	
			when the employee demonstrates (1) that an				relevant information, in	
			employer uses a particular employment practice				an area visible to	
			that causes a disparate impact on the basis of status within one or more protected class or				employees, for up to	
			classes,				one year; post a notice of willful	
							failures to pay wages	
							Tanures to pay wayes	

New York	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			(2) that an alternative employment practice exists			
			that would serve the same business purpose and			
			not produce such differential, and (3) that the			
			employer has refused to adopt such alternative			
			practice."			
			"2. For the purpose of subdivision one of this			
			section: (a) "business necessity" shall be defined			
			as a factor that bears a manifest relationship to			
			the employment in question, and (b) "protected			
			class" shall include age, race, creed, color,			
			national origin, sexual orientation, gender identity			
			or expression, military status, sex, disability,			
			predisposing genetic characteristics, familial			
			status, marital status, or domestic violence victim			
			status, and any employee protected from			
			discrimination pursuant to paragraphs (a), (b),			
			and (c) of subdivision one of section two hundred			
			ninety-six and any intern protected from			
			discrimination pursuant to section two hundred			
			ninety-six-c of the executive law."			
			"3. For the purposes of subdivision one of this			
			section, employees shall be deemed to work in			
			the same establishment if the employees work for			
			the same employer at workplaces located in the			
			same geographical region, no larger than a			
			county, taking into account population distribution,			
			economic activity, and/or the presence of			
			municipalities."			
			"4. (a) No employer shall prohibit an employee			
			from inquiring about, discussing, or disclosing the			
			wages of such employee or another employee."			
			"(b) An employer may, in a written policy provided to			
			all employees, establish reasonable workplace and			
			workday limitations on the time, place and manner			
			for inquires about, discussion of, or the disclosure			
			of wages. Such limitations shall be consistent with			
			standards promulgated by the commissioner and			
			shall be consistent with all other state and federal			
			laws. Such limitations may include prohibiting an			
			employee from discussing or disclosing the wages			
			of another employee without such employee's			
			prior permission.			
			"(c) Nothing in this subdivision shall require an			
			employee to disclose his or her wages. The			
			failure of an employee to adhere to such			
			reasonable limitations in such written policy shall			
			be an affirmative defense to any claims made			
			against an employer under this subdivision,			
			provided that any adverse employment action			
			taken by the employer was for failure to adhere to			
			such reasonable limitations and not for mere			
			inquiry, discussion or disclosure of wages in			
			accordance with such reasonable limitations in			
			such written policy.			
			ouon whiten policy.			

as required, in an area visible to the public, for up to 90 days; and report certain statistics on their employees, including wage rates and work hours, if they committed repeat, wilful, or egregious violations. If a successor employer is similar in operation and ownership to a prior employer that was found in violation of the law, they are considered the same employer under the department's order and the successor employer is subject to the order. The successor employer is similar if its work, work conditions, and supervisors or its production process, products, and customers are substantively the same. Employers that are sued for wage claims, by employees or the department, also can be ordered to: pay the amount of any wages owed to employees (plus prejudgment interest) for the six-year period preceding the filing of the lawsuit; pay an additional amount (the amount of any wages owed to employees or up to three times that amount for willful violations) as liquidated damages, unless they prove a good-faith basis for believing they were in compliance with the	Remedies/Damages:	Citing References
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New York	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			"(d) This prohibition shall not apply to instances in			
			which an employee who has access to the wage			
			information of other employees as a part of such			
			employee's essential job functions discloses the			
			wages of such other employees to individuals who			
			do not otherwise have access to such information,			
			unless such disclosure is in response to a			
			complaint or charge, or in furtherance of an			
			investigation, proceeding, hearing, or action under			
			this chapter, including an investigation conducted			
			by the employer. "(e) Nothing in this section shall be construed to			
			limit the rights of an employee provided under any			
			other provision of law or collective bargaining			
			agreement."			
			- <u>-</u>			

Remedies/Damages:	Citing References
pay a 15 percent	Citing References
penalty on the total	
judgment amount if any	
part remains unpaid for	
more than 90 days after	
the judgment is issued	
or 90 days after the	
time to appeal expires	
(and no appeal is	
pending), whichever	
date is later;	
pay a fine of \$500 for	
each violation (if sued	
by the department);	
and	
pay reasonable	
attorneys' fees and	
costs, including up to	
\$50 for expenses.	
If the department sues	
employers for failing to	
deposit a bond as	
required, they can be	
ordered to stop doing	
business (until this	
requirement is met) and	
otherwise compelled to	
comply. If it sues them	
for failing to provide an	
accounting of their	
assets, they can be	
fined up to \$10,000 and otherwise compelled to	
comply. Salary history (effective	
Jan. 6, 2020): In	
addition to the	
penalties/remedies	
above, employers that	
violate the salary	
history provisions are	
subject to any damages	
subject to any damages	
applicants, employees,	
or former employees as	
a result of the violation,	
injunctive relief, and	
reasonable attorneys'	
fees.	
N.Y. Lab. Law <u>§§ 2,</u>	
<u>194-a</u> (2019 N.Y. Laws	
94 (S.B. 6549)),	
· · · · · · · · · · · · · · · · · · ·	

New York	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
							196, 197 to 198-a, 213,	
							218, 219, 219-c	

North Carolina	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
North Carolina	Public and private	Disability	Employers cannot discriminate in compensation		State agencies are	Employers cannot	Employers that are	N.C. Gen. Stat. §§
	employers with 15 or	N.C. Gen. Stat. § 168A-	based on disability. For more information, see		prohibited from	discharge, expel, refuse	sued for violating the	<u>168A-3, 168A-5, 168A-</u>
	more full-time	<u>5</u>	North Carolina Disability Discrimination. N.C. Gen.		requesting salary	to hire or otherwise	pay discrimination	<u>9 to 168A-12</u>
	employees in North		Stat. § 168A-5		history from applicants.	discriminate against	prohibitions, including	
	Carolina are covered				State agencies may not	employees and	the related retaliation	Salary History: Executive
	by the pay				rely upon previously	applicants because	prohibition, can be	Order No. 93
	discrimination				obtained prior salary	they oppose	ordered to:	
	prohibitions, excluding				information in	discriminatory practices	stop violations;	North Carolina Laws:
	employers that only				determining an	or because they testify,	hire applicants or	http://www.ncleg.
	employ domestic				applicant's salary.	assist or otherwise	reinstate employees;	net/gascripts/Statutes/
	service or farm workers					participate in anti-	pay back pay for a	Statutes.asp
	at their home or farm.				Executive Order No. 93	discrimination	period of up to two	
	Employment agencies,					proceedings.	years before the lawsuit	
	labor organizations and					Employers also cannot	was filed; and	
	apprenticeship or other					retaliate against,	pay reasonable	
	training programs also					coerce, intimidate,	attorneys' fees.	
	are covered by the					threaten or interfere		
	prohibitions.					with employees and	N.C. Gen. Stat. § 168A-	
						applicants who	<u>11</u>	
	N.C. Gen. Stat. § 168A-					exercise their rights or		
	<u>3</u>					assist others in		
						exercising their rights		
						under the pay		
						discrimination		
						prohibitions.		
						N.C. Gen. Stat. § 168A-		
						<u>1</u> 0		

Nexth Dakota Public and private: employees faith omployment nor and women and pay low. Equal pay law: Build control Employment and c	North Dakota	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
omployers that omploy men and women are covered by the Equal pay law.Six.Employers cannot pay employees of one sets and to employers atta are lower than the wage rates and to employers of the opposite so. for and cover, physical organization acc, rational organization accomployment framation accomployment framation ac							Employers can
mon and woman ary concerted by the Equal pay law. N.D. Cent. Code 3.4 add 0.0.1.33 add 0.0.		-					discharge or
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06.1.02 race, color, reigin, esc, natorial ordigin, esc, natorial esc, nato			Fair employment		-		initiate enforce
sex. ratical a tright, ag or mental disability, marital or public assistance status or participation in lawful activities, such as smoking, of reinployer premises during norwork hour (if these activities do nd directly activities do nd directly activities do nd directly or offict with environ activities do nd directly or offict with environ activities do nd directly activities do nd directly or offict with environ activities do nd directly activities do nd directly or offict with environ activities do nd directly activities do nd directly wages. benchi sor other compensation descriminatory wages. benchi sor other compensation descriminatory wages. benchi sor other compensation apaid. N.D. Cent. Code §§ 34-06.1-01 to 34-06.1-03 to systems that employer may not discriminator 1.An employer may not discriminator 1.An employer pays any employee in any occupation in this state as rate loss than the rate at which the employer pays any employee in any occupation in this state as a rate loss than the rate at which the employer pays any employee in any occupation in this state as a rate loss than the at which the employer pays any employee in any occupation in this state as a rate loss than the at which the employer pays any employee in any occupation in this state actuation the advantion the at which the employer pays any employee in any occupation in this state actuation the advantion the at which the employer pays any end discriminator any employee to discriminate gainet any employee in any occupation in this chapter. An em		N.D. Cent. Code § 34-	practices law:	establishment. Wage rates cover all compensation	systems that measure		otherwise assis
(40 and older), physical or mental disolutior, mattal or public assistance status or participation in lawful assistance status notwick hours (if those conflict with employers related interests). Unlawful pay discriminatory compensation decisions or practices; employees acte affected by practices; or employees are affected by practices, including each time discriminatory conflict with employers related interests). Fair employment practices, including each time discriminator practices, including each time discriminatory practices, including each time discriminatory practices in the same establishment practices in the same establishment practices in the same establishment opposite and protected partices in the same establishment meth systems, pursuant os systems hat measure establishment on the basis of genders practiced as are established partice and rate less than the rate at which the employer pays any supprove of the opposite gender for comparable work on jobs that have comparable requirements relating to skill. effort and responsibility. Differentials that are paid pursuant to established seniority systems, systems that measure earnings by quantity or quality of production, ment systems, or a born file factor of the same particip result in systems, systems that measure earning by quantity or opply with this chapter, reduce the wage rates of any employer to discriminate against an employee by reason on syntemina employer to discriminate against an employee by reason on syntemina employer to this chapter. An expresential may ob		06.1-02	race, color, religion,	for employment, including amounts paid by	earnings by production		enforcing the E
or mental disability, martial or public assistance status or participation i nawdu activities, such as smoking, of employer premises during nonwork hour (if those activities do not directif) conflict with employers or conflict with employers activities do not directif incices, employees are affected by raticipation (if those activities do not directif) conflict with employers essential business- related interests). Unlawdu pay discrimination occurs when: employers adopt discriminatory compensation activities do not directif to discriminatory compensation decisions or practices; or employees are affected by ratices; or employees are affected by rotaction (additionator) or additionation of the affective ration of the schemation of discriminator 1. An employer may not discriminator or the basis of gender, by paying wages to any employee in any opcoles gender for than equedity attribut at which the employer pay any adjoy or obso that here the amployer may not accurate a rate less than the ratic attribute of the chapter, ration work in different oppoles gender than equed, such as education that here any or acuse or attend by out thin violation of this chapter, ratou the wage frames of against an employee			sex, national origin, age	employers for employee benefits. Employers that	quantity or quality;		law, unless the
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essential business- related interests). wages, benefits or other compensation are paid. N.D. Cent. Code §§ 34-06.1-01 to 34-06.1-03 different compensation standards pursuant to bona fide seniority or merit systems, pursuant 06.1-03. Prohibition of discrimination 11. An employer may not discriminatio between employees in the same establishment on the basis of gender, by paying wages to any employee oin any occupation in this state at are less than the rate at which the employer pays any employee oin any occupation in this state at are less than the rate at which the employer pays any employee oin any occupation in this state at are less than the rate at which the employer pays any employee oin any occupation in this state at are less than the rate at which the employer pays any employee oin any occupation in this state at are less than the rate at which the employer pays any employee oin any or quality of production, mett systems, systems that measure earnings by quantity or quality of production, mett systems, on abon fide factor other than gender, such as education, training, or experience, and which do not discriminate on the basis of gender, are not within this prohibition. An employer that is paying a wage differential in violation of this chapter. way not, in order to comply with this chapter. ray not, in order to ocomply with this chapter. reduce the wage rates of any employee. A person may not cause or attempt to cause an employer to dischapte or discriminate against an employee to invoke or assist in any USA-102			5				testify or are al
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taken by the employee to invoke or assist in any							
				manner the enforcement of this chapter, except			
when proven that the act of the employee is							
fraudulent.							

Citing References Remedies/Damages: annot Employers that violate Coverage: Equal pay law: N.D. Cent. Code § the Equal pay law or related retaliation 34-06.1-02 against prohibition are guilty of Fair employment ecause a class B misdemeanor practices law: N.D. ion to Cent. Code §§ 14-02.4cement or and can be fined sist in \$1,000, imprisoned for 02 to 14-02.4-05, 14-<u>02.4-10</u> Equal pay up to 30 days or fined nese and imprisoned. Special penalties apply Pay Discrimination raudulent. to organizations, Prohibitions: Equal pay lso cannot including corporations, law: N.D. Cent. Code against limited liability §§ 34-06.1-01 to 34ecause companies and 06.1-03 unincorporated Fair employment n about associations. practices law: N.D. he law, Cent. Code § 14-02.4roceedings Employers that are law or sued also can be 09 ordered to stop about to Retaliation Prohibition: е violations; pay wages owed to employees; Equal pay law: <u>N.D.</u> pay up to an additional Cent. Code §§ 34ode §§ 34-06.1-03, 34-06.1-09 equal amount in 6.1-09 damages for willful violations; reinstate Penalties/Remedies: employees; pay reasonable attorneys' Equal pay law: N.D. Cent. Code <u>§§ 12.1-</u> fees and costs; and 03-04, 12.1-32-01 to provide other remedies. Employees' agreement 12.1-32-01.1, 12.1-32to work for less than the 03, 34-06.1-05, 34wage rate to which they <u>06.1-09</u> are entitled does not bar voluntary wage North Dakota Laws: restitution by http://www.legis.nd.gov/ employers. information/statutes/cent -code.html N.D. Cent. Code §§ 12.1-03-04, 12.1-32-01 North Dakota to 12.1-32-01.1, Department of Labor 12.1-32-03, 34-06.1-05, and Human Rights: 34-06.1-09 http://www.nd.gov/labor /human-rights/

North Dakota	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			An unlawful employment practice occurs under this section when a discriminatory compensation decision or other practice is adopted; when an individual becomes subject to a discriminatory compensation decision or other practice; or when an individual is affected by application of a discriminatory compensation decision or other practice, including each time wages, benefits, or other compensation is paid, resulting in whole or in part from such a decision or other practice."			
			Fair employment practices law: Employers cannot discriminate against employees in compensation based on race, color, religion, sex, national origin, age (40 and older), physical or mental disability, marital or public assistance status or participation in lawful activities, such as smoking, off employer premises during nonwork hours (if those activities do not directly conflict with employers' essential business-related interests). N.D. Cent. Code §§ 14-02.4-02 to 14- 02.4-05, 14-02.4-10			

n	Remedies/Damages:	Citing References

Ohio	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Ohio	Public and private	Race, color, religion,	Employers cannot discriminate in pay based on	Employers can pay	N/A	Employers cannot	Employers that violate	Coverage: Ohio Rev.
	employers are covered	sex, age, national	race, color, religion, sex, age, national origin, or	wage differentials		discharge or otherwise	the Equal pay law are	<u>Code §§ 4111.14,</u>
	by the Equal pay law.	origin, or ancestry	ancestry. Specifically, employers cannot pay	based on:		discriminate against	guilty of a minor	4111.17 Ohio Const.
		Ohio Rev. Code Ann. §	employees in protected status categories wage	seniority systems;		employees because	misdemeanor and can	art. II, § 34a
	Ohio Rev. Code §§	<u>4111.17</u>	rates that are less than the wage rates paid to	merit systems;		they make complaints,	be fined up to \$150.	
	<u>4111.14</u> , <u>4111.17</u> ; Ohio		other employees for equal work that requires	systems that measure		initiate proceedings, or	Employers that are	Pay Discrimination
	Const. art. II, § 34a		equal skill, effort, and responsibility under similar	earnings by production		testify or are about to	organizations can be	Prohibitions: Ohio Rev.
			working conditions. Wages are all compensation	quality or quantity; or		testify in proceedings	fined up to \$1,000 for	Code Ann. §§ 4111.01,
			for employment, including commissions; they also	any factor other than		related to violations of	such violations;	<u>4111.06 to 4111.07,</u>
			generally include reasonable costs for providing	race, color, religion,		the Equal pay law.	organizations include	<u>4111.17</u>
			board, lodging, and other facilities to employees.	sex, age, national			corporations,	
			Employers cannot reduce any employee's wage	origin, or ancestry.		Ohio Rev. Code §§	partnerships, limited	Retaliation Prohibition:
			rate in order to comply with the Equal pay law.	Ohio Rev. Code Ann. §		<u>4111.13, 4111.17</u>	partnerships, joint	Ohio Rev. Code §§
				<u>4111.17</u>			ventures,	<u>4111.13, 4111.17</u>
			Ohio Rev. Code Ann. §§ 4111.01, 4111.06 to				unincorporated	
			4111.07, 4111.17				nonprofit associations,	Penalties/Remedies:
							estates, trusts and	Ohio Rev. Code §§
			Statutory Language: Ohio Rev. Code Ann. §				other commercial or	<u>2901.23, 2929.28,</u>
			4111.17 Wage discrimination; exceptions;				legal entities. Each day	<u>2929.31, 4111.13,</u>
			enforcement				that a violation occurs	<u>4111.17,</u>
			"(A) No employer, including the state and political				is considered a	4111.99 <u>https://codes.o</u>
			subdivisions thereof, shall discriminate in the				separate offense.	hio.gov/ohio-revised-
			payment of wages on the basis of race, color,				Employers that are	code/section-4111.99
			religion, sex, age, national origin, or ancestry by				sued can be ordered to	
			paying wages to any employee at a rate less than				pay the amount of	Ohio Laws:
			the rate at which the employer pays wages to				unpaid wages due to	http://codes.ohio.gov/orc
			another employee for equal work on jobs the				employees and an	Ohio Department of
			performance of which requires equal skill, effort,				additional amount	Commerce:
			and responsibility, and which are performed under				equal to such unpaid	https://www.com.ohio.g
			similar conditions.				wages, plus reasonable	ov/
			Nothing in this section prohibits an employer from				attorneys' fees and	
			paying wages to one employee at a rate different				costs.	
			from that at which the employer pays another					
			employee for the performance of equal work				Ohio Rev. Code §§	
			under similar conditions on jobs requiring equal				<u>2901.23, 2929.28,</u>	
			skill, effort, and responsibility, when the payment				<u>2929.31, 4111.13,</u>	
			is made pursuant to any of the following:				<u>4111.17, 4111.9</u> 9	
			A seniority system;					
			A merit system;					
			A system which measures earnings by the quantity					
			or quality of production;					
			A wage rate differential determined by any factor					
			other than race, color, religion, sex, age, national					
			origin, or ancestry.					
			(C) No employer shall reduce the wage rate of any					
			employee in order to comply with this section."					

Oklahoma	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Oklahoma	Public and private	Equal pay law: Female	Equal pay law:	Equal pay law:	N/A	See Fair employment	Employers are guilty of	Coverage: Equal pay
	employers are covered	(sex)	Employers cannot pay female employees at wage	Employers can pay		practices law.	a misdemeanor and	law: Okla. Stat. tit. <u>40, §</u>
	by the Equal pay law.	Okla. Stat. Ann. tit. 40, §	rates that are lower than the wage rates paid to	wage differentials			can be fined \$25 to	198.1; Fair employment
		<u>198.1</u>	male employees for comparable work that requires	wages pursuant to			\$100.	practices law: Okla.
	Okla. Stat. tit. 40, §		comparable skill, effort and responsibility. Okla.	seniority systems or				Stat. tit. 25, §§ 1301 to
	<u>198.1</u>	Fair employment	Stat. Ann. tit. 40, § 198.1.	merit systems, systems			Okla. Stat. tit. 40, §	1304, 1307 to 1308;
		practices law:		that measure earnings			<u>198.2</u>	Okla. Admin. Code §
		Race, color, religion,	Fair employment practices law:	by production quality or				335:15-3-1
		sex, national origin,	Employers cannot discriminate in compensation	quantity or any factor				
		age, disability or	based on race, color, religion, sex, national origin,	other than sex. <u>Okla.</u>				Pay Discrimination
		genetic information	age, disability or genetic information, unless this	<u>Stat. tit. 40, § 198.1</u>				Prohibitions: Equal pay
		<u>Okla. Stat. tit. 25, §</u>	discrimination is justified by a bona fide					law: <u>Okla. Stat. tit. 40, §</u>
		<u>1302</u>	occupational qualification that is reasonably	Fair employment				198.1
			necessary to normal business operations. Okla.	practices law:				Fair employment
			Stat. tit. 25, §§ 1302, 1309, 1311	Employers can apply				practices law: Okla.
				different compensation				Stat. tit. 25, §§ 1302,
			Statutory Language: Okla. Stat. Ann. tit. 40, § 198.1.	standards pursuant to				1309, 1311
			Payment of discriminatory wages based on	bona fide seniority or				
			employee's sex prohibited	merit systems, pursuant				Penalties/Remedies:
			"It shall be unlawful for any employer within the	to systems that				Equal pay law: <u>Okla.</u>
			State of Oklahoma to willfully pay wages to	measure earnings by				Stat. tit. 40, § 198.2
			women employees at a rate less than the rate at	production quantity or				_
			which he pays any employee of the opposite sex	quality or to employees				Oklahoma Laws:
			for comparable work on jobs which have	who work in different				http://www.oklegislature.
			comparable requirements relating to skill, effort	locations if these				gov/osStatuesTitle.aspx
			and responsibility, except where such payment is	differences are not the				
			made pursuant to a seniority system; a merit	result of intention to				Oklahoma Regulations:
			system; a system which measures earnings by	discriminate based on				https://www.sos.ok.gov/
			quantity or quality of production; or a differential	those protected				oar/online/viewCode.as
			based on any factor other than sex."	classes. Employers				<u>px</u>
				also can differentiate				
				compensation based				Oklahoma Department
				on sex if these				of Labor:
				differences are				http://www.ok.gov/odol/
				otherwise required or				
				permitted by Oklahoma				
				laws, Title VII of the				
				federal Civil Rights Act				
				of 1964 or the federal				
				Fair Labor Standards				
				Act. Okla. Stat. tit. 25,				
				<u>§§ 1302, 1309, 1311</u>				

Oregon	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Oregon	Private and public	Protected class, which	Equal pay law:	Employers can pay	Equal pay law:	Employers car
	employers, excluding	means a group of	Employers cannot discriminate based on a	employees at different	Employers cannot	discriminate a
	the federal government,	people distinguished by	protected class in the payment of wages or other	compensation levels for	screen applicants	employees in
	are covered by the	race, color, religion,	compensation for comparable work. They also	comparable work if	based on their current	payment of wa
	Equal pay law if they	sex, sexual orientation	cannot pay wages or other compensation to any	these differences are	or past compensation,	other compension
	have one or more	(as defined in <u>Or. Rev.</u>	employee at a rate higher than the rate paid to	based on one or more	which includes using	because they:
	employees. Employees	<u>Stat. § 174.100</u>),	employees of a protected class for comparable	of the following bona	information about such	file complaints
	are people who work in	national origin, marital	work. These actions are considered "unlawful	fide job-related factors,	compensation, obtained	the Fair emplo
	Oregon for employers	status, veteran status	employment practices" under the Fair employment	including, effective Jan.	from any source, to	practices law
	that pay or agree to	(as defined in <u>Or. Rev.</u>	practices law (<u>Or. Rev. Stat. §§ 659A.001</u> to	1, 2020, when such	determine an	<u>Stat. § 659A.8</u>
	pay them at a fixed	<u>Stat. § 408.225</u>),	659A.990). In addition, employers cannot reduce	factors are contained in	applicant's suitability or	file complaints
	rate. They do not	disability, or age.	an employee's compensation level to comply with	a collective bargaining	eligibility for	proceedings u
	include partners,		the Equal pay law.	agreement (each factor	employment.	Equal pay law
	independent			is further defined in Or.	Employers also cannot	file complaints
	contractors, participants		Effective Jan. 1, 2020, employers may pay a	A <u>dmin. R.</u>	determine	proceedings u
	in work training		different level of compensation to employees who:	<u>839-008-0015):</u>	compensation for	Fair employm
	programs administered		receive wages for modified work in accordance	seniority or merit	positions based on	practices law
	under state or federal		with a claim for a compensable injury under <u>Or.</u>	systems;	applicants' current or	<u>Stat. § 659A.8</u>
	assistance laws, or		<u>Rev. Stat. § 656.001</u> et seq.;	systems that measure	past compensation.	testify, are abo
	people who work partly		as the result of a medical condition, are	earnings by production	These actions are	testify, or migh
	in the state (unless		temporarily performing modified work that is	quantity or quality, such	considered "unlawful	in investigation
	their employment		authorized by a licensed medical professional; or	as a piece-rate system;	employment practices"	proceedings, o
	contract is entered into		as the result of a medical condition, are	workplace location	under the Fair	actions under
	in the state or		temporarily performing requested modified work	considerations;	employment practices	pay law; or
	payments under these		which has been authorized by the employer in a	travel, if regular and	law (<u>Or. Rev. Stat. §§</u>	testify, are abo
	contracts normally are		manner that does not discriminate on the basis of	necessary for the	<u>659A.001 to 659A.990</u>).	testify, or migh
	made in the state).		a protected class.	employee; or		in investigation
				education, training, or	Employers can ask	proceedings u
	<u>Or. Rev. Stat. §</u>		Comparable work means work that requires	experience.	applicants for written	Fair employme
	652.210; Or. Admin. R.		substantially similar knowledge, skill, effort,		authorization to confirm	practices law
	<u>839-008-0000</u>		responsibility, and work conditions (as further	Employers also can	their prior	<u>Stat. §§ 659A</u>
			defined in <u>Or. Admin. R. 839-008-0010</u>), regardless	provide employees	compensation after	<u>659A.885).</u>
			of the job description or title. Work conditions	different benefits (as a	making them an offer of	
			include the work environment, hours, time of day,	part of compensation) if	employment that	Or. Rev. Stat.
			physical surroundings, and potential hazards.	the same benefit	includes a	<u>652.220</u>
			When evaluating comparable work, only Oregon	options are offered to	compensation amount.	
			employees need to be considered for purposes of	all employees	Employers also can	
			comparison.	performing comparable	consider current	
				work. The cost of a	employees'	
			Protected class means a group of people	benefit that is offered to	compensation for	
			distinguished by race, color, religion, sex, sexual	but declined by an	internal transfer, move,	
			orientation (as defined in <u>Or. Rev. Stat. §</u>	employee can be	or hiring purposes.	
			<u>174.100</u>), national origin, marital status, veteran	considered as part of		
			status (as defined in <u>Or. Rev. Stat. § 408.225</u>),	the total compensation	Compensation includes	
			disability, or age.	paid to the employee.	wages, salaries,	
					bonuses, benefits,	
			Compensation includes wages, salaries, bonuses,		fringe benefits, and	
			benefits, fringe benefits, and equity-based		equity-based	
			compensation. It does not include tips or		compensation. Wages	
			reimbursement for actual costs incurred, such as		are all compensation for	
			relocation expenses, mileage, and out-of-pocket		work performed by	
			expenses. Wages are all compensation for work		employees for	
			performed by employees for employers,		employers, regardless	
			regardless of who pays this compensation or how		of who pays this	
			it is paid. Rate means the basis of compensation		compensation or how it	

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y law; laints in ngs under the oyment law <u>(Or. Rev.</u> <u>9A.885);</u> e about to

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e about to might testify gations or ngs under the loyment law <u>(Or. Rev.</u> <u>559A.830,</u>

<u>Stat. §</u>

Remedies/Damages:

Employers that are sued under the Equal pay law can be ordered to pay the amount of unpaid wages owed to employees for the oneyear period before lawsuits were filed, plus an equal amount as liquidated damages and reasonable attorneys' fees. Unpaid wages are the difference between wages actually paid and wages required to be paid under the Equal pay law. If employees allege violations of the Equal pay law by filing a complaint with the Oregon Bureau of Labor and Industries under the Fair employment practices law (Or. Rev. Stat. § 659A.820), the bureau can order employers to

can order employers to pay back pay for the lesser of:

the two-year period immediately preceding the filing of the complaint plus the period of time between the date when the complaint was filed and the date when the bureau issued its order; or

the period of time that employees were subject to an unlawful wage differential plus the period of time between the date when the complaint was filed and the date when the bureau issued its order.

If employees allege violations of the Equal pay law by filing a lawsuit under the Fair

Citing References

Coverage: Equal pay law: <u>Or. Rev. Stat. §</u> <u>652.21</u>0; Or. Admin. R. 839-008-0000 Fair employment practices law: <u>Or. Rev.</u> <u>Stat. §§ 659A.001,</u> <u>659A.006, 659A.350;</u> Or. Admin. R. <u>839-005-</u> <u>0003, 839-005-</u> <u>0014</u>

Pay Discrimination Prohibitions: Equal pay law: Or. Rev. Stat. §§ 652.210 to 652.220 (2019 Or. Laws 617 (S.B. 123)); Or. Admin. R. 839-008-0000, 839-008-0010 to 839-008-0025

Fair employment practices law: Or. Rev. Stat. §§ 659A.001 to 659A.006, 659A.029 to 659A.030; Or. Admin. R. 839-005-0000 to 839-005-0010, 839-005-0013, 839-005-0021

Wage Disclosure: Fair employment practices law: <u>Or. Rev. Stat.</u> § 659A.355

Salary History: Equal pay law: <u>Or. Rev. Stat.</u> <u>§§ 652.210 to 652.220;</u> <u>Or. Admin. R. 839-008-</u> <u>0005</u> Fair employment

practices law: <u>Or. Rev.</u> <u>Stat. § 659A.357</u>

Retaliation Prohibition: Equal pay law: <u>Or. Rev.</u> <u>Stat. § 652.220</u>

Penalties/Remedies: Equal pay law: <u>Or. Rev.</u> <u>Stat. §§ 652.210 to</u> <u>652.23</u>5 (2019 Or. Laws 617 (S.B. 123)), 652.990, 659A.870,

Oregon	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			for work and compensation based on time worked		is paid. For other	
			or quantity accomplished, produced, or handled.		applicable definitions,	
			System (effective Jan. 1, 2020) means a		see "Pay Discrimination	
			consistent and verifiable method in use at the time		Prohibitions."	
			of an alleged violation. Individual types of		Or. Rev. Stat. §§	
			compensation are defined as follows:		652.210 to 652.220; <u>Or.</u>	
			Benefits means:		Admin. R. 839-008-0005	
			the rate of contribution that an employer makes			
			irrevocably to a trustee or third person under a		Fair employment	
			plan, fund, or program (as further defined in <u>Or.</u>		practices law:	
			Admin. R. 839-008-0000), beyond what is required		Employers cannot seek	
			by federal, state, or local law; or		employees' and	
			the rate of costs to an employer in providing		applicants' salary	
			benefits to an employee, beyond what is required		history from them or	
			by federal, state, or local law, based on an		their current or former	
			enforceable commitment to that employee to		employers. These	
			carry out a financially responsible plan or program		actions are considered	
			(as further defined in <u>Or. Admin. R. 839-008-</u>		"unlawful practices"	
			0000). Eringe henefite has the same meaning as		under the Fair	
			Fringe benefits has the same meaning as "benefits," above.		employment practices law <u>(Or. Rev. Stat. §§</u>	
			Bonus means an amount that is paid or something		659A.001 to	
			of value given to an employee by an employer in		<u>659A.990</u>). Employers	
			addition to the employee's regular rate of pay,		can ask applicants for	
			typically as a means of encouragement or		written authorization to	
			recognition.		confirm their prior	
			Equity-based compensation means non-cash		compensation after	
			payments that represent ownership, membership		making them an offer of	
			interests, or opportunity for investment in the		employment that	
			employer's business, such as restricted stock		includes a	
			awards, stock options, employee stock purchase		compensation amount.	
			plans, stock appreciation rights, and similar		<u>Or. Rev. Stat. §</u>	
			compensation schemes. It does not include a		<u>659A.357</u>	
			one-time buyout.			
			Salary means a predetermined amount			
			constituting all or part of the employee's			
			compensation paid for each pay period of one			
			week or longer (but not more than one month).			
			Or. Rev. Stat. §§ 652.210 to 652.220 (2019 Or.			
			Laws 617 (S.B.			
			123https://oregon.public.law/statutes/ors_652.220));			
			Or. Admin. R. 839-008-0000, 839-008-0010 to 839-			
			008-0025			
			Fair employment practices law:			
			Employers cannot discriminate in compensation			
			based on race, religion, color, sex, sexual			
			orientation, marital status, familial status, national			
			origin, age (18 and older), disability or expunged			
			juvenile records, unless this discrimination is			
			justified by a bona fide occupational qualification.			
			Employers also cannot discriminate in			
			compensation based on a perception that an			
			employee is a member of a protected class or			
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Remedies/Damages:

employment practices law (Or. Rev. Stat. <u>§ 659A.885)</u>, employers can be subject to penalties/remedies under the Fair employment practices law. For more information, see Oregon EEO Enforcement. They also can be ordered to pay punitive damages if: evidence proves that they engaged in fraud, acted with malice, or acted with willful and wanton misconduct; or they previously were adjudicated for violating the Equal pay law through proceedings under the Fair employment practices law (<u>Or. Rev. Stat. §§</u> 659A.885, 659A.850).

In any lawsuit alleging violations of the Equal pay law, employers can file a motion to disallow an award of compensatory or punitive damages. Courts grant this motion if employers can prove all of the following: They completed a good-faith equal pay analysis of their pay practices within three years before the lawsuit was filed. This analysis involves an evaluation process to assess and correct wage disparities among employees who perform comparable work. Their equal pay analysis was reasonable in detail and scope for their size. Until Jan. 1, 2020,

Citing References

659A.885; Or. Admin. R. 839-008-0000

Oregon Laws: https://www.oregonlegis lature.gov/bills_laws/Pa ges/ORS.aspx

Oregon Regulations: http://arcweb.sos.state. or.us/pages/rules/acce ss/index.html

Oregon Bureau of Labor and Industries: https://www.oregon. gov/boli/Pages/index.a spx

Oregon	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			based on an employee's association with a			
			person who is a member of a protected class.			
			Or. Rev. Stat. §§ 659A.001 to 659A.006, 659A.029			
			to 659A.030; Or. Admin. R. 839-005-0000 to 839-			
			005-0010, 839-005- 0013, 839-005-0021			
			Statutory Language: Or. Rev. Stat. Ann. § 652.220.			
			Discriminatory wage practices; complaints; posting			
			of notice "(1) It is an unlawful employment practice			
			under ORS chapter 659A for an employer to:			
			In any manner discriminate between employees			
			on the basis of a protected class in the payment of			
			wages or other compensation for work of			
			comparable character.			
			Pay wages or other compensation to any			
			employee at a rate greater than that at which the			
			employer pays wages or other compensation to			
			employees of a protected class for work of			
			comparable character.			
			Screen job applicants based on current or past			
			compensation.			
			Determine compensation for a position based on			
			current or past compensation of a prospective			
			employee. This paragraph is not intended to			
			prevent an employer from considering the			
			compensation of a current employee of the			
			employer during a transfer, move or hire of the			
			employee to a new position with the same			
			employer.			
			Notwithstanding subsection (1) of this section:			
			An employer may pay employees for work of			
			comparable character at different compensation			
			levels if all of the difference in compensation			
			levels is based on a bona fide factor that is related			
			to the position in question and is based on:			
			A seniority system;			
			B) A merit system;			
			A system that measures earnings by quantity or			
			quality of production, including piece-rate work;			
			Workplace locations;			
			Travel, if travel is necessary and regular for the			
			employee;			
			Education;			
			Training;			
			Experience; or			
			Any combination of the factors described in this			
			paragraph, if the combination of factors accounts			
			for the entire compensation differential.			
			(b) An employer may pay employees for work of			
			comparable character at different compensation			
			levels on the basis of one or more of the factors			
			listed in paragraph (a) of this subsection that are			
			contained in a collective bargaining agreement.			
			(3) An employer may not in any manner discriminate			
			in the payment of wages or other compensation			
			In the payment of wages of other compensation			

Remedies/Damages:Citing Referencesthis analysis also must be related to the protected class asserted by the plaintiff.Effective Jan. 1, 2020, this analysis must also include a review of practices designed to eliminate unlawful wage differentials.Until Jan. 1, 2020, they eliminated wage differentials for the plaintiff and made reasonable, substantial progress toward eliminating wage differentials for the	
be related to the protected class asserted by the plaintiff. Effective Jan. 1, 2020, this analysis must also include a review of practices designed to eliminate unlawful wage differentials. Until Jan. 1, 2020, they eliminated wage differentials for the plaintiff and made reasonable, substantial progress toward eliminating wage differentials for the	
asserted by the plaintiff. Effective Jan. 1, 2020, this analysis must also include a review of practices designed to eliminate unlawful wage differentials. Until Jan. 1, 2020, they eliminated wage differentials for the plaintiff and made reasonable, substantial progress toward eliminating wage differentials for the	
asserted by the plaintiff. Effective Jan. 1, 2020, this analysis must also include a review of practices designed to eliminate unlawful wage differentials. Until Jan. 1, 2020, they eliminated wage differentials for the plaintiff and made reasonable, substantial progress toward eliminating wage differentials for the	
Effective Jan. 1, 2020, this analysis must also include a review of practices designed to eliminate unlawful wage differentials. Until Jan. 1, 2020, they eliminated wage differentials for the plaintiff and made reasonable, substantial progress toward eliminating wage differentials for the	
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protected class asserted by the plaintiff.	
Effective Jan. 1, 2020,	
they made reasonable,	
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substantial progress	
toward eliminating	
unlawful wage	
differentials for their	
employees.	
Effective Jan. 1, 2020,	
evidence that an	
employer increased an	
employee's pay as a	
result of conducting an	
equal-pay analysis or	
has not completed an	
equal-pay analysis will	
not be considered an	
admission of a violation	
of the Equal pay law.	
Until Jan. 1, 2020, if a	
court grants the motion,	
it can order employers	
to pay back pay only for	
the two-year period	
immediately preceding	
the filing of the lawsuit,	
plus reasonable	
attorneys' fees and	
costs, but cannot award	
compensatory or	
punitive damages.	
Effective Jan. 1, 2020,	
if a court grants the	
motion and the	
employee prevails on a	

Oregon	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			against any employee because the employee has			
			filed a complaint under ORS 659A.820 or in a			
			proceeding under ORS 652.210 to			
			652.235 or 659A.885 or has testified, or is about			
			to testify, or because the employer believes that			
			the employee may testify, in any investigation or			
			proceedings pursuant to ORS 652.210 to			
			<u>652.235, 659A.830</u> or <u>659A.885</u> or in a criminal			
			action pursuant to <u>ORS 652.210</u> to <u>652.235.</u>			
			(4) An employer may not reduce the compensation			
			level of an employee to comply with the provisions			
			of this section."			

Remedies/Damages:	Citing References
claim alleging a	
violation of the Equal	
pay law, the court:	
will order the employer	
to eliminate the	
unlawful wage	
differential for the	
employee;	
will award back pay or	
unpaid wages pursuant	
to the Equal pay law or	
the Fair employment	
practices law, as	
described above; and	
can award the	
employee costs and	
attorneys' fees (but not	
compensatory or	
punitive damages).	
Employers that violate	
the Equal pay law also	
are guilty of a class A	
misdemeanor.	
<u>Or. Rev. Stat. §§</u>	
652.210 to 652.235	
(2019 Or. Laws 617	
<u>(S.B.</u> 123)), 652.990,	
659A.870, 659A.885;	
Or. Admin. R. 839-008-	
0000	

Pennsylvania	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Pennsylvania	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	State agencies shall	See Fair emp
	employers are covered	Sex	Employers cannot pay employees of one sex at	Employers can pay	not inquire about a job	practices law.
	by Pennsylvania Equal		wage rates that are lower than the wage rates	different wage rates	applicant's current	
	pay law.	Fair employment	paid to employees of the opposite sex for equal	pursuant to seniority,	compensation or	
	Employees subject to	practices law:	work that requires equal skill, effort and	merit or piece-rate	compensation history	
	the federal Fair Labor	race, color, religious	responsibility under similar working conditions in	systems or any factor	at any stage during the	
	Standards Act are	creed, ancestry, age	the same workplace.	other than sex. <u>43 Pa.</u>	hiring process.	
	exempt from the law.	(40 and older), sex,		<u>Stat. §§ 336.2</u> to <u>336.3</u>	Applicants are not	
		national origin, non job-	Statutory Language: 43 Pa. Stat. Ann. § 336. Wage		prevented from	
	<u>43 Pa. Stat. § 336.2</u>	related handicap or	rates "(a) No employer having employees subject to	Fair employment	volunteering	
		disability or the use of	any provisions of this section shall discriminate,	practices law:	information about their	
		guide or support	within any establishment in which such	Employers can request	current compensation	
		animals because of	employees are employed, between employees on	a BFOQ interpretation	level or salary history in	
		blindness, deafness or	the basis of sex by paying wages to employees in	from the Pennsylvania	negotiating a salary;	
		physical handicap,	such establishment at a rate less than the rate at	Human Relations	however, no agency	
		unless this discrimination is based	which he pays wages to employees of the	Commission. BFOQs	can request that an	
		on bona fide	opposite sex in such establishment for equal work on jobs, the performance of which, requires equal	have limited scope and application, and are	applicant disclose current salary or salary	
		occupational	skill, effort, and responsibility, and which are	permitted only when	history information. In	
		qualifications or	performed under similar working conditions,	employers can prove a	addition, applicants can	
		applicable federal or	except where such payment is made pursuant to	factual basis for	refuse to disclose	
		state security	(1) a seniority system; (2) a merit system; (3) a	believing that all or	current compensation	
		regulations.	system which measures earnings by quantity or	substantially all	level and/or history	
			quality of production; or (4) a differential based on	members of a	without negative	
			any other factor other than sex: Provided, That	protected class would	repercussions by the	
			any employer who is paying a wage rate	be unable to safely and	agency in its	
			differential in violation of this subsection shall not	efficiently perform the	employment decisions.	
			in order to comply with the provisions of this	job duties; otherwise		
			subsection, reduce the wage rate of any	applicants only can be	Executive Order 2018-18-	
			employee.	excluded upon showing	<u>03</u> .	
			(b) No labor organization, or its agents,	that they are unable to		
			representing employees of an employer having	perform the job. Race,		
			employees subject to any provisions of this	color, religious creed,		
			section, shall cause or attempt to cause such an	ancestry, age, sex and		
			employer to discriminate against an employee in	national origin are valid		
			violation of subsection (a) of this section."	BFOQs only if they are		
				reasonably necessary		
			Fair employment practices law:	to essential, normal		
			Employers cannot discriminate in compensation	business operations.		
			based on race, color, religious creed, ancestry, age (40 and older), sex, national origin, nonjob-	Employers have the burden of establishing		
			related handicap or disability or the use of guide or	that these protected		
			support animals because of blindness, deafness	status categories		
			or physical handicap, unless this discrimination is	qualify as BFOQs, and		
			based on bona fide occupational qualifications or	cannot apply the BFOQ		
			applicable federal or state security regulations.	exception based on		
			Specifically, employers cannot discriminate	reasons such as:		
			against employees, applicants and independent	assumptions about the		
			contractors who are the best able and most	general employment		
			competent persons to perform required services.	characteristics of those		
				protected classes (for		
			Employers can request a BFOQ interpretation	example, higher		
			from the Pennsylvania Human Relations	turnover rates);		
			Commission. BFOQs have limited scope and	stereotyped		
			application, and are permitted only when	characteristics of those		

	Remedies/Damages:	Citing References
ployment	Employers that violate	Coverage: Equal pay
v.	the Equal pay law,	law: <u>43 Pa. Stat. §</u>
	including the retaliation	336.2; Fair employment
	prohibition, can be fined	practices law: 43 Pa.
	\$50 to \$200 or	Stat. §§ <u>954</u> to <u>955</u>
	imprisoned for 30 to 60	
	days. Each day of a	Pay Discrimination
	continuing violation is a	Prohibitions: Equal pay
	separate offense.	law: <u>43 Pa. Stat. §§</u>
	Employers that are	<u>336.2</u> to <u>336.3</u>
	sued for knowingly	Fair employment
	violating the law also can be ordered to pay	practices law: 43 Pa.
	wages due to	Stat. §§ <u>954</u> to <u>955;</u> <u>16</u>
	employees, an	Pa. Code §§ 41.71 to
	additional equal amount	<u>41.73</u>
	in liquidated damages,	Colomy Lifetamy Example
	reasonable attorneys'	Salary History: <u>Executive</u>
	fees and costs.	<u>Order 2018-18-03</u>
		Penalties/Remedies:
	43 Pa. Stat. § 336.8	Equal pay law: <u>43 Pa.</u>
	_	Stat. § 336.8
		<u>otat. 3 000.0</u>
		Pennsylvania Laws
		(Consolidated Statutes):
		http://www.legis.state.pa
		.us/cfdocs/legis/LI/Publi
		c/cons_index.cfm
		Pennsylvania
		Department of Labor
		and Industry:
		https://www.dli.
		pa.gov/Pages/default.a
		spx
	<u> </u>	

Pennsylvania	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			employers can prove a factual basis for believing	protected classes (for		
			that all or substantially all members of a protected	example, mechanical		
			class would be unable to safely and efficiently	ability or		
			perform the job duties; otherwise applicants only	aggressiveness);		
			can be excluded upon showing that they are	customer, client, co-		
			unable to perform the job. Race, color, religious	worker or employer		
			creed, ancestry, age, sex and national origin are	preferences and		
			valid BFOQs only if they are reasonably	history, tradition or		
			necessary to essential, normal business	custom; and		
			operations. Employers have the burden of	the need to provide		
			establishing that these protected status	separate facilities such		
			categories qualify as BFOQs, and cannot apply	as restrooms or locker		
			the BFOQ exception based on reasons such as:	rooms.		
			assumptions about the general employment			
			characteristics of those protected classes (for			
			example, higher turnover rates);			
			stereotyped characteristics of those protected			
			classes (for example, mechanical ability or			
			aggressiveness);			
			customer, client, co-worker or employer			
			preferences and history, tradition or custom; and			
			the need to provide separate facilities such as			
			restrooms or locker rooms.			
			Employers and their employees cannot aid, abet,			
			incite, compel, coerce or directly or indirectly try to			
			commit these discriminatory practices. They also			
			cannot obstruct or prevent anyone from complying			
			with the law or orders issued under the law.			
			43 Pa. Stat. §§ 954 to 955; 16 Pa. Code §§ 41.71			
			to 41.73			

Remedies/Damages:	Citing References

Rhode Island	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Rhode Island	Public and private	Equal pay law:	Equal pay law: Employers cannot pay female	Employers can pay	N/A	Employers cannot	Employers that violate	Coverage: Equal pay
	employers are covered	Sex (female)	employees at wage rates that are lower than the	wage differentials		discharge or	the Equal pay law can	law: R.I. Gen. Laws §
	by Rhode Island Equal	28 R.I. Gen. Laws Ann.	wage rates paid to male employees for equal work	based on:		discriminate against	be fined up to	28-6-17; Fair
	pay law.	<u>§ 28-6-18</u>	or for work on the same operations. 28 R.I. Gen.	seniority, experience,		employees because	\$200, imprisoned for up	employment practices
			Laws Ann. § 28-6-18	training, skill or ability;		they file complaints,	to six months or fined	law: <u>R.I. Gen. Laws §</u>
	R.I. Gen. Laws § 28-6-	Fair employment		duties and services that		initiate proceedings or	and imprisoned.	<u>28-5-6</u>
	<u>17</u>	practices law:	Provisions in any contracts, agreements or	are performed regularly		testify in proceedings	Employers that are	
		race, color, religion,	understandings that establish wage rate variations	or occasionally;		related to violations of	sued for such violations	Pay Discrimination
		sex, sexual orientation,	in violation of the Equal pay law are null and void.	the shift or time of day		the Equal pay law.	can be ordered to pay	Prohibitions: Equal pay
		gender identity or	R.I. Gen. Laws § 28-6-18	worked;			unpaid wages and	law: R.I. Gen. Laws §
		expression, disability,		availability for other		R.I. Gen. Laws § 28-6-	liquidated damages.	28-6-18; Fair
		age or ancestry. <u>28 R.I.</u>	Fair employment practices law: Employers cannot	operations; or		<u>21</u>		employment practices
		Gen. Laws Ann. § 28-5-	discriminate in compensation based on race,	any other reasonable			R.I. Gen. Laws §§ 28-6-	law: <u>R.I. Gen. Laws §</u>
		<u>7</u> .	color, religion, sex, sexual orientation, gender	factor besides sex. 28			20 to 28-6-21	<u>28-5-7</u>
			identity or expression, disability, age or ancestry.	R.I. Gen. Laws Ann. §				
			R.I. Gen. Laws § 28-5-7	<u>28-6-18</u>				Retaliation Prohibition:
								Equal pay law: <u>R.I.</u>
			Statutory Language: Wage differentials based on					<u>Gen. Laws § 28-6-21</u>
			sex prohibited. 28 R.I. Gen. Laws Ann. § 28-6-18.					
			(a) No employer shall discriminate in the payment of					Penalties/Remedies:
			wages as between the sexes or shall pay any female					Equal pay law: <u>R.I.</u>
			in his or her employ salary or wage rates less than the					<u>Gen. Laws §§ 28-6-20</u>
			rates paid to male employees for equal work or work					to 28-6-21
			on the same operations.					
			(b) Nothing contained in this section shall prohibit a					Rhode Island Laws:
			variation in rates of pay based upon either difference					http://www.rilin.state.ri.u
			in: Seniority, experience, training, skill, or ability; Duties					s/Statutes/
			and services performed, either regularly or					
			occasionally; The shift or time of day worked; or					Rhode Island
			Availability for other operations or any other					Department of Labor
			reasonable differentiation except difference in sex.					and Training:
			(c) Except as provided in this section, any provision in					http://www.dlt.
			any contract, agreement, or understanding entered into					state.ri.us/
			after passage of this act establishing a variation in					
			rates of pay as between the sexes, shall be null and					
			void."					

South Carolina	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
South Carolina	Public and private	Race, religion, color,	Employers cannot discriminate against employees	Employers can apply	N/A	See Fair employment	See Fair employment	S.C. Code Ann. §§ 1-13-
	employers (and their	sex, age, national origin	in compensation based on race, religion, color,	different compensation		practices law.	practices law.	<u>30, 1-13-80</u>
	agents) are covered by	or disability	sex, age, national origin or disability. Employers	standards pursuant to				
	the pay discrimination	S.C. Code Ann. § 1-13-	also cannot reduce employees' wage rates to	bona fide seniority or				South Carolina Laws:
	prohibitions if they have	<u>30;</u>	comply with these prohibitions as they relate to	merit systems, pursuant				http://www.scstatehous
	a location or do		age discrimination. <u>S.C. Code Ann. § 1-13-80</u>	to systems that				e.gov/code/statmast.ph
	business in South			measure earnings by				р
	Carolina and have 15			production quantity or				
	or more employees for			quality and to				
	each workday in each			employees who work in				
	of 20 or more calendar			different locations if				
	weeks in the current or			such differences are				
	preceding calendar			not the result of				
	year. The prohibitions			intentional				
	also apply to			discrimination based on				
	employment agencies			race, religion, color,				
	and labor			sex, national origin or				
	organizations.			disability. Employers				
				also can differentiate in				
	S.C. Code Ann. <u>§§</u> 1-13-			wages or compensation				
	<u>30, 1-13-80</u>			based on sex if such				
				differentiation is				
				authorized by the				
				federal Fair Labor				
				Standards Act (29				
				<u>U.S.C. 206 (d)).</u>				
				<u>S.C. Code Ann. § 1-13-</u>				
				<u>80</u>				
						1		

South Dakota	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
South Dakota	Employers within South	Sex	Employers cannot discriminate based on sex in	Employers can pay	N/A	See Fair employment	See Fair employment	Coverage: <u>S.D.</u>
	Dakota that hire or	S.D. Codified Laws §	the payment of wages and compensation. S.D.	different wages or		practices law.	practices law.	Codified Laws § 20-13-
	employ one or more	20-13-10	Codified Laws §§ 20-13- 10, 20-13-16, 20-13-17.	compensation based				1
	employees are covered		They also cannot conceal unlawful discrimination	on bona fide seniority				
	by the pay		or induce anyone to engage in such	or merit systems,				Pay Discrimination
	discrimination		discrimination. S.D. Codified Laws § 20-13-26	production quantity or				Prohibitions: <u>S.D.</u>
	prohibitions. Employers			quality or work location				Codified Laws §§ 20-
	outside South Dakota		Statutory Language: S.D. Codified Laws § 20-13-	if these differences are				<u>13- 10, 20-13-16, 20-</u>
	that hire or employ		16. Seniority and merit preferences permitted	not the result of an				<u>13-17, 20-13-26</u>
	employees whose		Place of work differentials "Notwithstanding any	intention to discriminate				
	services are wholly or		provision of <u>§§ 20-13-10 to 20-13-13</u> , inclusive, it	based on sex.				South Dakota Laws:
	partially performed in		is not an unfair or discriminatory practice for an	Compensation				http://www.sdlegislature
	South Dakota also are		employer to apply different standards of	differences based on				.gov/Statutes/Codified_
	covered by the		compensation, or different terms, conditions, or	job descriptions and				Laws/
	prohibitions.		privileges of employment pursuant to a bona fide	executive training				
	S.D. Codified Laws §		seniority or merit system, or a system which	programs also are				
	<u>20-13-1</u>		measures earnings by quantity or quality of	lawful if they do not				
			production or to employees who work in different	discriminate based on				
	No state statutory or		locations, if such differences are not the result of	sex. S.D. Codified Laws				
	regulatory provisions		an intention to discriminate because of race,	<u>§§ 20-13-10, 20-13-16,</u>				
	apply generally to		color, creed, religion, sex, ancestry, disability, or	<u>20-13-17.</u>				
	private-sector		national origin."					
	employment.							
			Statutory Language: S.D. Codified Laws § 20-13-					
	Prohibitions apply to		17. Sex differentiation permitted when based on					
	employees, applicants,		seniority, job description, merit or executive					
	and, effective July 1,		training systems					
	2020, interns. Interns		"Notwithstanding any provision of <u>§§ 20-13-10 to</u>					
	are students or trainees		<u>20-13-13</u> , inclusive, it shall not be an unfair or					
	who work, sometimes		discriminatory practice for any employer to					
	without pay, at an		differentiate upon the basis of sex in determining					
	organization, industry,		the amount of the wages or compensation paid or					
	trade, or occupation in		to be paid to employees of such employer if such					
	order to gain work		differentiation is authorized by the provisions of §					
	experience or earn		60-12-16."					
	academic credit. <u>S.D.</u>							
	Codified Laws § 20-13-							
	<u>1 (2020 South</u>							
	<u>Dakota H.B. 1216)</u> .							

Tennessee	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Tennessee	Public and private	Equal pay law:	Equal pay law:	Employers can pay	N/A	Employers cannot	Employers that are	Coverage: Equal pay
	employers are covered	Sex	Employers cannot pay employees of one sex at	different wages based		discharge or	sued for violating the	law: <u>Tenn. Code Ann. §</u>
	by the Equal pay law.	Tenn. Code Ann. § 50-2-	wage rates or salaries that are lower than the	on:		discriminate against	Equal pay law can be	<u>50-2-201</u>
	Tenn. Code Ann. § 50-2-	<u>202.</u>	wage rates or salaries paid to employees of the	seniority systems or		employees who take	ordered to pay unpaid	Fair employment
	<u>201</u>		opposite sex for comparable work that requires	merit systems;		any action to invoke or	wages, reasonable	practices law: Tenn.
		Fair employment	comparable skill, effort and responsibility under	systems that measure		enforce the Equal pay	attorneys' fees and	Code Ann. §§ <u>4-21-102</u> ,
		practices law:	similar working conditions. Wage rates are all	earnings by quantity or		law.	costs. Employers that	<u>4-21-401, 4-21-405</u>
		Race, creed, color,	compensation for employment, including employee	quality of production; or			knowingly violate the	
		religion, sex, age (40	benefits. Tenn. Code Ann. § 50- 2-201.	any other reasonable		Tenn. Code Ann. § 50-2-	law also can be	Pay Discrimination
		and older) or national		differential based on a		<u>202</u>	ordered to pay	Prohibitions: Equal pay
		origin.	Employers that pay different wage rates in	factor other than sex.			liquidated damages in	law: Tenn. Code Ann.
			violation of the Equal pay law cannot reduce				an amount equal to:	§§ <u>50-2-201</u> , <u>50-2-202</u>
		Tenn. Code Ann. § 4-21-	employees' wage rates to comply with the law.	Tenn. Code Ann. § 50-2-			unpaid wages for a first	
		<u>401.</u>	Tenn. Code Ann. §§ 50-2-201, 50-2-202.	<u>202.</u>			violation; unpaid wages	Fair employment
							plus two times that	practices law: Tenn.
			Statutory Language: Tenn. Code Ann. § 50-2-202.				amount for a second	Code Ann. § <u>4-21-401</u>
			Wage Differentials				violation; and unpaid	
			"(a) No employer shall discriminate between				wages plus three times	Retaliation Prohibition:
			employees in the same establishment on the				that amount for each	Equal pay law: Tenn.
			basis of sex by paying any employee salary or				subsequent violation.	Code Ann. § <u>50-2- 202</u>
			wage rates less than the rates the employer pays				Retaliation prohibition:	
			to any employee of the opposite sex for				Employers that violate	Penalties/Remedies:
			comparable work on jobs the performance of				the retaliation	Equal pay law: Tenn.
			which require comparable skill, effort and				prohibition are guilty of a	Code Ann. §§ <u>40-35-</u>
			responsibility, and that are performed under				class A misdemeanor	<u>111, 50-2-204, 50-2-</u>
			similar working conditions; however, nothing in				and can be fined up to	206
			this part shall prohibit wage differentials based on				\$2,500, imprisoned for	
			a seniority system, a merit system, a system that				up to 11 months and 29	Tennessee Laws:
			measures earnings by quality or quantity of				days or fined and	http://tn.gov/
			production, or any other reasonable differential				imprisoned.	
			that is based on a factor other than sex.					Tennessee Department
			(b) An employer who is paying a wage differential				Tenn. Code Ann. §§ <u>40-</u>	of Labor and Workforce
			in violation of this part shall not, in order to comply				35-111, 50-2-204, 50-2-	Development:
			with this part, reduce the wage rate of any				206	http://www.tn.gov/labor-
			employee.					wfd
			(c) No employer may discharge or discriminate					
			against any employee by reason of any action					
			taken by the employee to invoke or assist in any					
			manner the enforcement of this part."					
			· ···· ·······························					
			Fair employment practices law:					
			Employers cannot discriminate in compensation					
			based on race, creed, color, religion, sex, age (40					
			and older) or national origin. Tenn. Code Ann. § 4-					
			21-40					
		1			1			

Utah	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Utah	Private employers are	Race, color, sex,	Employers cannot discriminate against otherwise	Employers can	N/A	See Fair emplo
	covered by the pay	pregnancy, childbirth,	qualified employees in compensation based on	increase employees'		practices law.
	discrimination	pregnancy-related	race, color, sex, pregnancy, childbirth,	pay based on tenure if		
	prohibitions if they have	conditions, age (40 and	pregnancy-related conditions, age (40 and older),	these increases are		
	15 or more employees	older), religion, national	religion, national origin, disability, sexual	uniformly applied and		
	in Utah for each working	origin, disability, sexual	orientation or gender identity. Employers and their	available to all		
	day in each of 20 or	orientation or gender	employees also cannot aid, incite, compel or	employees on a		
	more calendar weeks in	identity. Utah Code Ann.	coerce pay discrimination; obstruct or prevent	substantially		
	the current or preceding	<u>§ 34A-5- 102</u>	anyone from complying with the discrimination	proportional basis.		
	calendar year. Public		prohibitions or related orders; or directly or	Employers and		
	employers, employment		indirectly try to commit pay discrimination.	employees can agree		
	agencies and labor		Discriminate in compensation means paying	to pay rates or work		
	organizations also are		different wages or salaries to employees who	schedules that are		
	covered by the		have substantially equal experience,	designed to protect		
	prohibitions.		responsibilities and skills for a particular job.	employees from a loss		
	[Note: Franchisors are not considered to be		Otherwise qualified employees have job-related qualifications required by employers for a	of Social Security benefits if they are		
	employers of		particular job, job classification or position; these	eligible for these		
	franchisees or their		qualifications can include education, training,	benefits.		
	employees (as defined		ability (with or without reasonable	Utah Code Ann. § 34A-		
	by 16 C.F.R. § 436.1),		accommodation), moral character, integrity,	5-106		
	unless franchisors		disposition to work and adherence to reasonable	<u> </u>		
	exercise an unusual		rules and regulations.			
	type or degree of control		5			
	over franchisees or their		Employers can increase employees' pay based			
	employees for		on tenure if these increases are uniformly applied			
	trademark and brand		and available to all employees on a substantially			
	protection purposes		proportional basis. Employers and employees can			
	(Utah Code Ann. <u>§ 34A-</u>		agree to pay rates or work schedules that are			
	<u>5-102</u>).]		designed to protect employees from a loss of			
			Social Security benefits if they are eligible for			
	Utah Code Ann. <u>§ 34A-</u>		these benefits.			
	<u>5-102</u>		<u>Utah Code Ann. § 34A-5-106</u>			
			Statutory Language: Utah Code Ann. § 34A-5-106.			
			Discriminatory or prohibited employment practices			
			Permitted practices "(1) It is a discriminatory or			
			prohibited employment practice to take an action dependent in Subsections $(1)(a)$ through (a) (A)			
			described in Subsections (1)(a) through (g). (A) As used in this chapter, "to discriminate in matters			
			of compensation" means the payment of differing			
			wages or salaries to employees having			
			substantially equal experience, responsibilities,			
			and skill for the particular job. (B) Notwithstanding			
			Subsection (1)(a)(iii)(A): nothing in this chapter			
			prevents an increase in pay as a result of			
			longevity with the employer, if the salary increase			
			is uniformly applied and available to all			
			employees on a substantially proportional basis;			
			and nothing in this section prohibits an employer			
			and employee from agreeing to a rate of pay or			
			work schedule designed to protect the employee			
			from loss of Social Security payment or benefits if			
1			the employee is eligible for those payments."			1

ioyment See Fair employment practices law. Employers that violate the pay discrimination prohibitions also can be ordered to pay additional damages equal to back pay, unless they can show that they acted in good faith and reasonably believed they did not violate the prohibitions. Utah Code Ann. § 34A-5- 107 Utah Code Ann. §§ 34A-5-102, 34A-5-106 to 34A-5-107 Utah Code Ann. § 34A-5-107 Utah Laws: http://le.utah.gov/Docu ments/code_const.htm Utah Code Ann. § 34A-5- 107 Utah Code Ann. §§ 34A-5-102, 34A-5-106		Remedies/Damages:	Citing References
practices law. Employers that violate the pay discrimination prohibitions also can be ordered to pay additional damages equal to back pay, unless they can show that they acted in good faith and reasonably believed they did not violate the prohibitions.34A-5-102, 34A-5-106 to 34A-5-107Utah Laws: http://le.utah.gov/Docu ments/code_const.htmUtah Regulations: https://rules.utah.gov/publ ications/utah-adm- code/	oloyment		Utah Code Ann. §§
that violate the pay discrimination prohibitions also can be ordered to pay additional damages equal to back pay, unless they can show that they acted in good faith and reasonably believed they did not violate the prohibitions.to 34A-5-107Utah Laws: http://le.utah.gov/Docu ments/code_const.htmUtah Laws: http://le.utah.gov/Docu 			
discrimination prohibitions also can be ordered to pay additional damages equal to back pay, unless they can show that they acted in good faith and reasonably believed they did not violate the prohibitions.Utah Laws: http://le.utah.gov/Docu ments/code_const.htmUtah Laws: http://le.utah.gov/Docu ments/code_const.htmUtah Laws: http://le.utah.gov/Docu ments/code_const.htm		that violate the pay	
pay additional damages equal to back pay, unless they can show that they acted in good faith and reasonably believed they did not violate the prohibitions.http://le.utah.gov/Docu ments/code_const.htmUtah Regulations: https://rules.utah.gov/publ ications/utah-adm- code/		discrimination prohibitions	
pay additional damages equal to back pay, unless they can show that they acted in good faith and reasonably believed they did not violate the prohibitions.http://le.utah.gov/Docu ments/code_const.htmUtah Regulations: https://rules.utah.gov/publ ications/utah-adm- code/Utah Regulations: https://rules.utah.gov/publ ications/utah-adm- code/		also can be ordered to	Utah Laws:
equal to back pay, unless they can showments/code_const.htmthey can showUtah Regulations: https://rules.utah.gov/publ ications/utah-adm- code/that they acted in good faith and reasonably believed they did not violate the prohibitions.Utah Regulations: https://rules.utah.gov/publ ications/utah-adm- code/		pay additional damages	
they can showthat they acted in goodfaith and reasonablybelieved they did notviolate the prohibitions.Utah Code Ann. § 34A-5-		equal to back pay, unless	_
that they acted in good faith and reasonably believed they did not violate the prohibitions.Utah Regulations: https://rules.utah.gov/publ ications/utah-adm- code/Utah Code Ann. § 34A-5-34A-5-			
faith and reasonably believed they did not violate the prohibitions.https://rules.utah.gov/publ ications/utah-adm- code/Utah Code Ann. § 34A-5-		that they acted in good	Utah Regulations:
believed they did not violate the prohibitions. <u>Utah Code Ann. § 34A-5-</u>			
violate the prohibitions. <u>Utah Code Ann. § 34A-5-</u>		believed they did not	
		violate the prohibitions.	
		Utah Code Ann. § 34A-5-	

Vermont	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Vermont	Public and private	Sex	Employers cannot discriminate based on sex by	Employers can pay	Employers cannot ask	See Fair emplo
	employers (and their		paying employees of one sex at wage rates that	different wage rates	or seek information	practices law.
	agents) are covered by	Vt. Stat. Ann. tit. 21 §	are less than the wage rates paid to employees	pursuant	about applicants'	
	the pay discrimination	495	of the opposite sex for equal work that requires	to seniority or merit	current or past	
	provisions if they have		equal skill, effort, and responsibility under similar	systems, systems that	compensation from	
	one or more workers		work conditions. Employers that violate this	base earnings on	them or their current or	
	performing services in		prohibition cannot reduce any employee's wage	production quantity or	former employers. If	
	Vermont. The provisions		rate to achieve compliance. <u>Vt. Stat. Ann. tit. 21</u> ,		applicants voluntarily	
	also apply to		§ 495.	quality, or other bona	disclose this	
	employment agencies		3 100.	fide factors besides sex	information, however,	
	and labor organizations.		Statutory Language: Vt. Stat. Ann. tit. 21, § 495	if they can show that	employers can try to	
	and labor organizations.		"(7) For any employer, employment agency, labor	these factors are job-	confirm the information	
	Vt. Stat. Ann. tit. 21 §		organization, or person seeking employees to	related, are based on	or ask applicants to	
	495d		discriminate between employees on the basis of	legitimate business	confirm it after making	
	4930		sex by paying wages to employees of one sex at	considerations, and do	them an offer of	
			a rate less than the rate paid to employees of the	not perpetuate sex-	employment with	
				based compensation		
			other sex for equal work that requires equal skill, effort, and responsibility and is performed under	differentials. <u>Vt. Stat.</u>	compensation.	
				Ann. tit. 21 § 495	Employers also cannot	
			similar working conditions. An employer who is	<u>AIIII. ul. 2 I § 495</u>	require that applicants'	
			paying wages in violation of this section shall not		current or past	
			reduce the wage rate of any other employee in		compensation meet	
			order to comply with this subsection. (A) An		minimum or maximum	
			employer may pay different wage rates under this		criteria and cannot	
			subsection when the differential wages are made		determine whether to	
			pursuant to: A seniority system; A merit system; A		interview applicants	
			system in which earnings are based on quantity or		based on their current	
			quality of production; A bona fide factor other than		or past compensation.	
			sex. An employer asserting that differential wages		Compensation	
			are paid pursuant to this subdivision shall		includes wages,	
			demonstrate that the factor does not perpetuate a		salary, bonuses,	
			sex-based differential in compensation, is job-		benefits, fringe	
			related with respect to the position in question,		benefits, and equity-	
			and is based upon a legitimate business		based compensation.	
			consideration.			
			(B)(i) No employer may do any of the following:		Employers can ask	
			Require, as a condition of employment, that an		about applicants'	
			employee refrain from disclosing the amount of		salary expectations or	
			his or her wages or from inquiring about or		requirements and can	
			discussing the wages of other employees;		provide information	
			Require an employee to sign a waiver or other		about the wages,	
			document that purports to deny the employee the		benefits,	
			right to disclose the amount of his or her wages		compensation, or	
			or to inquire about or discuss the wages of other		salary offered for a	
			employees.		position.	
			(ii) Unless otherwise required by law, an employer		Vt. Stat. Ann. tit. 21 §	
			may prohibit a human resources manager from		495m	
			disclosing the wages of other employees.		<u>100111</u>	
			(8) Retaliation prohibited. An employer,			
			employment agency, or labor organization shall			
			not discharge or in any other manner			
			discriminate against any employee because the			
			employee: has opposed any act or practice that			
			is prohibited under this chapter; has lodged a			
			complaint or has testified, assisted, or			
			participated in any manner with the Attorney			
			General, a State's Attorney, the Department of			
			Labor, or the Human Rights Commission in an			
			investigation of prohibited acts or practices; is			
			known by the employer to be about to lodge a			

	Remedies/Damages:	Citing References
ployment	See Fair employment	Vt. Stat. Ann. tit. 21,
v.	practices law.	
	Employers that violate	§§ 495, 495b, 495d,
	the pay discrimination	105 11 1
	prohibitions or the	495m Vermont
	wage disclosure provisions also can be	Laws:
	ordered to pay affected	Laws.
	employees the amount	http://vermont.gov/
	of any wages owed	
	plus an equal amount	
	as liquidated damages.	
	V/t Stat App tit 21.8	
	<u>Vt. Stat. Ann. tit. 21 §</u> 495b	

Vermont	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			complaint, testify, assist, or participate in any manner in an investigation of prohibited acts or practices; has disclosed his or her wages or has inquired about or discussed the wages of other employees; or is believed by the employer to have acted as described in subdivisions (A) through (D) of this subdivision."					

Virginia Public and private employers are covered by the Equal pay law. Employers subject to the federal Fair Labor Standards Act are exempt from the law. New Law: race, color, religion, national origin, or sex. Fair employment practices law (Effective July 1, 2020) It is unlawful for an employer to discriminate in sexual orientation, gender identity, martial status, sexual orientation, gender identity, martial status, sexual orientation, gender identity, martial status, related medical conditions Employers can apply different compensation bota fide seniority or different conductor, to employees who work in different locations if these differences aren't the result of an intention to discriminate based on a protected Employers can apply and the year or or any other employee's wages, or when they file a complaint with the Dol Lalleging a violation of this law. N/A Va. Code Ann. \$40.1: 28.6 Va. Code Ann. \$40.1: 28.6 Va. Code Ann. \$40.1: 28.6 Va. Code Ann. \$40.1: 28.6 Va. Code Ann. \$\$2.2:3904 to 2:2:3905 (2020 Va. Laws 1140 (S B. 868)) Employers can apply different conduction, or to employees who work in different locations if these differences aren't the result of an intention to discriminate based on a protected class. The law does not apply to 'employees who the result of an information about any other employee class. The law does not apply to 'employees or applicants as part of their essential job functions who disclose the pay of other employees or applicants to information about any other employee any information about any other employee and information about any other employee any information about any other employee's or appli
Image: state in the implexity of the implex

Washington	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Washington	Public and private	Equal pay law: Gender	Equal pay law:	Equal pay law:	Equal pay law:	Employers c
-	employers in		Employers cannot discriminate based on gender in	Employers can pay	Employers cannot seek	discharge or
	Washington are covered	Fair employment	providing compensation to employees who are	compensation	the wage or salary	otherwise dis
	by the Equal pay law if	practices law:	similarly employed. Wash. Rev. Code § 49.58.010	differentials and permit	history of any job	against emp
	they engage in any	Protected classes are	(2018) ("(1) Any employer in this state who	career advancement	applicant, from the	because the
	business, industry,	actual or perceived age	discriminates in any way in providing compensation	differentials based in	applicant or his or her	file complain
	profession, or activity in	(40 to 70), sex, marital	based on gender between similarly employed	good faith on bona fide	current or former	initiate or trig
	the state and have one	status, sexual	employees of the employer is guilty of a	job-related factors that	employer, or require	proceedings
	or more employees. The	orientation, race, creed,	misdemeanor. If any employee receives less	are consistent with	that an applicant's prior	Equal pay la
	law's provisions on	color, national origin,	compensation because of discrimination on account	business necessity, are	wage or salary history	testify or are
	salary expectations only	and, effective June 11,	of gender in violation of this section, that employee is	not based on or derived	meet certain criteria.	testify in suc
	apply to employers with	2020, citizenship or	entitled to the remedies in RCW <u>49.58.060</u> ,	from gender-based	However, they can	proceedings
	fifteen or more	immigration status;	49.58.060, and <u>49.58.070.</u> In such action, however,	differentials, and	confirm an applicant's	exercise any
	employees.	honorably discharged	the employer shall be credited with any			under the lav
		veteran or military	compensation which has been paid to the employee	together account for the	wage or salary history	
	Wash. Rev. Code §§	status; the presence of	upon account.").	entire differential. Bona	if:	of themselve
	<u>49.58.010 to 49.58.020,</u>	sensory, mental, or		fide job-related factors	the applicant has	people.
	<u>49.58.110</u>	physical disabilities; and	Employers also cannot discriminate based on gender	include:	voluntarily disclosed his	
		the use of trained dog	by limiting employees' career advancement	education, training, or	or her wage or salary	Wash. Rev.
		guides or service	opportunities or depriving them of such opportunities	experience;	history; or	<u>49.58.050</u>
		animals by people with disabilities. Sexual	that would otherwise be available. Wash. Rev. Code	seniority or merit	the employer has	
		orientation includes	§ 49.58.030 (2018) ("(2) An employer may not, on the basis of gender, limit or deprive an employee of	systems;	already negotiated and	
		gender expression or	career advancement opportunities that would	systems that measure	made an employment	
		identity.	otherwise be available. (3) A differential in career	earnings by production	offer with	
		National origin includes	advancement based on a bona fide job-related factor	quantity or quality; or	compensation to the	
		ancestry. Employers	or factors that meet the criteria in RCW	bona fide regional	applicant.	
		also cannot discriminate	49.58.020(3)(a) (i) through (iii) does not constitute	differences in		
		in compensation based	discrimination within the meaning of this section.	compensation levels.	Salary expectations:	
		on the results of an HIV	Such bona fide factors include, but are not limited to,	Wash. Rev. Code Ann. §	Employers with fifteen	
		or hepatitis C test,	the factors specified in RCW 49.58.020(3)(b) (i)	<u>49.58.020 (West)</u>	or more employees	
		unless the absence of	through (iv).").		must provide an	
		HIV or hepatitis C	5 ())	Employers also can	applicant the minimum	
		infection is a BFOQ.	Compensation is discretionary and nondiscretionary	pay compensation	wage or salary for the	
			wages and benefits provided by employers. Wash.	differentials based in	position sought, upon	
			Rev. Code §	good faith on local	the applicant's request,	
			49.58.010 (2018).	ordinances that provide	after initially offering	
				a different minimum	that position to him or	
			Employees are similarly employed if they work for the	wage than state law.	her. Employers with	
			same employer and their jobs require similar skill,	Employers have the	fifteen or more	
			effort, and responsibility under similar work	burden of proving those	employees also must	
			conditions; job titles alone do not determine whether	defenses.	provide an employee	
			employees are similarly employed. Wash. Rev. Code	Wash. Rev. Code §§	the wage scale or	
			§ <u>49.58.010 (2018)</u> ("(2) For purposes of this section,		salary range for any	
			employees are similarly employed if the individuals	49.58.010 to 49.58.030		
			work for the same employer, the performance of the		internal transfer to a	
			job requires similar skill, effort, and responsibility, and		new position or	
			the jobs are performed under similar working		promotion sought by	
			conditions. Job titles alone are not determinative of		the employee, upon the	
			whether employees are similarly employed.").		employee's request. If	
					no wage scale or salary	
			Fair employment practices law:		range exists, the	
			Employers cannot discriminate in compensation		employer must provide	
			based on protected classes under the Fair		its minimum wage or	
			employment practices law. Protected classes are		salary expectation	
			actual or perceived age (40 to 70), sex, marital		before posting the	
			status, sexual orientation, race, creed, color, national		position, making the	
			origin, and, effective June 11, 2020, citizenship or		,	
			immigration status; honorably discharged veteran or			

on rs cannot

e or retaliate or e discriminate imployees they: laints; trigger ngs under the y law; are about to such ngs; or any rights e law on behalf elves or other

ev. Code §

Remedies/Damages:

The Washington State Department of Labor and Industries can order employers that violate the law to: pay actual damages; pay statutory damages equal to the amount of actual damages or \$5,000, whichever is greater; pay interest of 1 percent per month on all compensation owed; pay the department's investigation and enforcement costs; pay fines of up to \$500 for a first violation and up to \$1,000 or 10 percent of damages, whichever is greater, for each subsequent violation; and comply with other remedies.

Wages and interest owed are calculated for the four years preceding the last violation before the related complaint was filed. Wages and interest owed for violations of the salary history provisions must be calculated from the first date that wages were owed to the employee. If wages are owed because of unlawful compensation discrimination based on gender, employers are credited for any compensation they paid to affected employees. For the purpose of determining fines for violations of the law's pay discrimination prohibitions and retaliation prohibition,

Citing References

Coverage: Equal pay law: <u>Wash. Rev. Code</u> <u>§§ 49.58.010 to</u> <u>49.58.020, 49.58.110</u>

Fair employment practices law: Wash. Rev. Code §§ <u>49.60.040,</u> <u>49.60.180 to 49.60.200;</u> Wash. Admin. Code §§ 162-16-200, 162-16-220

Pay Discrimination Pro<u>hibitions: Equal pay</u> <u>law: Wash. Rev. Code</u> <u>§§ 49.58.010 to</u> <u>49.58.030</u> Fair employment practices law: <u>Wash.</u> <u>Rev. Code §§</u> <u>49.60.040, 49.60.172 to</u> <u>49.60.174, 49.60.180</u> (2020 Wash. Laws 52 (SB 5165)), <u>49.60.220</u>

Wage Disclosure: Equal pay law: Wash. Rev. Code § 49.58.040

Salary History: Equal pay law: <u>Wash.</u> <u>Rev. Code §</u> <u>49.58.020;</u> <u>49.58.100 to 49.58.11</u>0

Retaliation Prohibition: Equal pay law: <u>Wash.</u> <u>Rev. Code § 49.58.050</u>

Penalties/Remedies: Equal pay law: Wash. <u>Rev. Code §§</u> <u>49.58.010 to 49.58.030,</u> <u>49.58.060 to 49.58.070,</u> <u>49.58.100 t</u>o 49.58.110

Washington Laws: http://apps.leg.wa.gov/r cw/

Washington	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			military status; the presence of sensory, mental, or		transfer, or making the	
			physical disabilities; and the use of trained dog		promotion.	
			guides or service animals by people with disabilities.			
			Sexual orientation includes gender expression or		Employers cannot use	
			identity. National origin includes ancestry. Employers		employees' previous	
			also cannot discriminate in compensation based on		wage or salary history	
			the results of an HIV or hepatitis C test, unless the		as a defense against	
			absence of HIV or hepatitis C infection is a BFOQ. Wash. Rev. Code <u>§§</u> 49.60.040, 49.60.180 to		alleged violations of the	
			49.60.200; Wash. Admin. Code <u>§§</u> 162-16- 200, 162-		Equal pay law's pay	
			<u>16-220.</u>		discrimination	
					prohibitions (excluding	
			Employers and their managers, employees, or		the provisions on	
			agents cannot aid, abet, encourage, or incite anyone		career advancement	
			to commit unlawful discriminatory practices. They		opportunities).	
			also cannot try to obstruct or prevent anyone from			
			complying with the law or orders issued under the		Wash. Rev. Code §§	
			law.		<u>49.58.020, 49.58.100 to</u>	
			Wash. Rev. Code §§ 49.60.040, 49.60.172 to		<u>49.58.110</u>	
			49.60.174, 49.60.180 (2020 Wash. Laws 52 (SB			
			5165)), <u>49.60.220</u>			

Remedies/Damages:	Citing References
each violation affecting	Washington
an employee is	Regulations:
considered a separate	http://apps.leg.wa.gov/w
violation.	ac/
Employees alleging	
violations of the	Washington State
	Washington State
provisions on career advancement	Department of Labor
	and Industries: https://
opportunities are entitled to these	//www.lni.wa.gov/
remedies only if the	
,	
department finds that	
employers committed a	
pattern of violations	
against employees or committed violations	
through the application	
of formal or informal	
employer policies or	
practices. (Those	
provisions are part of	
the law's pay discrimination	
prohibitions.)	
Employee lawsuits: Employers that are	
sued by employees can	
be ordered to:	
stop violations;	
pay actual damages;	
pay statutory damages	
equal to the amount of	
actual damages or	
\$5,000, whichever is	
greater;	
pay interest of 1	
percent per month on	
all compensation owed;	
reinstate employees;	
and	
pay reasonable	
attorneys' fees and	
costs.	
Wages and interest	
owed are calculated for	
the four years	
preceding the last	
violation before the	
related complaint was	
filed. Wages and	
interest owed for	
violations of the salary	
history provisions must	
be calculated from the	

Washington	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
L	1	1	1	1	1	

Remedies/Damages:	Citing References
first date that wages	
were owed to the	
employee. If wages are	
owed because of	
unlawful compensation	
discrimination based on	
gender, employers are	
credited for any	
compensation they	
paid to affected	
employees.	
Employees alleging	
violations of the	
provisions on career	
advancement	
opportunities are	
entitled to these	
remedies only if courts	
find that employers	
committed a pattern of	
violations against	
employees or	
committed violations	
through the application	
of formal or informal	
employer policies or	
practices. (Those	
provisions are part of	
the law's pay discrimination	
prohibitions.)	
Employers that	
discriminate based on	
gender in providing	
compensation to	
employees who are	
similarly employed are	
guilty of a	
misdemeanor.	
Wash. Rev. Code §§	
49.58.010 to 49.58.030,	
<u>49.58.060 to</u>	
49.58.070, 49.58.100 to	
<u>49.58.110</u>	

West Virginia	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
West Virginia	Public and private	Sex	Equal pay law:	Equal pay law:	N/A	Employers cannot	Employers that violate	Coverage: Equal pay
	employers with one or	W. Va. Code Ann. § 21-	Employers cannot discriminate based on sex in	Employers can pay		discriminate in the	the Equal pay law are	law: <u>W. Va. Code § 21-</u>
	more employees are	<u>5B-3</u>	the payment of wages for work of comparable	different wages:		payment of wages	guilty of a misdemeanor and can be fined \$25 to	<u>5B-1</u>
	covered by West		character that requires comparable skills. They	based on seniority or		against employees		Fair ampleument
	Virginia Equal pay law.		also cannot pay employees of one sex wage rates	merit increase systems that do not discriminate		because they file	\$100. Employers that are sued also can be	Fair employment practices law: <u>W. Va.</u>
	Employees do not include independent		that are lower than the wage rates paid to employees of the opposite sex for work of	based on sex; or		complaints or testify, or		<u>Code § 5-11-3; W. Va.</u>
	contractors or workers		comparable character that requires comparable	when such differences		because employers believe they will testify,	ordered to pay unpaid wages owed to	Code St. R. §§ 77-7-1
	whose employment		skills. Wages are all compensation for	are based in good faith		in any proceedings	employees for the one-	to <u>77-7-2</u>
	contract is entered into		employment, including compensation paid in cash	on factors other than		related to violations of	year period preceding	10 11-1-2
	out-of-state. The law		or otherwise. Rates include compensation based	sex.		the Equal pay law.	the filing of this lawsuit,	Pay Discrimination
	does not apply to		on time spent in the performance of duties, the	W. Va. Code Ann. § 21-		W. Va. Code § 21-5B-3	an equal amount in	Prohibitions: Equal pay
	employers that are		number of operations accomplished or the	<u>5B-</u> 3		<u>w. va. code § 21-56-5</u>	liquidated damages	law: W. Va. Code §§
	covered by any federal		quantity of work produced or handled. W. Va.	<u>50-</u> 5			and reasonable	21-5B-1, 21-5B-3
	law requiring equal		Code Ann. § 21-5B-3	Fair employment			attorneys' fees.	21-30-1, 21-30-3
	wages for equal work		<u>Code Ann. 921-00-5</u>	practices law:			allottieys tees.	Fair employment
	regardless of		Employers violate the Equal pay law cannot	Employers can comply			W. Va. Code <u>§§ 21-5B-</u>	practices law: <u>W. Va.</u>
	employees' sex.		reduce employees' wage rates to comply with the	with the terms of bona			4 to 21-5B-5	Code §§ 5-11-3, 5-11-9
	employees sex.		prohibitions. <u>W. Va. Code §§ 21-5B-1, 21-5B-3</u>	fide pension,			41021-00-0	<u>Code 33 5-11-3; 5-11-5</u>
	W. Va. Code § 21-5B-1		prohibitions. <u>w. va. code 88 21-30-1, 21-30-3</u>	retirement, employee				
	<u>W. Va. Code § 21-5D-1</u>		Statutory Language: W. Va. Code Ann. § 21-5B-3.	insurance or benefit				Retaliation Prohibition:
			Discrimination between sexes in payment of wages	plans that are not				Equal pay law: W. Va.
			for work of comparable character prohibited	created to evade these				Code § <u>21-5B-3</u>
			"(1) No employer shall: (a) In any manner	pay discrimination				
			discriminate between the sexes in the payment of	prohibitions.				Penalties/Remedies:
			wages for work of comparable character, the	W. Va. Code §§ 5-11-3,				Equal pay law: <u>W. Va.</u>
			performance of which requires comparable skills;	5-11-9				Code §§ 21-5B-4 to 21-
			(b) pay wages to any employee at a rate less than					<u>5B-5</u>
			that at which he pays wages to his employees of					Mast Minsisis Laws
			the opposite sex for work of comparable					West Virginia Laws:
			character, the performance of which requires					http://www.wvlegislature.
			comparable skills.					gov/WVCODE/Code.cfm
			Subsection (1) of this section does not apply					West Virginia
			where: (a) Payment is made pursuant to a					Department of
			seniority or merit system which does not					Commerce, Division of
			discriminate on the basis of sex, (b) a differential					Labor: http:
			in wages between employees is based in good					//www.wvlabor.com
			faith on factors other than sex. No employee shall					//www.wviabor.com
			be reduced in wages in order to eliminate an					
			existing, past or future wage discrimination or to					
			effectuate wage equalization.					
			No employer shall in any manner discriminate in					
			the payment of wages against any employee					
			because the employee has filed a complaint in a					
			proceeding under this article, or has testified, or is					
			about to testify, or because the employer believes					
			that the employee may testify, in any investigation					
			or proceedings pursuant to this article or in a					
			criminal action pursuant to this article."					
			Fair employment practices law:					
			Employers cannot discriminate against employees					
			in compensation, privileges and other terms of					
			employment if they are able and competent to					
			perform required duties. Employers can comply					

West Virginia	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			with the terms of bona fide pension, retirement, employee insurance or benefit plans that are not created to evade these pay discrimination prohibitions. W, Va, Code §§ 5-11-3, 5-11-9					

Wisconsin	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Wisconsin	Public and private	Age (40 and older),	Employers cannot discriminate in compensation	Sex is a BFOQ if all	N/A	See Fair employment	See Fair employment	Coverage: Fair
	employers with one or	race, creed, color,	based on age (40 and older), race, creed, color,	members of one sex		practices law.	practices law.	employment practices
	more employees,	disability, marital	disability, marital status, sex, national origin,	are physically				law: <u>Wis. Stat. §§</u>
	employment agencies,	status, sex, national	ancestry, arrest or conviction records, military	incapable of performing				<u>111.32, 111.321</u>
	labor organizations,	origin, ancestry, arrest	service, the use or nonuse of lawful products off	a job's essential duties				
	and licensing agencies	or conviction records,	employer premises during nonwork hours, or	or if employers'				Pay Discrimination
	are covered by the pay	military service, the use	declining to attend meetings or participate in	essential business				Prohibitions: Wis. Stat.
	discrimination	or nonuse of lawful	communications about religious or political	operations would be				<u>§§ 111.32, 111.321 to</u>
	prohibitions. Employees	products off employer	matters.	undermined by				<u>111.322, 111.33,</u>
	do not include certain	premises during		employing members of				<u>111.34, 111.35 to</u>
	real estate licensees	nonwork hours, or	Sex discrimination includes discriminating:	both sexes.				<u>111.365</u>
	(as provided in Wis.	declining to attend	based on sex in compensation for equal or					
	Stat. § 452.38) and	meetings or participate	substantially similar work, unless sex is a bona	Employers can				Salary History: Wis.
	anyone employed by a	in communications	fide occupational qualification (BFOQ);	discriminate in				<u>Stat. § 103.36</u>
	parent, spouse, or child.	about religious or	against female employees in compensation based	compensation based				Wisconsin Laws:
	[Note: Franchisors are	political matters. <u>Wis.</u> Stat. Ann. <u>§ 111.321</u>	on pregnancy, childbirth, maternity leave or related medical conditions; and	on disability if employees' disabilities				https://docs.legis.wiscon
	not considered to be	<u>Stat. Ann. § 111.321</u>	in compensation based on sexual orientation.	are reasonably related				sin.gov/statutes/preface
	employers of		in compensation based on sexual orientation.	to their ability to				s/toc
	franchisees or their		Sex is a BFOQ if all members of one sex are	adequately perform				<u>s/toc</u>
	employees (as defined		physically incapable of performing a job's	their job-related				Wisconsin Regulations:
	by 16 C.F.R. § 436.1),		essential duties or if employers' essential	responsibilities. In				http://legis.wisconsin.go
	unless franchisors		business operations would be undermined by	making this				v/rsb/code.htm
	agreed to this		employing members of both sexes.	determination,				<u></u>
	arrangement in writing			employers can consider				Wisconsin Department
	or exercised an		Employers can discriminate in compensation	the safety of				of Workforce
	unusual type or degree		based on disability if employees' disabilities are	employees, their co-				Development:
	of control over		reasonably related to their ability to adequately	workers, and the				https://dwd.
	franchisees or their		perform their job-related responsibilities. In	public. The				wisconsin.gov/
	employees for		making this determination, employers can	determination must be				_
	trademark and brand		consider the safety of employees, their co-	made on an individual				
	protection purposes		workers, and the public. The determination must	case-by case basis, not				
	(Wis. Stat. §		be made on an individual case-by case basis, not	by a general rule that				
	111.3205).]		by a general rule that prohibits the employment of	prohibits the				
			all people or a particular class of people with	employment of all				
	Wis. Stat. §§ 111.32,		disabilities.	people or a particular				
	<u>111.32</u> 1			class of people with				
			Employers can discriminate in compensation	disabilities.				
			based on employees' use or nonuse of lawful					
			products off employer premises during nonwork	Employers can				
			hours if such use or nonuse: impairs their ability to adequately perform their	discriminate in compensation based				
			job-related responsibilities;	on employees' use or				
			creates a conflict of interest, or the appearance of	nonuse of lawful				
			a conflict of interest, with their job-related	products off employer				
			responsibilities;	premises during				
			conflicts with a BFOQ that is reasonably related to	nonwork hours if such				
			their job-related responsibilities;	use or nonuse:				
			constitutes a violation of <u>Wis. Stat. § 254.92(2);</u>	impairs their ability to				
			conflicts with any federal or state law, regulation,	adequately perform				
			or rule.	their job-related				
				responsibilities;				
			Employers can discriminate against employees in	creates a conflict of				
			compensation if:	interest, or the				
				appearance of a				

Wisconsin	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
			they decline to attend meetings or participate in	conflict of interest, with		
			communications about religious or political	their job-related		
			matters;	responsibilities;		
			the primary purpose of these meetings or	conflicts with a BFOQ		
			communications is to provide information about	that is reasonably		
			religious or political matters that employers are	related to their job-		
			legally required to provide; and	related responsibilities;		
			employers do not provide any information about	constitutes a violation		
			religious or political matters beyond what is legally	of <u>Wis. Stat. §</u>		
			required.	<u>254.92(2);</u>		
				conflicts with any		
			Wis. Stat. §§ 111.32, 111.321 to 111.322, 111.33,	federal or state law,		
			<u>111.34, 111.35 to 111.365</u>	regulation, or rule.		
			111.34, 111.33 to 111.305	regulation, or rule.		
				Employers can		
				discriminate against		
				employees in		
				compensation if:		
				they decline to attend		
				meetings or participate		
				in communications		
				about religious or		
				political matters;		
				the primary purpose of		
				these meetings or		
				communications is to		
				provide information		
				about religious or		
				political matters that		
				employers are legally		
				required to provide;		
				and		
				employers do not		
				provide any information		
				about religious or		
				political matters beyond		
				what is legally required.		
				what is legally required.		
				Wis. Stat. §§ 111.32,		
				<u>111.321 to 111.322,</u>		
				<u>111.33, 111.34, 111.35</u>		
				to 111.365		
				10 111.303		

Remedies/Damages:	Citing References

Wyoming	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation
Wyoming	Public and private	Equal pay law: sex	Equal pay law:	Employers can pay	N/A	Employers car
	employers and their	Wyo. Stat. Ann. § 27-4-	Employers cannot pay employees of one sex at	wage differentials		discharge or of
	agents are covered by	<u>302</u>	wage rates that are lower than the wage rates	pursuant to seniority or		discriminate ag
	the Equal pay law.		paid to employees of the opposite sex for equal	merit systems, systems		employees be
		Fair employment	work that requires equal skill, effort, and	that measure earnings		they make con
	<u>Wyo. Stat. §§ 27-4-301</u>	practices law: age (40	responsibility under similar working conditions in	by production quantity		to employers,
	to 27-4-302	or over), sex, race,	the same establishment. Wyo. Stat. Ann. § 27-4-	or quality, or any factor		Wyoming Dep
		creed, color, national	302	other than sex. Wyo.		of Workforce S
		origin, ancestry,		<u>Stat. § 27-4-302</u>		or other perso
		pregnancy, or disability.	Statutory Language: <u>Wyo. Stat. Ann. § 27-4-302</u> .			concerning the
		<u>Wyo. Stat. § 27-9-105</u>	Prohibition on paying employees less for same work			pay law; initiat
			"(a) No employer shall discriminate, within the same establishment in which the employees are			cause initiation proceedings re
			employed, between employees on the basis of			the law; or tes
			gender by paying wages to employees at a rate			testify in proce
			less than the rate at which the employee pays			related to the I
			wages to employees of the opposite gender for			
			equal work on jobs the performance of which			Wyo. Stat. §§
			requires equal skill, effort and responsibility and			27-4-304
			which are performed under similar working			
			conditions, except where the payment is made			
			pursuant to:			
			A seniority system;			
			A merit system;			
			A system which measures earning by quantity or			
			quality of production; or			
			A differential based on any other factor other than			
			gender."			
			Fair ampleument practices leur Empleuers connet			
			Fair employment practices law: Employers cannot			
			discriminate in compensation based on age (40 and older), sex, race, creed, color, national origin,			
			ancestry, pregnancy, or disability. Employers also			
			cannot reduce the wages of any employees to			
			comply with these prohibitions. Wyo. Stat. § 27-9-			
			<u>105</u>			
L		1		I	1	

annot otherwise against ecause omplaints , the partment Services, ons he Equal ate or on of related to stify or will ceedings law.

§ 27-4-301,

Remedies/Damages: Employers that are convicted of willfully violating the Equal pay law, including the related retaliation prohibition, will be fined \$25 to \$200 (effective July 1, 2019, up to \$500), imprisoned for 10 to 180 days (effective July 1, 2019, up to six months), or both. Each day of a continuing violation is a separate offense. Employers that violate the law also can be ordered by the Wyoming Department of Workforce Services to pay the amount of wages due plus an equal amount in liquidated damages. Employers that are sued by employees can

sued by employees can be ordered to pay the amount of unpaid wages plus an equal amount in liquidated damages.

Wyo. Stat. <u>§§ 27-4-303</u> to 27-4-304 (2019 Wyo. Sess. Laws 20 (H.B. 71)

Citing References

Coverage: Equal pay law: <u>Wyo. Stat. §§ 27-</u> <u>4-301 to 27-4-302</u>

Fair employment practices law: <u>Wyo.</u> <u>Stat. § 27-9-102; 053-</u> <u>0024 Wyo. Code R. §</u> <u>3-2</u>

Pay Discrimination Prohibitions: Equal pay law: <u>Wyo. Stat. § 27-4-</u> <u>302</u>

Fair employment practices law: <u>Wyo.</u> <u>Stat. § 27-9-105</u>

Retaliation Prohibition: Equal pay law: Wyo. Stat. <u>§§ 27-4-301, 27-</u> <u>4-304</u>

Penalties/Remedies: Equal pay law: <u>Wyo.</u> <u>Stat. §§ 27-4-303 to 27-</u> <u>4-304 (2019 Wyo.</u> <u>Sess. Laws</u> 20 (H.B. 71)

Wyoming Laws: http://legisweb.state.wy .us/LSOWeb/StatutesD ownload.aspx

Wyoming Regulations: http://soswy.state.wy.us /AdminServices/Rules Overview.aspx

Wyoming Department of Workforce Services: http://www. wyomingworkforce.org/