Alabama	Hawaii	Massachusetts	New Mexico	South Dakota
Alaska	ldaho	Michigan	New York	Tennessee
Arizona	Illinois	Minnesota	North Carolina	Texas
Arkansas	Indiana	Mississippi	North Dakota	Utah
California	lowa	Missouri	Ohio	Vermont
Colorado	Kansas	Montana	Oklahoma	Virginia
Connecticut	Kentucky	Nebraska	Oregon	Washington
Delaware	Louisiana	Nevada	Pennsylvania	West Virginia
Florida	Maine Maryland	New Hampshire	Rhode Island	Wisconsin
Georgia	Maryland	New Jersey	South Carolina	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
, vapama	employers are covered	JOA, INGO	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.		7.60 (GIICOUVO 7.44g. 1, 2010).	employees of one sex	, ag. 1, 2019).	applicants or	liable to the affected	Laws 519 (H.B. 225)
	by the Equal pay law.	Other protections:	Employers cannot pay wage rates to employees of	or race that are lower	Applicants or	employees because	employee for the	Laws 319 (11.B. 223)
	2019 Ala. Laws 519	Age discrimination 29			• •	they refuse to provide	amount of wages that	Alabama Laws:
		C.F.R.	one sex or race that are lower than wage rates	than wage rates paid to	employees may choose		_	
	(H.B. 225)		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	0040 Als. Laura 540	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	SLoginie.asp
		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			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)			
			Statutony Language (2010 Ale Lawa F10)					
			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."					
			Way An applaced includes the state of the st					
			"(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:					
		X	A seniority system.					
		C	A merit system.					
		0,3	A system that measures earnings by quantity or 24					
		.0.	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 applicant for employment, or					
			retaliate against an applicant for employment					
			because the applicant does not provide wage			N.		
			history. Wage history means the wages paid to an			OV		
			applicant for employment by the applicant's			C L		
			current or former employer.					

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	Employer belefises Employers can defend	N/A See Fair employment	See Fair employment	Coverage: Alaska Stat.
Alusku	practices law.	religion, color, or	compensation based on race, religion, color, or	against complaints of	practices law.	practices law.	§§ 18.80.220, 18.80.300
	practices law.	national origin (which	national origin, which includes ancestry. It's also	such discrimination by	practices law.	practices law.	Alaska Admin. Code tit.
		includes ancestry), age,	unlawful for an employer to discriminate in	establishing that:	$\cap$		6, § 30.985
		physical or mental	compensation based on age, physical or mental	the distinction is			0, 9 30.903
		disability, sex, marital	disability, sex, marital status, marital status	necessary for safe and	70.		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;	. (2)		Stat. §§ 18.80.220,
		parenthood.	necessity or a position's reasonable demands.	the business purpose is			18.80.260
		parentilood.	Thecessity of a position's reasonable demands.	sufficiently compelling	$\Omega \lambda$		Alaska Admin. Code tit.
		In the payment of	Employers cannot discriminate based on sex in the	to override any			
			payment of wages. They also cannot pay female	disproportionate impact			6, § 30.910
		wages: sex	employees in Alaska at a salary or wage rate that	on employees and			Alaska Laws:
				l	, 0		http://www.legis.state.a
			is less than the salary or wage rate paid to male employees for comparable work or for work in the	applicants in protected			k.us/basis/folio.asp
			same operation, business, or line of work at the	classes; the challenged			Alaska Regulations:
			same locality. [Note: The Alaska Supreme Court has	business practice	<b>*</b>		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;			.us/basis/aac.asp
			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			
			F.20 436 (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			
			-	impact.			
			Statutory Language (Alaska Stat. § 18.80.220.	impact.			
			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"				
			F. J.				
			Statutes:				
			Alaska Stat. § 18.80.220				
			Alaska Admin. Code tit. 6, § 30.910				
			7				
				<u> </u>			

Arizona	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Arizona	Public and private	Equal pay law:	Equal pay law:	Employers can vary	N/A	See Fair employment	Employers that violate	Coverage: Equal pay
	employers (and their	Sex	Employers cannot pay employees of one sex at	wage rates for male		practices law.	the Equal pay law can	law: Ariz. Rev. Stat. §
	agents) that employ		wage rates that are less than the wage rates paid	and female employees			be ordered to pay	<u>23-340</u>
	men and women are	Fair employment	to employees of the opposite sex for the same	in the same work			employees the amount	Fair employment
	covered by the Equal	practices law:	quality and quantity of the same classification of	classification if these		OV	of wages owed, for up	practices law: Ariz. Rev.
	pay law.	Race, color, religion,	work in the same establishment. Wage means	variations are made in		CV	to 30 days before	Stat. §§ 41-1461 to 41-
		sex, age (40 and older),	any compensation for work measured by time,	good faith and based			employers received	<u>1463</u>
	Ariz. Rev. Stat. § 23-	national origin, or	piece, or another basis.	on differences in:	\		written notice of	
	<u>340</u>	disability.	Ariz. Rev. Stat. §§ 23-340 to 23-341	seniority or length of	. (6)		employees' claim, plus	Pay Discrimination
			Obstate and a second of the control	service;			litigation costs.	Prohibitions: Equal pay
			Statutory Language. 23-341. Equal wage rates;	ability or skill;	$\Omega \lambda$		Aria Day Ctat SS 00	law: Ariz. Rev. Stat.
			variations; penalties; enforcement	duties or services that			Ariz. Rev. Stat. §§ 23-	§§ 23-340 to 23-341
			"A. Notwithstanding the other provisions of this	are regularly or occasionally performed;			340 to 23-341	Fair employment
			chapter, no employer shall pay any person in his employ at wage rates less than the rates paid to	the shift or time of day				practices law: Ariz. Rev. Stat. § 41-1463
			employees of the opposite sex in the same	worked or hours of	, 0			Stat. § 41-1403
			establishment for the same quantity and quality of	work;				Penalties/Remedies:
			the same classification of work, provided, that	restrictions or				Equal pay law: Ariz.
			nothing herein shall prohibit a variation of rates of	prohibitions on lifting or	0			Rev. Stat. §§ 23-340 to
			pay for male and female employees engaged in	moving objects in				23-341
			the same classification of work based upon a	excess of a specified				
			difference in seniority, length of service, ability,	weight; or				Arizona Laws:
			skill, difference in duties or services performed,	other reasonable				http://www.azleg.state.a
			whether regularly or occasionally, difference in	factors other than sex.				z.us/ArizonaRevisedSt
			the shift or time of day worked, hours of work, or					atutes.aspc
			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				
				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,	measure earnings by				
			factor or factors."	production quantity or				
			Fair employment practices law:	quality or to employees 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				
			order, matterial origin, or alloading.	discriminate based on				
				race, color, religion,				
				sex, or national origin.				
			· Sheo.	Employers also can				
			. 0	differentiate wages or				
				compensation based				
		4	7,	on sex or disability if				
		X	~	these differences are				
		6		authorized by the				
		2		federal Fair Labor				
				Standards Act (29				
				<u>U.S.C. §§ 206(d)</u> , 214).				
				Ariz. Rev. Stat. § 41-				
				<u>1463</u>				

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	1/0	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. § 11-4-
			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.	O'	initiate or trigger		Penalties/Remedies:
						proceedings related to		Equal pay: <u>Ark. Code</u>
			"(b) An employer who violates or fails to comply with		3	the provisions; or		Ann. § 11-4-601
			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	~	O'	testify in those		http://www.state.ar.us/
			violation or failure to comply continues shall be a	•:0)		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	J. C				
			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 §§ 11-4-607 11-4-612 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."					
					<u> </u>	·	<u> </u>	·

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:	<u>12926.2, 12928,</u> 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.
	<u>12571.</u>	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	Hatilles 4 0040 seeds and advantages	quality; or any bona fide	salary to offer them.	they engage in	damages; and Costs. If	Day Dia animain atian
	Dublic and private	information, marital	Until Jan. 1, 2019, employees' prior salary cannot,	factor other than sex,	Aughanta augusaula	protected conduct	employers willfully	Pay Discrimination
	Public and private	status, sex, gender,	by itself, justify any compensation disparity.	race, or ethnicity, such as education, training,	Applicants are people	under the law.	violate the law, the	Prohibitions: Equal pay law: Cal. Lab. Code
	employers are covered by the wage payment	gender identity, gender	Employees' prior salary cannot justify any	or experience.	seeking employment	Cal. Lab. Code §	division also can seek court orders to stop	§ 1197.5
		expression, age (40 and older), sexual	compensation disparity; however, employers can make compensation decisions based on current		with an employer that they are not employed	1197.5	violations. Employers	Fair employment
	law. Cal. Lab. Code §§ 232	orientation, or military	employees' existing salary if any resulting wage	Employers can base	by in any capacity or	1197.5	that are sued by	practices law: Cal.
	to 232.5	or veteran status,	differential is justified by one or more of the	wage differentials on	position.		employees can be	Gov't Code §§ 12940,
	10 202.0	unless a permissible	factors listed above. Cal. Lab. Code § 1197.5	any bona fide factor	position.		ordered to pay:	12964.5; Cal. Code
	Salary history: Public	defense applies. They	lactors listed above. Oal. Eab. Code § 1137.5	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	1.090. u 2, 3 11001
	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: Cal.
	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.	1199 to 1199.5
		association with people	A system that measures earnings by quantity or	same business purpose	applicants' prior salary,			0 1:6
		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 classes. In addition,	education, training, or experience. This factor shall apply only if the employer demonstrates that the	Fair Employment	compensation disparity.		employees who violate	ca.gov/faces/codes. xhtml California
		employers cannot base	factor is not based on or derived from a sex-based	Discrimination -	Employers must		or fail to comply with 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
			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	. === == ::#***
		, 3.5	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	

California	Coverage Protected Classes	Key Provisions	Employer Defenses	Salary History Retaliation	Remedies/Damages: Citing References
		same business purpose without producing the	employment practice is	Cal. Lab. Code § 432.3	misdemeanor and can
		wage differential."	discriminatory in effect,		be fined up to \$10,000,
			employers must prove		imprisoned for up to six
		Fair employment practices law:	that an overriding,		months (for a
		Employers cannot discriminate in compensation	legitimate business		subsequent offense
		based on race, religious creed, color, national	purpose makes this	l c l	after a prior conviction),
		origin, ancestry, physical or mental disability,	practice necessary to		or both.
		medical condition, genetic information, marital	safe, efficient business		
		status, sex, gender, gender identity, gender	operations; that the		Retaliation prohibition:
		expression, age (40 and older), sexual orientation,	practice effectively		Employers that retaliate
		or military or veteran status, unless a permissible	accomplishes this		against employees for
		defense applies. They also cannot discriminate	purpose; and that no	· / ·	engaging in protected
		based on perceived race, religious creed, color,	alternative practice		conduct can be ordered
		national origin, ancestry, physical or mental	exists to accomplish		to reinstate employees,
		disability, medical condition, genetic information,	that purpose equally		reimburse them for lost
		marital status, sex, age (40 and older), sexual	well with a less		wages and benefits
		orientation, or military or veteran status, and	discriminatory impact.		with interest, and
		cannot discriminate based on an association with	Security regulations:		provide other remedies.
		people who belong or are perceived to belong to	Employment practices		
		these protected classes. In addition, employers	are lawful if they		Cal. Lab. Code §§ 23,
		cannot base any amount of compensation on	conform to applicable		<u>1194.3, 1194.5, 1197.5,</u>
		employees' sex, except as legally required or	federal or California		<u>1199</u> to <u>1199.5</u>
		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:	tit. 2, § 11011),		
		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.			
	A .	Any such release or agreement is unenforceable.			
	X	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			

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.			N.		
						OV		
			Cal. Gov't Code §§ 12940, 12964.5; Cal. Code			$\vec{c}$		
			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;	24-34-402; 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 (29 U.S.C.	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: Colo. Rev.
			20 hours per week for up to 18 months.	necessary condition of	discriminate or retaliate	intimidate, threaten, or	salary paid to the	Stat. § 24-34-402
			Colo. Rev. Stat. § 24-34-402	the work performed;	against, an employee	interfere with an	complaining employee	
				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	Rev. Stat.
			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,	discrimination.	Fair employment
			sex in combination with another protected status	on in subsection (1)(a)	discharge, discipline,	or otherwise discussed	Employers that willfully	practices law: Colo.
			as described in section 24-34-402 (1)(a), by	of this section accounts	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</u> (2019 Colo.	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		difference.	https://www.colorado.g
			and responsibility, except where the employer	current wage rates."	inquired about,			<u>ov/</u>
			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		<u>104</u>	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 question; or travel, if the travel is a regular and		employee from disclosing the			
			necessary condition of the work performed; that		employee's wage rate;			
			each factor relied on in subsection (1)(a) of this					
			section is applied reasonably; that each factor		or require an employee 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)			
		25	Justiny a dispainty in our one wage rates.		purports to deny the			
					employee the right to			
					disclose the			
		•			employee's wage rate			
					information.			
		1			miorinadori.	1		

Connecticut	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Connecticut	Public and private	Equal pay law:	Equal pay law:	Employers can pay	Employers cannot	Employers cannot	Employers that are	Equal pay law: Conn.
	employers are covered	Sex	Employers cannot discriminate in compensation	different wage rates	inquire about	discharge or otherwise	sued by the	Gen. Stat. §§ 31-75 to
	by the Equal pay law.		solely based on employees' sex. They also cannot	pursuant to seniority or	applicants' wage or	discriminate against	Connecticut	<u>31-76</u>
		Fair employment	pay employees of one sex at wage rates that are	merit systems, systems	salary history, or direct	employees for opposing	Department of Labor	Fair employment
	Conn. Gen. Stat. § 31-	practices law:	lower than the wage rates paid to employees of	that measure earnings	third parties to inquire	discriminatory	can be ordered to:	practices law: Conn.
	<u>75</u>	race, color, religious	the opposite sex for equal work that requires	by production quantity	about applicants' wage	compensation practices	pay the difference	Gen. Stat. §§ 46a-51,
		creed, age, sex, gender	equal skill, effort, and responsibility under similar	or quality, or factors	or salary history, unless	or making complaints,	between the amount of	<u>46a-60, 46a-81</u> c
		identity or expression,	working conditions. Such pay discrimination	other than sex (such as	they disclose such	testifying, or assisting	wages paid and the	Wage disclosure and
		marital status, national	occurs when employers adopt discriminatory pay	education, training, or	information voluntarily.	in proceedings under	maximum wage paid to	salary history:
		origin, or ancestry; a	decisions or practices, employees become subject	experience) if these	These provisions do not	the Equal pay law.	any other employee for	https://www.cga.ct.gov/c
		present or past history	to these decisions or practices, or employees are	factors are job-related	apply to employers or		equal work;	urrent/pub/chap 557.ht
		of mental, intellectual,	affected by the application of the decisions or	and consistent with	their agents if federal or	Conn. Gen. Stat. § 31-	pay compensatory	mConn. Gen. Stat. §
		learning, or physical	practices. A continuing violation occurs each time	business necessity.	state law authorizes the	<u>75</u>	damages; and	31-40z
		disabilities, including	wages, benefits, or other compensation are paid.		disclosure or		pay punitive damages if	
		blindness; or veteran	Conn. Gen. Stat. §§ 31-75 (see Smart Code® for		verification of such		violations are	Connecticut Laws:
		status, sexual	the latest cases), 31-76		information for		intentional or	http://search.cga.state.ct
		orientation, or civil			employment purposes.		committed with reckless	.us/r/statute/dtsearch_f
		union status.	Statutory Language: Conn. Gen. Stat. Ann. § 31-75.		Employers can inquire		indifference to	<u>orm.asp</u>
			Discrimination in compensation on the basis of sex.		about other elements of		employee rights under	Connecticut Department
			Prohibited practices. Employer demonstration	.10)	an applicant's		the Equal pay law.	of Labor:
			"(a) No employer shall discriminate in the amount of	. (1)	compensation structure			http://www.ctdol.state.ct.
			compensation paid to any employee on the basis of		as long as they do not		Employers that are	us/
			sex. Any difference in pay based on sex shall be	• 🗙	inquire about the value		sued by employees can	
			deemed a discrimination within the meaning of		of the elements of such		be ordered to:	
			this section."	cuit	compensation		pay the difference	
					structure.		between the amount of	
			"(b) If an employee can demonstrate that his or				wages paid and the	
			her employer discriminates on the basis of sex by	1	Wages means		maximum wage paid to	
			paying wages to employees at the employer's		compensation for labor		any other employee for	
			business at a rate less than the rate at which the		or services, regardless		equal work;	
			employer pays wages to employees of the		of whether the amount		pay compensatory	
			opposite sex at such business for equal work on a		is calculated on a time,		damages;	
			job, the performance of which requires equal skill,		task, piece,		pay punitive damages if	
			effort and responsibility, and which are performed		commission, or other		violations are	
			under similar working conditions, such employer		basis. Conn. Gen. Stat.		intentional or	
			must demonstrate that such differential in pay is		§ 31-40z		committed with reckless	
			made pursuant to (1) a seniority system; (2) a				indifference to	
			merit system; (3) a system which measures				employee rights under	
			earnings by quantity or quality of production; or				the Equal pay law;	
			(4) a differential system based upon a bona fide				pay attorneys' fees and	
			factor other than sex, such as education, training				costs; and	
			or experience. Said bona fide factor defense shall				comply with other court	
			apply only if the employer demonstrates that such				orders.	
			factor (A) is not based upon or derived from a sex- based differential in compensation, and (B) is job-				Conn. Gen. Stat. §§ 31-	
			related and consistent with business necessity.					
							75 to 31-76	
			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."					
			auopi suon aitemative practice.					
			Fair employment practices law:					
			raii empioyment practices law:					

Connecticut	Coverage	<b>Protected Classes</b>	Key Provisions	<b>Employer Defenses</b>	Salary History	Retaliation	Remedies/Damages:	Citing References
			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			N.		
			expression, marital status, national origin, or			OV		
			ancestry; a present or past history of mental,					
			intellectual, learning, or physical disabilities,					
			including blindness; or veteran status, sexual			(9)		
			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. §§ 46a-60 (see Smart Code®					
			for the latest cases), 46a-81c		O T			

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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
Bolawaro	covered by the Equal	Sex	Employers cannot pay employees of one sex at	14/7	screen applicants	discharge or otherwise	the Equal pay law can	law: Del. Code Ann. tit.
	pay law. Private	SCX	wage rates that are lower than the wage rates		based on their	discriminate against	be ordered to pay a fine	19, § 1101
	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	711
	provisions. Del. Code	color, age (40 and	differentials in violation of these prohibitions, they		minimum or maximum	Delaware Department	attorneys' fees, and	711
	Ann. tit. 19, § 1101	older), religion, sex,	cannot reduce any employee's wage rate to		criteria; or	of Labor pursuant to the	1	Pay Discrimination
	74111. dt. 15, § 1101	pregnancy, sexual	comply with the prohibitions. Employers also		seek applicants'	Equal pay law;	00313.	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	§§ 1112 to 1113	19, §§ 1107A, 1110
	and their agents are	origin.	employees to set using of aveil and prombinene.		current or former	under the law; or	33 1112 to 1110	Fair employment
	covered by the salary	3.1g	Employers can pay different wage rates pursuant		employers.	testify or are about to		practices law: Del. Code
	history provisions.		to seniority or merit systems, systems that		empley c.c.	testify in such		Ann. tit. 19, § 711
	Del. Code Ann. tit. 19, §		measure earnings by production quantity or		Compensation includes	proceedings.		<u> </u>
	709B		quality, or any other factor besides sex.		monetary wages,	p. cccagc.		Wage Disclosure: Fair
	<u></u>		Del. Code Ann. tit. 19, §§ 1107A, 1110		benefits, and other	Del. Code Ann. tit. 19,		employment practices
			26 26 27 10., 33		forms of compensation.	§§ 1101, 1112		law: Del. Code Ann. tit.
			Statutory Language: Del. Code Ann. tit. 19, §		, and the compensation.	33 1101, 1112		19, § 711
			1107A. Differential rate of pay based on gender		Employers can discuss			, 3
			prohibited		and negotiate			Salary History: <u>Del.</u>
			No employees shall be paid a wage at a rate less		compensation			Code Ann. tit. 19, §
			than the rate at which an employee of the		expectations with			709B
			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'			§§ 1101, 1112
			pursuant to a differential based on: A seniority		compensation history			33
			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			1112 to 1113
			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.					
			. 0.					
			Employers can apply different compensation					
		4	standards pursuant to bona fide seniority or merit					
		X	systems, pursuant to systems that measure					
		C	earnings by production quantity or quality, or to					
			employees who work in different locations if these					
		\ 'U'	differences are not caused by an intent to					
			discriminate based on those protected classes.					
		*						
			Del. Code Ann. tit. 19, § 711					

Florida	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History Retaliation	Remedies/Damages:	Citing References
Florida	Public and private employers are covered by the Equal pay law. The law does not apply to employers that are subject to the federal Fair Labor Standards Act.  Fla. Stat. §§ 1.01, 448.07  Wage payment law: Public and private employers with two or more employees are covered by the wage payment law. The law does not apply to employers that are subject to the federal Fair Labor Standards Act.  Fla. Stat. § 448.07	Sex, marital status, race	Equal pay law: Employers cannot discriminate based on sex, marital status, or race in providing equal pay for equal work. Fla. Stat. § 725.07  Fair employment practices law: Employers cannot discriminate in compensation based on race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. National origin includes ancestry. Employers can take or fail to take any action based on religion, sex, pregnancy, national origin, age, handicap, or marital status if the action or inaction is justified by a bona fide occupational qualification that is reasonably necessary to job performance.  Employers can observe the terms of bona fide seniority systems, bona fide employee benefit plans (such as retirement, pension, or insurance plans), or systems that measure earnings by production quantity or quality if these terms are not designed, intended, or used to evade the Fair employment practices law. However, such employee benefit plans or systems that measure earnings cannot be used to justify a failure to hire applicants based on factors unrelated to their job performance ability. Such seniority systems, employee benefit plans, or systems that measure earnings also cannot be used to justify employees' involuntary retirement based on factors unrelated to their job performance ability. These provisions do not prohibit employers from rejecting applicants or discharging employees who fail to meet their bona fide job requirements. Fla. Stat. § 760.10  Wage payment law: Employers cannot discriminate based on sex by paying employees of one sex at wage rates that are less than the wage rates paid to employees of the opposite sex for equal work that requires equal skill, effort, and responsibility under similar working conditions. Wages include all compensation paid by employees, including the cash value of all compensation paid in any medium other than cash. Wage rates are the bases of compensation for work performed by employees for employers, such as the amount of time spent, number of operations accomp	Employers can pay different wage rates pursuant to: seniority or merit systems; systems that measure earnings by production quantity or quality; or good-faith differentials based on any reasonable factor other than sex.  Fla. Stat. § 448.07	N/A See Fair employment practices law.	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	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/
			Discrimination on basis of sex prohibited.—				

Florida	Coverage	<b>Protected Classes</b>	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			.00		
			similar working conditions, except when such			N V		
			payment is made pursuant to: A seniority system;		. (7			
			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."					

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Fublic and private employees are covered by the Equal pay law if they have 10 or more employees.  Ga. Code Ann. § 34-5-2  Statutory Language: Ga. Code Ann. § 34-5-3. Prohibition of discrimination. (1a) No employers are comployees on the basis of sex by paying wages to employees on the basis of sex by paying wages to employees that the employees possible and the propositions. As a series of the propositions of the chapter shall discriminate. (1) a seniority system. (2) a mortiful systems, (3) a system with measure and which are performed under similar working conditions, except where such payment is made pursuant to (1) a seniority system. (2) a mortiful systems, (3) a system with the save. An employer very thorition of this condition, or educe the employees that wide the fequal pay law cannot reduce any employees of the opposite sex in such establishment at a rate less than the opposite sex in such establishment for equal work in jobs which require 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. (2) a mortiful system, (3) a system with measures earnings by quantity or quality of production, or (4) a differential based on any other factor other than sex. Ga.  The provided provided the fequal pay law cannot reduce any employees of the then sex. Ga. Code Ann. § 34-5-2.  Statutory Language: Ga. Code Ann. § 34-5-3.  Statutor	Georgia	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
paid to employees of the opposite sex for equal the they have 10 or more employees.  Sa Code Ann § 34-5-2  Statutory Language: Ga Code Ann § 34-5-3. Prohibition of discrimination. (a) No employee having employees on the basis of sex by paying wages to employees of the oppose is ext. in the trata et at which he pays wages to employees to the plays wage rate to comptly with the law.  Statutory Language: Ga Code Ann § 34-5-3. Prohibition of discrimination. (a) No employer having employees posses to employees in the trate at which he pays wages to employees of the opposite sex 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 are performed under similar working conditions, except where such payment is made pursuant to (1) a seniority system. (3) a system which measures earnings by quantity or quality or quality of production of this subsection, red ifferential based on any other factor other than sex. An employer she have the factor of the pays wages to employee she with the rate at which he pays wages to employees in such establishment are claim the rate at which he pays wages to employees on the Dasis of sex by paying wages to employees on the Dasis of sex by paying wages to employees on the Dasis of sex by paying wages to employees on the Dasis of sex by paying wages to employees on the Dasis of sex by paying wages to employees on the Dasis of sex by paying wages to employees on the Dasis of sex by paying wages to employees on the Dasis of sex by paying wages to employees on the Dasis of sex by paying wages to employees on the Dasis of the pays wages to employees on the Dasis of the payonate wages and the payonate of the payonate wages are employees on the Dasis of the payonate wages are employees on the Dasis of the payonate wages are employees on the Dasis of the payonate wages are employees on the Dasis of the payonate wages are employees on the Dasis of the payonate wages are employees on the Dasis of	Georgia	Public and private	Sex		Employers can pay	N/A	Employers cannot		
work that requires equal skill, effort and responsibility under similar working conditions in the same workplace. Employers that violate the Equal pay law cannot reduce any employer's wage rate to comply with the law.  Statutory Language: Ga. Code Ann. § 34-5-2.  Statutory Language: Ga. Code Ann. § 34-5-3. Prohibition of discrimination. "(a) No employer having employees subject to employees and employees of this chapter shall discriminate, within any employees on the basis of save by paying wages to employees on the basis of save by paying wages to employees on the basis of save by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees on the basis of save by paying wages to employees in such establishment for equal work in jobs which require equal skill, effort, and which are performed under similar working conditions, except where such payent 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 hased on any other factor other than sex. As a memployer who is paying a wage rate differential inviolation of this subsection shall not, in order to comply with this subsection, reduce the wage rate					•				Ann. § <u>34-5-2</u>
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Statutory Language: Ga. Code Ann. § 34-5-3. Prohibition of discrimination. '(a) No employer having employees subject to any provisions of this chapter shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees on the basis of sex by paying wages to employees of the opposite sex 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 require 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, (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, reduce the wage rate		Ga. Code Ann. § 34-5-2					_	•	<u>3</u>
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Prohibition of discrimination. "(a) No employer having employees subject to any provisions of this chapter shall discriminate, within any establishment in which such employees are employed, between 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 require equal skill, effort, and responsibility and which are performed under similar working conditions, except where such payment is made pursuant to [1] 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, reduce the wage rate						. (6)		_	
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violation of this subsection shall not, in order to comply with this subsection, reduce the wage rate									
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: Haw. Rev. Stat. §
	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	387-1
	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	378-2, 378-3
	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: Haw. Rev. Stat.
	brother-in-law, sister-in-		Employers cannot discriminate against employees	performed. Haw. Rev.	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. §§ 378-1 to
	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		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		law's retaliation	378-2.3
	determined by the		sex, which includes pregnancy, childbirth, or	quantity or quality;	their expectations		prohibition.	
	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			
	definition of "employee"		have actual knowledge, of this status; or	The Fair employment	voluntarily and without			Retaliation Prohibition:
	in Haw. Rev. Stat. §		employees' credit history or credit report.	practices law does not	prompting, employers			Equal pay law: Haw.
	<u>387-1.</u>			affect the terms or	and their employees or			Rev. Stat. §§ 387-1,
			Employers and their employees cannot aid, abet,	conditions of employer-	agents can verify that			<u>387-12</u>
	Haw. Rev. Stat. § 387-1		incite, compel, or coerce unlawful discriminatory	provided bona fide	history and consider it			Penalties/Remedies:
			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:
			Otatata and an annual Harris David Chat Annual C 270	are not intended to	compensation.			http://www.capitol.hawa
			Statutory Language: Haw. Rev. Stat. Ann. § 378-	evade the law's	The colomy biotomy			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 Relations: http:
			employees because of sex, by paying wages to employees in an establishment at a rate less than		to attempts by			//labor.hawaii.gov/
			the rate at which the employer pays wages to		employers and their			//labor.flawaii.gov/
			employees of the opposite sex in the		employees or applicants to verify			
		4	establishment for equal work on jobs the		applicants' disclosure of			
		×	performance of which requires equal skill, effort,		non-salary-related			
		C	and responsibility, and that are performed under		information or to			
			similar working conditions. Payment differentials		conduct background			
		'0'	resulting from: A seniority system; A merit system;		checks. If these			
			A system that measures earnings by quantity or		verifications or checks			
		<b>*</b>	quality of production; A bona fide occupational		disclose applicants'			
			qualification; or A differential based on any other		salary history, however,			
			, , , , , , , , , , , , , , , , , , , ,		that disclosure cannot			
	1	1		L		1	l .	

Hawaii Coverage Pr	rotected Classes Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
	permissible factor other than sex [,] do not violate		be relied on to			
	this section.		determine their salary,			
			benefits, or other	_		
	(b) An employer shall not retaliate or discriminate		compensation during			
	against an employee for, nor prohibit an employee		the hiring process,	OV		
	from, disclosing the employee's wages, discussing		including employment	C V		
	and inquiring about the wages of other		contract negotiations.			
	employees, or aiding or encouraging other					
	employees to exercise their rights under this		Applicants do not	V		
	section."		include applicants for	1		
			an internal transfer or			
			promotion with their			
			current employer.			
			Inquire means			
			communicating written,			
			verbal, or other			
			questions or			
		/ /	statements to			
		•:(0)	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			
	Lilist		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.			
			calary range.			
			Salary history includes			
	, <b>V</b> )		applicants' current or			
	X		prior salary, benefits,			
			and other			
	10		compensation, but			
	iened.		does not include			
	. 0.		objective productivity			
			measures such as			
			revenue or sales			
			reports. Haw. Rev.			
			Stat. § 378-2.4			

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	Equal pay law. cox	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	44-1701
		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: <u>Idaho</u>
	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. §§ 67-5902,
	tle44/t44ch17/sect44-	disability	comparable work that requires comparable skill,	based on sex. <u>Idaho</u>		proceedings under the	entitled;	67-5909 to 67-5910
	<u>1701/</u>		effort, and responsibility.	Code Ann. §§ 44-1701		Equal pay law.	pay additional	
				to <u>44-1702</u>			liquidated damages	Pay Discrimination
	Idaho Code Ann. § 44-		Statutory Language: Idaho Code Ann. § 44-1702.		1/0	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.
	1		prohibited				violations;	§§ 44-1701 to 44-1702
			"(1) No employer shall discriminate between or				pay reasonable	Fair employment
			among employees in the same establishment on				attorneys' fees and	practices law: <u>ldaho</u>
			the basis of sex, by paying wages to any		, 0		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. § 44- 1702
			skill, effort and responsibility. Differentials which	•:\(\)			Idaho Code Ann. § 44-	5 111 15 11
			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. § 44-1704
			this prohibition."	iillie				Idaho Laws:
			"(2) No person shall says as attempt to says an					https://legislature.idaho
			"(2) No person shall cause or attempt to cause an employer to discriminate against any employee in	(0				.gov/statutesrules/idstat / Idaho Department of
			violation of this act."					Labor, Human Rights
			Violation of this act.	)				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					<b>V</b> /
			manner the enforcement of this act."					
			mainter the emercement of the detail					
			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	112/5, 112/27; III.
	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:	
	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	112/10 (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		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	Mana Dia da anno
	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. 820 III. Comp. Stat.		is performed under similar work conditions.	seq.), provided,	to be considered for an	inquiries or	be fined up to	Equal pay law: 820 III. Comp. Stat. 112/10
			Effective Sept. 29, 2019, employers cannot pay	effective Sept. 29, 2019, that the factor is	offer of employment, as a condition of an offer	proceedings related to	\$2,500 per affected	(2019 III. Laws 101-
	<u>110/1</u>		wage rates to African-American employees that are lower than wage rates paid to other employees for	not based on a	of employment or an	the law; testify or are about to	employee for a first 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	0177 (H.B. 634))
			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: 820 III. Comp.
			conditions.	protected characteristic,	an applicant disclose	effective Sept. 29,	affected employee for a	Stat. 112/10 (2019 III.
			Conditions.	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	Subsequent eneries.	834))
			violation of these prohibitions cannot reduce other	business necessity,	employment.	history inquiry.	Employers that are	33.//
			employees' wages to achieve compliance.	and accounts for the			sued by employees can	Retaliation Prohibition:
			and the state of t	compensation	An employer also may	Employers and their	be ordered to pay the	Equal pay law: 820 III.
			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,	112/10 (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: 820 III.
			4.	effort, and responsibility	the job applicant's wage	about violations of the	employer acted with	Comp. Stat. 112/5,
		X	Substantially similar work means comparable work	and is performed under	or salary history is a	Fair employment	malice or reckless	112/30 to 112/35 (2019
		G C	on jobs that require comparable skill, effort, and	similar work conditions.	matter of public record	practices law;	indifference, and	III. Laws 101-0177
		2	responsibility. The focus is on actual job	820 III. Comp. Stat.	under the Freedom of	initiate proceedings	punitive damages and	(H.B. 834)); III.
		10	requirements and genuine differences in how work	112/10 (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-	other equivalent State or	law or consult counsel	be appropriate.	320.100, 320.120,
			titles.	0177 (H.B. 834)); III.	federal law;	for this purpose;	If employers fail to pay	320.340
				Admin. Code tit. 56, §	the job applicant's	testify or are about to	unpaid wages within 15	
				320.120.	wage or salary history	testify in investigations	calendar days after	

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
	roquiromonic.	Employers can apply	current or former	violations of the law.	they must pay	aueri/nee/nee.aep inineie
	Effort is physical or mental exertion needed to	different compensation	employer and then	Weight and Idam	employees an	Regulations:
	perform the total requirements of the job. Factors	standards pursuant to	made available to the	820 III. 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,	112/5 to 112/10 (2019	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	(H.B. 834)), 112/35	payment is delayed.	Timieodo/titioo.nam
	not justify a finding of equal or unequal effort.	administration	comply with State or	(VI.D. 001)), 112/00	The amount of this	Illinois Department of
	not justify a midning of oqual of anoqual offers.	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.	arieyrides, iniiriese
	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. Admin.	current employer.		salary history violations	Rights:
	, sependium,	Code tit. 56, § 5210.50.	, , , , , , , , , , , , , , , , , , ,		(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	
	negotiations if applicable) do not usually take	unless variations in pay	benefits, compensation,		the violation. An	
	them into account when setting wage rates. Jobs	rates are: based on	or salary offered in		employer found to have	
	in different departments or locations are not	seniority, experience,	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	
Δ.	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 disability.	112/10 (2019 III. Laws 101-0177 (H.B. 834))		ordered to pay a civil penalty of up to	
	Fair employment practices law:	uisaviiity.	101-01// (П.D. 034))		penalty of up to	
	ган етіріоутіені practices iaw.					

Illinois	Coverage Protected Classes	Key Previolene	Employer Defences	Colom, History	Detaliation	Bamadiaa/Damagaa	Citing Deferences
Illinois	Coverage Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
		Employers cannot discriminate based on sex in				\$5,000 per affected	
		negotiating or establishing wages, benefits, or				employee for each	
		other compensation. Employers also cannot				violation, depending on	
		differentiate wages or benefits based on sex				their business size and	
		among employees performing the same or			OV	the seriousness of	
		substantially similar work under similar work			$\alpha$	violations.	
		conditions. In addition, employers cannot aid,				Retaliation prohibition:	
		abet, compel, or coerce anyone to violate the Fair		10		Employers that violate	
		employment practices law.			V	the retaliation	
				100	•	prohibition are fined up	
		Agreements and waivers (effective Jan. 1, 2020):				to \$5,000 per affected	
		Certain agreements, clauses, covenants, and				employee for each	
		waivers related to Fair employment practices law				violation, depending on	
		are invalid. For more information, see				their business size and	
		"Agreements and Waivers" in Illinois Equal		O'		the seriousness of	
		Employment Opportunity.				violations. Employers	
				3		and their agents who	
		Minimum wage law:				commit knowing	
		Employers cannot discriminate based on sex in	4"	U*		violations can be	
		the payment of wages. Specifically, employers				ordered to pay back	
		cannot pay wage rates to employees of one sex				and front pay, restore	
		that are lower than wage rates paid to employees				the value of lost	
		of the opposite sex for the same or substantially				benefits, pay an	
		similar work that requires equal skill, effort, and				additional equal	
		responsibility and is performed under similar work				amount as liquidated	
		conditions.	.69			damages and comply	
		Conditions.				with other remedies.	
		Employers cannot discriminate based on mental				with other remedies.	
		or physical disability in the payment of wages.	)			820 III. Comp. Stat.	
		Specifically, employers cannot pay wage rates to				112/5, 112/30 to 112/35	
		employees with disabilities that are lower than				(2019 III. Laws 101-	
		wage rates paid to employees without disabilities				0177 (H.B. 834)); <u>III.</u>	
		for the same or substantially similar work that				Admin. Code tit. 56, §§	
		requires equal skill, effort, and responsibility and				<u>320.100,</u>	
		is performed under similar work conditions.				<u>320.120,</u> <u>320.340</u>	
		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					
	4	reasonable value of services rendered and					
	X	insufficient to meet the minimum cost of living					
	Ca <sup>2</sup>	necessary for their health. Any contract, agreement,					
		or understanding related to such employment is					
	. '0'	null and void.					
	_	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					
		and a manadory					

Illinois	Coverage	<b>Protected Classes</b>	Key Provisions	<b>Employer Defenses</b>	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	Remedies/Damages:	Citing References
Indiana	Public and private	Sex	Employers cannot pay employees of one sex at	Employers can pay	N/A	N/A	Employers that violate	Coverage: Ind. Code §
	employers are covered		wage rates that are lower than the wage rates	different wage rates			the Equal pay law are	2 <u>2-2-2-3</u>
	by the Equal pay law if		paid to employees of the opposite sex for equal	pursuant to seniority,			guilty of a class C	
	they have two or more		work that requires equal skill, effort, and	merit, or piece-rate			infraction and fined up	Pay Discrimination
	employees. The law		responsibility under similar working conditions in	systems or any factor		OV	to \$500, imprisoned for	Prohibitions: Ind. Code
	does not apply to		the same workplace. Employers that violate the	other than sex.		l ci l	up to 60 days, or both.	<u>§ 22-2-2-4</u>
	employers that are		Equal pay law cannot reduce any employee's	Ind. Code § 22-2-2-4			For a subsequent	Penalties/Remedies:
	subject to the federal		wage rate to comply with the law.			112	violation, employers	Ind. Code §§ 22-2-2-9,
	Fair Labor Standards		Statutory Language: Ind. Code Ann. § 22-2-2-4.		C		are guilty of a class B	<u>22-2-2-11</u>
	Act.		Minimum wage; discrimination; tip credits; overtime				misdemeanor and fined	Indiana Laws:
	Ind. Code § 22-2-3		pay; exceptions; domestic service; railway or other				up to \$1,000,	http://www.ai.org/legisla
			carrier; remedial education (effective April 1, 2020)		OUSI		imprisoned for up to	tive/ic/code/ Indiana
			"(a) No employer having employees subject to any				180 days, or both.	Department of Labor:
			provisions of this section shall discriminate, within				Employers that	https://www.in.gov/dol/
			any establishment in which employees are				knowingly or	
			employed, between employees on the basis of				intentionally violate the	
			sex by paying to employees in such				law are guilty of a class	
			establishment a rate less than the rate at which				A infraction and fined up	
			the employer pays wages to employees of the				to \$5,000, imprisoned	
			opposite sex in such establishment for equal work	•.10			for up to one year, or	
			on jobs the performance of which requires equal				both. Employers that	
			skill, effort, and responsibility, and which are				are sued also can be	
			performed under similar working conditions,	***			ordered to pay the	
			except where such payment is made pursuant to:				balance of wages due,	
			(1) a seniority system; a merit system; a system				plus liquidated	
			which measures earnings by quantity or quality of				damages of an equal	
			production; or a differential based on any other				amount, reasonable	
			factor other than sex. (b) An employer who is				attorneys' fees, and	
			paying a wage rate differential in violation of				court costs.	
			subsection (a) shall not, in order to comply with					
			subsection (a), reduce the wage rate of any				Ind. Code §§ 22-2-2-9,	
			employee, and no labor organization, or its				<u>22-2-2-11</u>	
			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)."					

lowa	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Iowa	See Fair employment	Age, race, creed, color,	Employers cannot discriminate in pay based on	N/A	N/A	See Fair employment	For violations of the pay	Coverage: Iowa Code
	practices law.	sex, sexual orientation,	age, race, creed, color, sex, sexual orientation,			practices law.	discrimination	§§ 216.2, 216.6A lowa
	'	gender identity,	gender identity, national origin, religion, or			'	provisions, damages	Admin. Code r. 161-2.1
		national origin, religion,	disability. Specifically, employers cannot pay			N.	include reasonable	
		or disability	wages to employees in a protected class at rates				attorneys' fees, court	Pay Discrimination
			that are less than the rates paid to other				costs, and an amount	Prohibitions: Iowa Code
			employees for equal work that requires equal skill,				equal to two times	§§ 216.6A, 216.11
			effort, and responsibility under similar working				(three times for willful	Penalties/Remedies:
			conditions in the same establishment. Such pay				violations) the wage	Iowa Code § 216.15
			discrimination occurs when discriminatory pay		100		differential owed to	lowa Laws:
			decisions or other practices are adopted; when				employees for the	https://www.legis.iowa.g
			employees become subject to these decisions or				period when they were	ov/law/iowaCode lowa
			practices; and when employees are affected by				subject to unlawful pay	Regulations:
			the application of the decisions or practices,				discrimination.	https://www.legis.iowa.
			including each time wages, benefits, or other				[Note: The Iowa	gov/law/administrativer
			compensation are paid.				Supreme Court clarified	ules
			Employers cannot remedy these violations by		(4)		that employees cannot	
			reducing any employees' wage rate.				seek damages under	
					0		the law's pay	
			Employers and their employees cannot	cuit lilor			discrimination	
			intentionally aid, abet, compel, or coerce anyone				provisions (Iowa Code	
			to commit unlawful discriminatory practices.				§ <u>216.6A</u> ) for wage	
			Iowa Code §§ 216.6A (see Smart Code® for the				payments that occurred	
			latest cases), 216.11				before April 28, 2009,	
							when the provisions	
			Statutory Language: Iowa Code Ann. § 216.6A	. 40			were enacted. The	
			Additional unfair or discriminatory practicewage				court also found that	
			discrimination in employment	) `			employees can seek	
			"2. a. It shall be an unfair or discriminatory practice				damages for wage	
			for any employer or agent of any employer to				claims under the law's	
			discriminate against any employee because of the				general discrimination	
			age, race, creed, color, sex, sexual orientation,				provisions (lowa Code § 216.6) in addition to	
			gender identity, national origin, religion, or disability of such employee by paying wages to				the pay discrimination	
			such employee at a rate less than the rate paid to				provisions; however,	
			other employees who are employed within the				these damages are	
			same establishment for equal work on jobs, the				limited to wage	
			performance of which requires equal skill, effort,				payments that occurred	
			and responsibility, and which are performed under				within 300 days before	
			similar working conditions. An employer or agent of				they filed a complaint	
			an employer who is paying wages to an employee				with the Iowa Civil	
			at a rate less than the rate paid to other				Rights Commission	
			employees in violation of this section shall not				(Dindinger v. Allsteel	
			remedy the violation by reducing the wage rate of				Inc., 860 N.W.2d 557	
			any employee.				(2015).]	
			b. For purposes of this subsection, an unfair or				, , <u>-</u>	
		4	discriminatory practice occurs when a				Iowa Code § 216.15	
		×	discriminatory pay decision or other practice is					
		C	adopted, when an individual becomes subject to a					
		0,3	discriminatory pay decision or other practice, or					
		7 .0.	when an individual is affected by application of a					
			discriminatory pay decision or other practice,					
		<u> </u>	including each time wages, benefits, or other					
			compensation is paid, resulting in whole or in part					
			from such a decision or other practice.					

lowa	Coverage	<b>Protected Classes</b>	Key Provisions	<b>Employer Defenses</b>	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			OV		
			system.			CV		
			Payment of wages is made pursuant to a system					
			which measures earnings by quantity or quality of		\			
			production.		. (6)			
			Pay differential is based on any other factor other			) [*		
			than the age, race, creed, color, sex, sexual		$\Omega \setminus$			
			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.		, 0			
			For purposes of this subsection, individuals who					
			are members of the employer's family shall not be		7/7			
			counted as employees."					

Kansas	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Kansas	Private and public	Equal pay law: sex	Equal pay law:	Employers can pay	N/A	Employers cannot	Employers that are	Coverage: Equal pay
	employers, excluding		Employers cannot pay employees of one sex at	different wage rates		discharge or otherwise	sued can be ordered to	law: Kan. Stat. Ann. §
	the federal	Fair employment	wage rates that are lower than the wage rates	pursuant to seniority,		discriminate against	pay the balance of	44-1202
	government, are	practices law: race,	paid to employees of the opposite sex for equal	merit or piece-rate		employees who file	wages to which	Fair employment
	covered by the Equal	religion, color, sex,	work that requires equal skill, effort and	systems or any		complaints or	employees are entitled,	practices law: Kan. Stat.
	pay law. The law does	disability, national	responsibility under similar working conditions in	reasonable factor other		participate in	reasonable attorneys'	Ann. 44-1002, 44- 1112
	not apply to employers	origin, ancestry, or age	the same workplace. Employers also cannot	than sex.		investigations, hearings	fees and costs.	
	that are subject to the	(40 or older)	make sex-based distinctions in paying wages or	Kan. Stat. Ann. § 44-		or other anti-	Employers that violate	Pay Discrimination
	federal Fair Labor	,	setting hours.	1205 Kan. Admin. Regs.		discrimination	the Equal pay law,	Prohibitions: Equal pay
	Standards Act;			21-32-1	10	proceedings.	falsify records or	law: Kan. Stat. Ann.
	employees who work in		Statutory Language Kan. Stat. Ann. § 44-1205.			processgo.	retaliate against	§ 44-1205
	a bona fide executive,		Same; discrimination in payment of wages within			Kan. Stat. Ann. § 44-	employees also can be	Kan. Admin. Regs. 21-
	administrative or		establishment between sexes prohibited;			1210	fined	32-1
	professional capacity;		exceptions				\$200 to \$1,000.	Fair employment
	and employees who		"On and after January 1, 1978, no employer		0,		, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	practices law: Kan. Stat.
	are 18 years of age or		having employees of both sexes shall		\		Kan. Stat. Ann. §§ 44-	Ann.§§ 44-1009, 44-
	younger and work on		discriminate, within any establishment in which				1208, 44-1210, 44-1211	1113
	an occasional or part-		such employees are employed, between		,			
	time basis.		employees on the basis of sex by paying wages		0			Retaliation Prohibition:
			to employees in such establishment at a rate less	.101	<b>&gt;</b>			Kan. Stat. Ann. § 44-
	Kan. Stat. Ann. § 44-		than the rate of wages paid to employees of the					1210
	1202		opposite sex in such establishment for equal work					
			on jobs, the performance of which requires equal	• *				Penalties/Remedies:
			skill, effort and responsibility, and which are					Equal pay law: <u>Kan.</u>
			performed under similar working conditions, except					Stat. Ann. §§ 44-1208,
			where such payment is made pursuant to: (a) A					44-1210, 44-1211
			seniority system; (b) a merit system; (c) a system					
			which measures earnings by quantity or quality of					Kansas Laws:
			production; or (d) a differential based on a factor					http://www.kslegislature.
			other than sex. An employer who is paying wage					org/li/statute/ Kansas
			rate differential in violation of this section shall not					Regulations:
			be required, in order to comply with the provisions					http://www.kssos.org/
			of this section, to reduce the wage rate of any					Kansas Department of
			employee."					Labor:
			(7)					http://www.dol.ks.
			Fair employment practices law:					gov/home/html/about_
			Employers cannot discriminate in compensation					ALL.html
			based on race, religion, color, sex, disability,					
			national origin, ancestry, or age (40 or older).					
			Kan. Stat. Ann.§§ 44-1009, 44-1113					
			<b>X</b> '					
	<u> </u>	•		•	•	•	•	•

Kentucky	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages	Citing References
Kentucky	-			' ' '	N/A	Employers cannot	Employers that are sued	Coverage: Equal pay law:
	1 7 \		Employers cannot discriminate based on sex, in any			discharge or otherwise	can be ordered to:	Ky. Rev. Stat. Ann. §§
	agents) are covered by			rate differentials pursuan		discriminate against	stop violations;	337.420 to 337.423; 803
			-	to established seniority o			pay the amount of wages	Ky. Admin. Regs. 1:025
	have two or more			merit increase systems			owed to employees, plus	Fair employment practices
	employees in the state in			that do not discriminate		or assist with the Equal	up to an equal amount in	law: Ky. Rev. Stat. Ann.
				based on sex. Employers		pay law's enforcement.	liquidated damages for	§§ <u>344.010</u> , <u>344.030</u> ,
	calendar weeks in the	,	, , , ,	be able to show that	. (6	Such action includes	willful violations;	344.050 to 344.060
				these differentials are based on factors other		making complaints to	reinstate employees; pay reasonable attorneys'	Boy Discrimination
	-	-	employee's wage rate to comply with the law. Employers also cannot limit a position to employees		$\Omega \setminus$	Department of Workplace	F -	Prohibitions: Equal pay
		_	of one sex, through hiring, discharges, or transfers,	liidii Sex.		Standards or any person	The state of the s	law: Ky. Rev. Stat. Ann.
	subject to the federal Fair	,		Fair employment		and initiating, triggering,	provide other remedies.	§§ 337.420 to 337.423;
	Labor Standards Act, the			practices law:		testifying in or preparing	Employers that violate the	
	FLSA's requirements are			Employers can apply	, 0	to testify in any	retaliation prohibition also	
	comparable to or greater			different compensation		proceedings related to	are fined	Fair employment practices
	than the Equal pay law's		, ,	standards pursuant to	3	the law.	\$100 to \$1,000.	law: Ky. Rev. Stat. Ann.
			or assigned to a position that was previously held by		0		, , , , , , , , , , , , , , , , , , , ,	§§ 344.040, 344.100
			a man, employers must compare their wage rates to			Ky. Rev. Stat. Ann. §§	Ky. Rev. Stat. Ann. §§	,
			_ · · · · · · · · · · · · · · · · · · ·	to systems that measure		337.420 to 337.423,	<u>337.427, 337.990</u>	Retaliation Prohibition:
	1	constitute substantial	·	earnings by production		337.990		Equal pay law: Ky. Rev.
	regarding their FLSA	disabilities and are	Occupation includes any industry, trade, business,	quantity or quality or to				Stat. Ann. §§ <u>337.420</u> to
	coverage.	verifiable through	employment, or type of employment.	employees who work in				337.423, <u>337.990</u>
		medically accepted clinical		different locations if these				
			Wage rates cover all payments made to or on behalf					Mandatory Poster: Equal
			of employees as remuneration for employment,	result of an intention to				pay law: Ky. Rev. Stat.
				discriminate based on				Ann. § <u>337.433</u>
			employers for employee benefits such as pension or	_				
		related complex, or HIV	insurance benefits, vacation or holiday pay, and	national origin, sex or				Penalties/Remedies:
	-			age (40 and older), or a				Equal pay law: Ky. Rev.
	· · · · · · · · · · · · · · · · · · ·	protections as persons		qualified person's				Stat. Ann. §§ <u>337.427</u> ,
	-			disability. Ky. Rev. Stat.				337.990
	prohibition		travel. Making unequal benefit contributions for employees of opposite sexes is not considered a	Ann.				Kentucky Laws:
			violation if the resulting benefits are equal for	§§ <u>344.040</u> , <u>344.100</u>				http://www.lrc.ky.gov/Stat
			employees of both sexes.	Equal Opportunity Act:				utes/index.aspx Kentucky
			employees of both sexes.	Employers also cannot				Regulations:
			Skill includes factors such as experience, training,	discriminate against				http://www.lrc.ky.gov/kar/f
				employees and				rntpage.htm Kentucky
				applicants with respect to				Labor Cabinet,
			r ·	wages or rates of pay on				Department of Workplace
				the basis of the results of				Standards:
			exertion needed to perform a job. Jobs can require	an HIV-related test,				https://labor.ky.gov/stand
			comparable effort even when the effort is different or	unless the absence of				ards/Pages/default.aspx
			exerted in different ways.	HIV infection is a bona				
		•		fide occupational				
			Responsibility is the degree of accountability needed					
				Stat. Ann. §§ <u>207.130</u> ,				
				<u> 207.150</u>				
			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.					

Kentucky	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages Citing References	
			Ky. Rev. Stat. Ann. <u>337.420</u> , <u>337.423</u> ; <u>803 Ky. Admin.</u> Regs. 1:025					
			Statutory Language Ky. Rev. Stat. Ann. § 337.423. Discrimination prohibited  "(1) No employer shall discriminate between			202		
			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		,6			
			at which he or she pays any employee of the opposite sex for comparable work on jobs which		2,10			
			have comparable requirements relating to skill, effort 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		4			
			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		0.			
			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.	110				
			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 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					
		Ä	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).					
		100	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					

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			N.		
			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			0		
			same protections as persons with disabilities.					
					100			
						<del>7'</del>		

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				<u>23:323, 23:</u>
	Louisiana for each	sick cell trait, genetic	also cannot intentionally pay employees of one	discrimination		N.		332, 23:341, 23:352,
	working day in each of	information, if female	sex wage rates that are lower than the wage rates	prohibitions cannot		OV		<u>23:368</u>
	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.	<b>\(</b>			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	10	<b>)</b>		23:323, 23:332, 23:342,
	organizations are		employees in compensation based on age (40	standards, under				<u>23:352, 23:368</u>
	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	O'			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	4			
	parent, spouse or child.		accommodation;	origin.				
			discriminate against employees in compensation	Specifically, employers	0			
	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					
			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."					

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:	tit. 26, § 628
		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,	B B:
		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	Wages are all forms of compensation for	years of service. Merit	the applicant which includes all terms of		Me. Rev. Stat. Ann. tit.	law: Me. Rev. Stat. Ann. tit. 26, § 628
		reports of or refusals to commit illegal acts. Sex	employment, including:	increase systems are bona fide, uniform,	compensation. After		26, §§ 626-A, 628-A	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	§
		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		(L.B. 270)	practices law: Me. Rev.
		Conditions.	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: Me. Rev. Stat.
			Skill means job performance requirements,		verification of			Ann. tit. 26, § 628 (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
					26, § 628-A (2019 Me.			pay law: Me. Rev. Stat.
			Effort is the physical or mental exertion required to		Laws 35 (L.D. 278))			Ann. tit. 26, § 628- A
			perform all of a job's requirements to a		Fair employment			(2019 Me. Laws 35 (L.D.
			reasonable, necessary extent under the job's working conditions.		practices law (effective			278))
			working conditions.		on or about Sept. 17, 2019):			Fair employment 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
			reliability required.		history provisions by			(L.D. 278))
			Salary history: Violations of the provisions on		directly or indirectly			(======================================
			compensation history inquiries can constitute		inquiring			Retaliation Prohibition:
			evidence of unlawful employment discrimination		about an applicant's			Equal pay law: Me. Rev.
			under the Equal pay law. For more information,		compensation history			Stat. Ann. tit. 26, § 628
			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:
		4	M,		or former employer, or			Equal pay law: Me. Rev.
		X			otherwise seeking an			Stat. Ann. tit. 26,
		, 25	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)
					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/
					discrimination under			Maine Regulations:

Maine Coverage	Protected Classes	Key Provisions	Employer Defenses Salary History	Retaliation	Remedies/Damages:	Citing References
		to commit illegal acts. Sex includes pregnancy or	the Fair employment			http://www.maine.gov/so
		related medical conditions.	practices law and the			s/cec/rules/index. html
			Equal pay law, unless:			Maine Department of
		Salary history: Violations of the provisions on	an employment offer	N.		Labor, Bureau of Labor
		compensation history inquiries can constitute	that includes all terms	OV		Standards: http:
		evidence of unlawful employment discrimination	of compensation has	100 L		//www.maine.gov/labor/
		under the Fair employment practices law. For	already been			Office of the Maine
		more information, see "Salary History" in this	negotiated and made to			Attorney General:
		summary.	the applicant;			http://www.maine.gov/ag
		Me. Rev. Stat. Ann. tit. 5, §§ 4553, 4571 to 4572-A;	the employer is seeking	) }		1
		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 have comparable requirements relating to skill,	disclosure or 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	purposes.			
		do not discriminate on the basis of sex are not	Me. Rev. Stat. Ann. tit.			
		within this prohibition. An employer may not	5, § 4577 (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."				
		pursuant to Title 1, section 145.				

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		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	<u>3-304</u>
		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	Add Code Access Lab 9	provisions; and	\\\ Disals sums. Famel
		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; systems that measure	employment;	Empl. §§ 3-301, 3-308	attorneys' fees, costs,	pay law: Md. Code Ann.,
			Employment enpertunities:	performance based on	require an employee to		and interest for pay discrimination or wage	<u>Lab. &amp; Empl.</u>
			Employment opportunities: Employers cannot provide less favorable	production quality or	sign a waiver or any other document that		disclosure violations.	<u>§ 3-304.1</u>
			employment opportunities to employees based on	quantity; or	purports to deny the		disclosure violations.	Retaliation Prohibition:
			their sex or gender identity. Specifically,	bona fide factors other	employee the right to		Employers that violate	Equal pay law: Md.
			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	<u>Empi. 33 0 001, 0 000</u>
			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/
		X	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:
		. 0.3	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				
				are not a subterfuge for				
				evading the purposes				

Maryland	Coverage Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation Remedies	s/Damages: Citing	g References
Maryianu	Coverage Protected Classes			Salary History	Retaliation	Damages. Citing	References
		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		0		
		the Fair employment practices law or any order	applicant.		CV.		
		issued under the law.					
		Md. Code Ann., State Gov't §§ 20-605 to 20-607		\(			
		(see Smart Code® for the latest cases), 20-801					
				10	·		
		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		0,			
		opportunities" means:		\			
		assigning or directing the employee into a less					
		favorable career track, if career tracks are offered,					
		or position;		0.			
			101				
		failing to provide information about promotions or	•.10				
		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.	O				
		In general					
		(b)(1) An employer may not discriminate between	1				
		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;					

Maryland	Coverage	<b>Protected Classes</b>	Key Provisions	<b>Employer Defenses</b>	Salary History	Retaliation	Remedies/Damages:	Citing References
			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			OV		
			identity, including education, training, or			$\sim$ $\sim$		
			experience, in which the factor: (i) is not based on					
			or derived from a gender-based differential in		10	1.		
			compensation; (ii) is job related with respect to					
			the position and consistent with a business		1/0	•		
			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		3			
			gender identity.					
			Reduction in wages	- C	0			
			An employer who is paying a wage in violation of	.:0)				
			this subtitle may not reduce another wage to					
			comply with this subtitle."					

Massachusetts	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Massachusetts	Public and private	Equal pay law: Gender	Equal pay law:	Equal pay law:	Equal pay law:	Employers cannot	Pay discrimination	Coverage: Equal pay
	employers and their		Employers cannot discriminate based on gender	Employers can vary	Employers cannot seek	discharge or otherwise	prohibitions: Employers	law: Mass. Gen. Laws
	agents are covered by	Fair employment	in the payment of wages. Wages include all forms	wages based on:	applicants' wage or	discriminate against	that violate the pay	<u>ch. 149, § 1</u>
	the Equal pay law.	practices law:	of remuneration for employment.	seniority systems,	salary history from	employees because	discrimination	Fair employment
		race, color, religious		provided that leave for	them or their current or	they:	prohibitions are fined up	practices law: Mass.
	Mass. Gen. Laws ch.	creed, national origin,	Employers also cannot pay employees of one	pregnancy-related	former employers.	make complaints to	to \$100. Employers that	Gen. Laws ch. 151B,
	<u>149, § 1</u>	sex, gender identity,	gender at salary or wage rates that are less than	conditions and	Employers also cannot	their employer, the	are sued also can be	<u>§§ 1, 4;</u> Mass. Regs.
		sexual orientation,	the rates paid to employees of a different gender	protected parental,	require that this history	Massachusetts attorney	ordered to pay any	Code tit. 804, § 3.01
		genetic information,	for comparable work. Comparable work is work	family, or medical leave	meet certain criteria.	general's office, or	unpaid wages plus an	
		pregnancy or related	that is substantially similar because it requires	do not reduce seniority;		another person related	equal amount in	Pay Discrimination
		conditions, ancestry,	substantially similar skills, effort, and	merit systems;	Employers can confirm	to the Equal pay law;	liquidated damages,	Prohibitions: Equal pay
		veteran status, or age	responsibility under similar work conditions. Job	systems that measure	or allow applicants to	initiate or trigger	reasonable attorneys'	law: Mass. Gen. Laws
		(40 and older), unless	titles or job descriptions alone do not determine	earnings by quantity or	confirm their wage or	proceedings related to	fees, and costs. If	<u>ch. 149, §§ 1, 105A</u>
		this discrimination is	whether work is comparable. Work conditions	quality of production,	salary history if they	the law; or	employees recover	Fair employment
		based on a bona fide	include environmental and other similar	sales, or revenue;	voluntarily disclose it.	testify or are about to	unpaid wages under	practices law: Mass.
		occupational	circumstances normally taken into consideration in	the job's location;	Employers also can	testify in these	the Equal pay law and	Gen. Laws ch. 151B,
		qualification.	setting salaries or wages, including reasonable	education, training, or	seek or confirm this	proceedings.	the federal Equal Pay	§§ 1, 4; Mass. Regs.
			shift differentials and a job's physical surrounding	experience to the	history after an offer of		Act for the same	Code tit. 804, § 3.01
			and hazards.	extent these factors are	employment with	Employers cannot	violations, they must	\\\ Dia -la
			F	reasonably job-related;	compensation has been	discharge or otherwise	return the lesser	Wage Disclosure: Equal
			Employers cannot reduce any employee's wages	or	negotiated and made.	retaliate against	amount to employers.	pay law: Mass. Gen.
			solely to achieve compliance with the pay	travel that is a regular,	Mass. Gen. Laws ch.	employees because	Wage disclosure:	Laws ch. 149, § 105A
			discrimination prohibitions.	necessary job	149, \$ 105A	they:	Employers that violate	Salary History: Equal
			Fair ampleyment practices law: Employers connet	condition. Mass. Gen. Laws ch. 149, §§ 1,	<u>§ 105A</u>	oppose unlawful acts or	the wage disclosure provisions are fined up	pay law: Mass. Gen.
			Fair employment practices law: Employers cannot discriminate in compensation based on race,			practices under the Equal pay law;	to \$100. Employers that	Laws ch. 149, § 105A Retaliation Prohibition:
			color, religious creed, national origin, sex, gender	<u>105A</u>		make or indicate an	are sued also can be	Equal pay law: Mass.
			identity, sexual orientation, genetic information,	Fair employment		intent to make	ordered to pay	Gen. Laws ch.
			pregnancy or related conditions, ancestry, veteran	practices law:		complaints under the	damages, reasonable	149, §§ 105A to 105B
			status, or age (40 and older), unless this	Employers can observe		law;	attorneys' fees, and	149, <u>99 105A to 105B</u>
			discrimination is based on a bona fide	the terms of bona fide		otherwise initiate or	costs.	Penalties/Remedies:
			occupational qualification.	seniority systems that		trigger proceedings	Salary history:	Equal pay law: Mass.
			Employers and their employees cannot aid, abet,	are not a subterfuge for		under the law; or	Employers that violate	Gen. Laws ch. 149,
			incite, compel, or coerce unlawful discriminatory	evading the Fair		testify or are about to	the salary history	§§ 105A to 105B
			acts or try do so. Mass. Gen. Laws ch. 151B, §§ 1,	employment practices		testify, assist, or	provisions are fined up	33 1001111110
			4; Mass. Regs. Code tit. 804, § 3.01	law.		otherwise participate in	to \$100. Employers that	Massachusetts Laws:
						investigations or	are sued also can be	http://www.malegislatur
			Statutory Language: Mass. Gen. Laws Ann. ch. 149,			proceedings under the	ordered to pay	e.
			§ 105A. Discrimination on basis of gender in			law.	damages, reasonable	gov/Laws/GeneralLaws
			payment of wages prohibited; enforcement;				attorneys' fees, and	/Search
			unlawful practices; good faith self-evaluation of			Mass. Gen. Laws ch.	costs.	Massachusetts Office
			payment practices			149, § 105A	Retaliation prohibition:	of the Attorney General:
			"(b) No employer shall discriminate in any way on				Employers that violate	http://www.mass.
			the basis of gender in the payment of wages, or				the retaliation	gov/ago/
			pay any person in its employ a salary or wage rate				prohibition are fined up	
			less than the rates paid to its employees of a				to \$100. Employers that	
			different gender for comparable work; provided,				are sued also can be	
		X	however, that variations in wages shall not be				ordered to pay	
		6	prohibited if based upon: (i) a system that rewards				damages, reasonable	
		2	seniority with the employer; provided, however,				attorneys' fees, and	
		\ 'O'	that time spent on leave due to a pregnancy-				costs.	
			related condition and protected parental, family					
			and medical leave, shall not reduce seniority; (ii) a				Mass. Gen. Laws ch.	
			merit system; (iii) a system which measures				149, §§ 105A to 105B	
			earnings by quantity or quality of production,					

Massachusetts	Coverage	<b>Protected Classes</b>	Key Provisions	<b>Employer Defenses</b>	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			OV		
			and necessary condition of the particular job.			l ci l		
			An employer who is paying a wage differential in					
			violation of this section shall not reduce the wages			1912		
			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. Comp. Laws §	proposed	before the board; or	owed to employees	Directive No. 2019-10.
	at a fixed,		Employers cannot discriminate in compensation	408.423	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	Misls Committee C	costs.	.gov/%28S%
	are exempt from		Ctatutamul amanuama Mish Caman Laura Ann S	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	408.421	408.419, <u>750.556</u>	ncig55%29%29/mileg.as
	requirements,		750.556. Discrimination between sexes in payment		an applicant's current		Wage disclosure:	px? page=Home
	employees covered by 29		of wages "Any employer of labor in this state, employing	bona fide seniority or	or previous salary. A		Employers that violate	Michigan Department of
	U.S.C. § 214 and		both males and females, who shall discriminate in	merit systems.	state department or		the wage disclosure provisions are fined up	Licensing and Regulatory Affairs: https:
	certain agricultural or		any way in the payment of wages as between		government agency 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	a/
	Michigan minimum		any task disproportionate to her strength, nor shall	100	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 §§		01		used by the department			
	<u>408.41</u> 2; <u>408.420</u>				or agency in an		Mich. Comp. Laws §§	
			X.		employment decision.		<u>408.483,</u> 4 <u>08.488</u>	
					A state department or			
					government agency			
			, 0,		may request and verify			
					current or previous			
					compensation			
					information for a job			
					applicant before a			
			. 0.		conditional offer of			
					employment that			
		. 4	7		includes compensation			
		25			information only if the			
					applicant voluntarily			
		7			provides the			
					information or if			
					verification is required			
					by applicable law. If a			
					state department or			
					government agency			

Michigan	Coverage	Protected Classes	Key Provisions	<b>Employer Defenses</b>	Salary History	Retaliation	Remedies/Damages:	Citing References
					already is in			
					possession of a job			
					applicant's			
					compensation	N.		
					information on the	OV		
					effective date of this	l ci l		
					directive, it shall not			
					use that information in	וייו		
					any employment			
					decision unless			
					required by law or a			
					collective bargaining			
					agreement. This			
					directive does not			
					prevent a job applicar	nt		
					from volunteering			
					information about			
					compensation, but an			
					applicant's refusal to			
				• • • • • • • • • • • • • • • • • • • •	volunteer			
					compensation			
					information must not l	pe		
				• • • •	considered in an			
					employment decision.			
					Executive Directive N	o.		
					2019-10.			

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Minnesota	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Minnesota	Private employers with	Equal pay law:	Equal pay law:	Employers can pay	N/A	Employers cannot	Employers that are	Coverage: Fair
	one or more employees	Sex	Employers cannot discriminate based on sex by	different wage rates		discriminate against	sued can be ordered to	employment practices
	are covered by		paying employees of one sex at wage rates that	pursuant to seniority or		employees in hiring,	pay any unpaid wages	law: Minn. Stat. §§
	Minnesota Equal pay	Fair employment	are lower than those paid to employees of the	merit systems; systems		tenure, or other terms	for the one-year period	363A. 03, 363A.26
	law. Employees	practices law:	opposite sex for equal work that requires equal	that measure earnings		and conditions of	preceding the filing of	Equal pay law: Minn.
	provide services in	Race, color, creed,	skill, effort, and responsibility under similar	by production quantity		employment because	these lawsuits, punitive	Stat. § <u>181.66</u>
	Minnesota to	religion, national origin,	working conditions. Wages are all forms of	or quality; or any other		they file complaints	damages of up to the	
	employers that pay or	sex, marital status,	compensation (including the cash value of non-	factor besides sex.		under the Equal pay	amount of such unpaid	Pay Discrimination
	agree to pay them at a	public assistance	cash compensation) for services provided by	Minn. Stat. §§ 181.66,		law, or because they	wages, and reasonable	Prohibitions: Fair
	fixed rate. They do not	status, familial status,	employees, regardless of whether payments are	181. 67	10	testify or are about to	attorneys' fees. Unpaid	employment practices
	include partners,	membership or activity	made by employers or other entities. Wage rate is			testify in investigations,	wages means the	law: Minn. Stat. §
	independent	in local commissions,	the basis of compensation and includes			proceedings, or criminal	difference between	363A.08
	contractors, or	disability, sexual	compensation based on the time spent in the			actions under the law.	wages paid to	Equal pay law: Minn.
	employees who provide	orientation, or age,	performance of such services, or on the number			Minn. Stat. § 181.67	employees and wages	Stat. §§ 181.66 to
	services only partly in	unless this	of operations accomplished, or on the quantity		O'		required to be paid	<u>181.68</u>
	the state, unless they	discrimination is	produced or handled. Employers that pay wage				under the Equal pay	
	entered into an	justified by a bona fide	rates in violation of these prohibitions cannot				law. Employers that	
	employment contract or	occupational	reduce any employee's wage rate to comply with				violate the law also are	Retaliation Prohibition:
	their payments usually	qualification.	the prohibitions.	_ <	O <sup>*</sup>		guilty of a	Equal pay law: Minn.
	are made or will be			• • • • • • • • • • • • • • • • • • • •			misdemeanor.	Stat. § 181.67
	made in the state.		Fair employment practices law:				Minn. Stat. §§ 181.66,	
	Minn. Stat. § 181.66		Employers cannot discriminate in compensation				<u>181.68, 181.70</u>	
			based on race, color, creed, religion, national	• * *			Wage disclosure: If	Penalties/Remedies:
	Public and private		origin, sex, marital status, public assistance				employers violate the	Equal pay law:
	employers are covered		status, familial status, membership or activity in				wage disclosure	https://www.revisor.mn.
	by the wage disclosure		local commissions, disability, sexual orientation,	. 40			provisions (excluding	gov/statutes/cite/181.67
	provisions.		or age, unless this discrimination is justified by a				the employer policy	Minn. Stat. §§ 181.66,
	Minn. Stat. § 181.172		bona fide occupational qualification.	) ~			requirements), the	<u>181.68, 181.70</u>
							Minnesota Department	
			No person (as defined in Minn. Stat. § 363A.03)				of Labor and Industry	Minnesota Laws:
			can:				can order them to:	https://www.revisor.mn.
			intentionally aid, abet, incite, compel, or coerce				stop violations;	gov/statutes/ Minnesota
			another person to violate the Fair employment				take affirmative steps to	Department of Labor
			practices law, or attempt to do so;				comply with the	and Industry:
			intentionally obstruct or prevent another person from complying with the Fair employment				provisions;	https://www.dli.mn.gov/ Minnesota Department
			practices law or any related orders; or				pay back pay, gratuities,	of Labor and Industry,
			resist, prevent, impede, or interfere with the				compensatory	Division of Labor
			Department of Human Rights in the performance				damages, and an	Standards and
			of its duties.				additional equal	Apprenticeship:
			Minn. Stat. § 363A.08				amount as liquidated	https://www.dli.mn.gov/l
			William State 3 000 t.co				damages;	aborlaw
			Statutory Language: Minn. Stat. Ann. § 181.67.				pay a fine of up to	
			Wage discrimination based on sex; protection of				\$1,000 per employee	
			employees involved in proceeding				for each repeated or	
			"General prohibition. No employer shall				willful violation;	
			discriminate between employees on the basis of				pay litigation and	
		×	sex by paying wages to employees at a rate less				hearing costs; and	
		Cal	than the rate the employer pays to employees of				pay interest on the	
			the opposite sex for equal work on jobs the				unpaid balance of these	
		. '0'	performance of which requires equal skill, effort,				amounts from the date	
			and responsibility, and which are performed under				the order is signed until	
		*	similar working conditions, except where such				it is paid.	
			payment is made pursuant to a seniority system, a					
			merit system, a system which measures earnings					

Minnesota	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			by quantity or quality of production, or a differential				Employers that are	
			based on any other factor other than sex.				sued by employees	
			Provided, that an employer who is paying a wage				also can be ordered to:	
			rate differential in violation of sections 181.66 to				stop violations;	
			181.71 shall not, in order to comply with the			OV	reinstate employees;	
			provisions of sections 181.66 to 181.71, reduce			CV.	pay back pay and	
			the wage rate of any employee."				restore lost service	
					\		credits;	
							expunge employees'	
							adverse records related	
					$\Omega$		to violations;	
							pay damages;	
							pay reasonable	
							attorneys' fees, costs,	
					, 0		and other expenses;	
							and	
							comply with other	
							remedies.	
				/ /				
				:20"			Minn. Stat. §§ 177.23,	
							177.27, 181.172,	
							181.944	
				***				

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Mississippi	Coverage	Protected Classes	Key Provisions	<b>Employer Defenses</b>	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.	

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Missouri	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Missouri	Public and private	Equal pay law: Women	Equal pay law:	Equal pay law:	N/A	See Fair employment	Employers that are	Coverage: Equal pay
	employers are covered	Fair employment	Employers cannot pay women at wage rates that	Employers can pay wage differentials to		practices law.	sued for violating the Equal pay law can be	law: Mo. Rev. Stat. §
	by the Equal pay law.	practices law:	are lower than the wage rates paid to men for the same quantity, quality, and classification of work	wage differentials to women and men in			ordered to pay lost	290.400 Fair employment
	Mo. Rev. Stat. §	Race, color, religion,	at the same workplace. Wages are compensation	good faith based on			wages and court costs.	practices law: Mo. Rev.
	290.400	national origin, sex,	for labor measured by time, piece, or other	seniority or length of			wages and court costs.	Stat. § 213.010
	290.400	ancestry, age (40 to	factors. Mo. Rev. Stat. § 290.410	service; ability or			Mo. Rev. Stat. §	Stat. § 213.010
		69), or disability.	140013. Wo. 11cv. Stat. § 250.410	skills; differences in			290.440	Pay Discrimination
		00), or alcability.	Statutory Language: Mo. Ann. Stat. § 290.410.	duties or services			200.110	Prohibitions: Equal pay
			Employer not to pay female lower wage	performed; work	100			law: Mo. Rev. Stat. §
			"Notwithstanding any other provisions of the law,	performed on different				290.410
			no employer shall pay any female in his employ at	shifts or at different				Fair employment
			wage rates less than the wage rates paid to male	times of day; hours of				practices law: Mo. Rev.
			employees in the same establishment for the	work; restrictions or				Stat. § 213.055
			same quantity and quality of the same	prohibitions on lifting or	O,			
			classification of work, provided that nothing herein	moving objects in				Penalties/Remedies:
			shall prohibit a variation of rates of pay for male	excess of specified				Equal pay law: Mo. Rev.
			and female employees engaged in the same	weight; or reasonable				Stat. § 290.440
			classification of work based upon a difference in	differentiations based				
			seniority, length of service, ability, skill, difference	on factors other than	•			Missouri Laws:
			in duties or services performed, difference in the	sex.				http://www.moga.mo.
			shift or time of day worked, hours of work, or					gov/mostatutes/statute
			restrictions or prohibitions on lifting or moving	Fair employment				sAna.html
			objects in excess of specified weight, or other	practices law:				Missouri Labor and
			reasonable differentiation, or factors other than	Employers can apply				Industrial Relations
			sex, when exercised in good faith."	different compensation				Commission:
				standards pursuant to				http://www.
			Fair employment practices law:	bona fide seniority or				labor.mo.gov/LIRC/
			Employers cannot discriminate in compensation	merit systems, pursuant	t			
			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				
			role in and has a determinative influence on the	these differences or				
			adverse decision or action. Employers also cannot	systems are not				
			aid, abet, incite, compel, or coerce unlawful	intended, designed, or				
			discriminatory acts or try to do so.	used to discriminate				
			7 4	based on a protected				
			-0	class. Mo. Rev. Stat. §				
			.01	213.055				
				210.000				
		1		1				

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			N.	misdemeanor and can	Fair employment
	Mont. Code Ann. § 39-3-	race, creed, religion,	industry or workplace.			OV	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						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				104	Pay Discrimination
		pregnancy), unless a	"(1) It is unlawful for the state or any county,		10			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		O,			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	.0	77			Montana Laws:
			district, public or private corporation, person, or		O*			http://leg.mt.gov/bills/m
			firm violates any of the provisions of subsection	•101				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/
			Fair employment practices law:					
			Employers cannot discriminate in compensation	*O				
			based on race, creed, religion, color, national					
			origin, age, physical or mental disability, marital	1				
			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.					
			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,	48-1220; 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		V	discriminate against	Admin. Code § <u>1.001</u>
	preceding calendar	related medical	for medical, hospital, accident, life insurance or	any factor other than	10	Neb. Rev. Stat. § <u>48-</u>	employees for	
	year. The law also	conditions.	retirement benefits; profit-sharing or bonus plans;	sex.	0\	<u>1221</u>	complaining to	Pay Discrimination
	applies to any business		and leave. Employers that violate the Equal pay				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	, 0		violations; or discharge	139 Neb. Admin. Code
	Authority Act and all		Admin. Code §§ <u>1-003</u> , <u>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	<b>7</b> , -		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</u> , <u>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	l
	corporations wholly		childbirth or related medical conditions.	production quantity or			or preparing to testify in	Wage Disclosure: Fair
	owned by the federal		N. I. D. OLI A. O. 40	quality or to employees			these proceedings.	employment practices
	government.		Statutory Language: Neb. Rev. Stat. Ann. § 48-	who work in different				law: Neb. Rev. Stat. §
	Nah Day Ctat S 40		1221. Prohibited acts	locations if these			Employers are guilty of	48–1114 (2019 Neb.
	Neb. Rev. Stat. § <u>48-</u> 1220; 139 Neb. Admin.		"(1) No employer shall discriminate between	differences are not the result of an intention to			a class V misdemeanor	L.B. 217)
	Code § 1-002		employees in the same establishment on the basis of sex, by paying wages to any employee in	discriminate based on			and fined up to \$100 if they hinder, delay or	Retaliation Prohibition:
	Code § 1-002		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 Stat. 9 40- 1221
			work on jobs which require equal skill, effort and	origin.			Commission's	Penalties/Remedies:
			responsibility under similar working conditions.	Neb. Rev. Stat. §§ 48-			enforcement duties.	Equal pay law: Neb.
			Wage differentials are not within this prohibition	1104, 48-1107.01, 48-			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	<u>1223, 48-1227;</u> 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	
			, 0,				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 48-1219 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 <u>48-1219</u> to				other remedies.	Nebraska Equal
		X	<u>48-1227</u> .					Opportunity
		6	1				Neb. Rev. Stat. §§ <u>28-</u>	Commission:
		2	No employer may discharge or discriminate				106, 48-1219 to 48-	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				1227; 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	Remedies/Damages:	Citing References
Nevada	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	An employer or an	Employers cannot use	Employers that violate	Coverage: Equal pay
	employers are covered	Sex	Employers cannot discriminate based on sex by	Employers can pay	employment agency	force, intimidation,	the Equal pay law are	law: Nev. Rev. Stat. §§
	by the Equal pay law if		paying employees of one sex at wages that are	wage differentials	shall not, orally or in	threats of dismissal	guilty of a	608.007 to 608.011
	they have control or	Fair employment	lower than the wages paid to employees of the	pursuant to seniority or	writing, personally or	from employment, or	misdemeanor. The	Fair employment
	custody of any	practices law:	opposite sex for equal work that requires equal	merit systems,	through an agent, seek	other tactics to induce	Nevada labor	practices law: Nev.
	employment,	Race, color, religion,	skill, effort, and responsibility under similar	compensation systems	the wage or salary	or try to induce	commissioner's office	Rev. Stat. §§ 613.310
	workplace, or	sex, sexual orientation,	working conditions in the same establishment.	where wages are based	history of an applicant	employees to refrain	also can fine them up	to 613.320
	employee. Employee	gender identity or	Wages are the amount that employers agree to	on production quality or	for employment; rely on	from testifying in	to \$5,000 for each	
	includes a male or	expression, age,	pay employees for the time they have worked	quantity, or other	the wage or salary	investigations or	violation. In addition,	Pay Discrimination
	female person who	disability, or national	(computed in proportion to time) and commissions	factors besides sex.	history of an applicant	proceedings related to	employers that are	Prohibitions: Equal pay
	works for an employer	origin.	owed to employees, excluding bonus or profit-	Nev. Rev. Stat. §§	to determine whether to	the Equal pay law.	sued can be ordered to	law: Nev. Rev. Stat.
	under any express,		sharing payments. Employers that violate these	608.012, 608.017	offer employment to an	Employers also cannot	pay the amount of	§§ 608.012, 608.017
	implied, oral, or written		pay discrimination prohibitions cannot reduce any		applicant or the rate of	discharge or penalize	wages owed to	Fair employment
	appointment or contract		employee's wages to comply with the prohibitions.	Fair employment	pay for the applicant; or	employees for such	employees and	practices law: Nev.
	of hire or		Nev. Rev. Stat. Ann. § 608.017.	practices law:	refuse to interview,	testimony.	reasonable attorneys'	Rev. Stat. §§ 613.330
	apprenticeship,			Employers can apply	hire, promote or employ		fees.	to 613.333, 613.380
	regardless of whether		Fair employment practices law:	different compensation	an applicant, or	Nev. Rev. Stat. §		
	the person is lawfully or		Employers cannot discriminate in compensation	standards pursuant to	discriminate or retaliate	<u>608.015</u>	Nev. Rev. Stat. §§	Wage Disclosure: Fair
	unlawfully employed.		based on race, color, religion, sex, sexual	bona fide seniority or	against an applicant if		<u>608.140, 608.195</u>	employment practices
	[Note: The Nevada		orientation, gender identity or expression, age,	merit systems, pursuant	the applicant does not			law: Nev. Rev. Stat. §
	Supreme Court has		disability, or national origin.	to systems that	provide wage or salary			<u>613.330</u>
	held that the state's			measure earnings by	history.			
	wage-protection law,		Lawful activities: Employers cannot discriminate	production quantity or				Salary History: SB 293
	which includes the		against employees in compensation because they	quality, or to				Effective Oct. 1, 2021.
	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				Retaliation Prohibition:
	personal liability on		adversely affects their ability to perform their job	these differences are				Equal pay law: <u>Nev.</u>
	individual managers		or the safety of their co-workers.	not the result of an				Rev. Stat. § 608.015
	(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				Penalties/Remedies:
	2008))].		608.017. Discrimination on basis of sex prohibited;	orientation, gender				Equal pay law: Nev.
			exceptions	identity or expression,				Rev. Stat. §§ 608.140,
	Nev. Rev. Stat. §§		"1. It is unlawful for any employer to discriminate	age, disability, or				<u>608.195</u>
	608.007 to 608.011		between employees, employed within the same	national origin.				
			establishment, on the basis of sex by paying					Nevada Laws:
			lower wages to one employee than the wages					http://www.leg.state.nv.u
			paid to an employee of the opposite sex who					s/law1.cfm
			performs equal work which requires equal skill,					Navada Danamusant af
			effort and responsibility and which is performed under similar working conditions.					Nevada Department of
			2. The provisions of subsection 1 do not apply					Business and Industry, Office of the Labor
			where wages are paid pursuant to: A seniority system; A merit system; A compensation					Commissioner:
								http://www.laborcommis sioner.com/ Nevada
			system under which wages are determined by the quality or quantity of production; or A wage					Office of the Attorney
			differential based on factors other than sex.					General:
			3. An employer who violates the provisions of this					
								http://ag.nv.gov/
		25	section shall not reduce the wages of any employees in order to comply with such					
			provisions."					
	<u> </u>		provisions.			1	1	

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: N.H. Rev. Stat.
	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	Ann. § 275:36
	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	Stat. Ann. § 354-A: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;	(6)	(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: N.H. Rev. Stat.
	club or fraternal,	or mental disability,		shift differentials; and	$\Omega \lambda$	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. §§ 354-A:2,
	NIII Day Otat Arra S	unless this	marital status, physical or mental disability,	experience.	, 0	assist, or otherwise	NUL Day Otal Arm CC	<u>354-A:7</u>
	N.H. Rev. Stat. Ann. §	discrimination is based	religious creed, national origin, or sexual	Fair amenta mant		participate in these	N.H. Rev. Stat. Ann. §§	Mana Diadaassaa Fassal
	<u>275:36</u>	on a bona fide	orientation, unless this discrimination is based on	Fair employment	( )	investigations,	273:11 to 273:11-a,	Wage Disclosure: Equal
		occupational	a bona fide occupational qualification.	practices law:	0-	proceedings, hearings,	275:39 to 275:40,	pay law: N.H. Rev. Stat.
		qualification.	N.H. Rev. Stat. Ann. §§ 354-A:2, 354-A:7	Employers cannot discriminate in		or lawsuits.	<u>275:41-a</u>	Ann. §§ 275: 38-a,
			Statutory Language: N.H. Rev. Stat. Ann. § 275:37	compensation based		N.H. Rev. Stat. Ann. §		<u>275:41-</u> b
			Equal Pay.	on age, sex, gender		275:38-a		Retaliation Prohibition:
			"I. No employer or person seeking employees	identity, race, color,		213.30-a		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,				<u>270.00-4</u>
			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				275:41-a
			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					<u>htm</u>
			other employee in order to comply with this					
			section."					New Hampshire
			, 0,					Department of Labor:
			<b>\</b>					https://www.nh.gov/labo
								r/
			10					

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	<u>56.2</u>	N.J. Stat. Ann. § 34:11-56.2	reasonable factors	practice if they screen	employees because	prohibition are guilty of	<u>56.12</u>
	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: N.J. Stat. Ann. §
	requirements and	or liability for service in	Employers cannot discriminate in compensation or	systems or if they can	FW 1 1 1 2000	proceedings.	An additional equal	<u>34:11-56.2</u>
	mandatory poster:	the U.S. armed forces;	terms, conditions, and privileges of employment	show that:	Effective Jan. 1, 2020,	N. I. Otat. Amer. CC 04:44	amount as liquidated	Fair employment
	Public and private	national origin,	based on a protected class. However, they can	A 7 1	employers may verify a	N.J. Stat. Ann. §§ 34:11-	damages; and	practices law: N.J. Stat.
	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. §§ 10:5-3, 10:5-
	Jersey are covered by the law's notification	marital, civil union, or domestic partnership	conduct, or other reasonable standards. Discrimination in compensation or the financial	legitimate, bona fide factors other than the	history or consider salary history in		fees and costs.	12, 10:5-12.6
		· ·	terms or conditions of employment occurs each	characteristics of a	,		N.J. Stat. Ann. §§ 34:11-	N.J. Admin. Code §
	requirements and mandatory poster	status; or genetic information,	time employees are affected by the application of	protected class, such	determining what salary and benefits to offer to		56.6, 34:11-56.8	13:13-2.6
	provisions if they have	atypical hereditary	discriminatory compensation decisions or other	as training, education,	an applicant, but only if		<u>50.0, 54.11-50.8</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	genetic test, or a refusal	in any way from these decisions or practices.	quality;	history without any			10:5-12
	state.	to make genetic test	in any way norm these decisions of practices.	these factors are not	prompting.			10.0-12
	otato.	results available.	Employers also cannot pay employees who are	based on, and do not	prompung.			Salary History: Salary
	N.J. Stat. Ann. §§ 34:11-	Fair employment	members of a protected class at a rate of	perpetuate the	Effective Jan. 1, 2020,			history law: N.J. Stat.
	56.1, 34:11-	practices law: N.J. Stat.	compensation or benefits that is less than the rate	differential based on,	where salary history			Ann. §§ 34:6B-20, 10:5-
	56.12	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 §	12, 10:5-12.6	work in terms of skill, effort, and responsibility.	protected class;	available, an employer			
	12:2-2.2		Employers that violate this prohibition cannot	each of the factors is	may acquire that			Retaliation Prohibition:
			reduce any employee's rate of compensation or	reasonably applied;	information, but the			Equal pay law: N.J. Stat.
	Public and private		benefits in order to comply with the prohibition.	one or more of the	employer cannot retain			Ann. §§ 34:11- 56.1,
	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			
	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.
	N.J. Stat. Ann. § 34:6B-		applicants to waive any of the protections	positions;	the applicant			Ann. §§ 34:11- 56.6,
	<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. §§ 10:5-5, 10:5- 12
			discriminatory acts or attempt to do so.	there is no alternative	Effective Jan. 1, 2020,			to 10:5-13 (2019 N.J.
		A .	9.	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
		250	10:5-5, 10:5-12, 10:5-12.6	without producing the	applicant's refusal to			Name In the second and
		. 0	Colom history Effective Lee 4 0000	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 N.J. Stat. Ann. § 10:5-12, or who require that the		employment decisions.			New Jersey
			salary history of an applicant who is a member of a					Regulations:
			saiding history of all applicant who is a member of a				<u> </u>	regulations.

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information as part of a background check, as									
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						long as the employer			

New Jersey	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
					specifies in the			
					information request that			
					salary history should			
					not be disclosed, and			
					as long as the employer does not retain any	_()		
					salary history	CV		
					information received as			
					part of the background	V		
					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			
				(0)	incentive and			
					commission plans, but			
					only if the opening for			
				CUIL	which the applicant is			
					being considered includes such a plan as			
				467	part of the total			
					compensation package.			
					Effective Jan. 1, 2020,			
			Circi		employers may provide			
					a job applicant with			
					salary information or wage rates set by			
					collective bargaining			
			$Q_1$		agreements or by			
					statute, and may pay			
					those rates if the			
					applicant is hired.			
					Eff-16 1 4 0000			
			ile Megio,		Effective Jan. 1, 2020, employers who recruit			
			<b>O</b>		employees or do			
					business in at least one			
			. 11		state other than New			
			. 0		Jersey may include a			
					salary history inquiry on			
		A	1.		their employment			
		25			applications, so long as			
		25			a statement immediately precedes			
		. 0			that inquiry instructing			
					applicants for positions			
		•			physically located in			
					New Jersey to not			

New Jersey	Coverage	Protected Classes	Key Provisions	<b>Employer Defenses</b>	Salary History	Retaliation	Remedies/Damages:	Citing References
					answer the salary			
					history inquiry.			
						<u> </u>		
					Effective Jan. 1, 2020,			
					employers also violate	OV		
					New Jersey's fair	CV.		
					employment law (N.J.			
					Stat. Ann. §§ 10:5-1 to			
					10:5-49) if they			
					unlawfully use salary	1		
					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			
				•:0)	minimum or maximum			
					criteria. N.J. Stat. Ann.			
					§§ 34:6B-20, <u>10:5-</u>			
				• 🗙	<u>12.12</u>			

New Mexico	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
New Mexico	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	N/A	Employers and their	Employers that violate	Coverage: Equal pay
INEW MEXICO	employers (and their	Sex	Employers cannot pay employees of one sex at	Employers can pay	IN/A	' '	the Equal pay law can	law: N.M. Stat. Ann. §
		N.M. Stat. Ann. § 28-23-				agents cannot discharge, demote,	be ordered by the New	28-23-2
	agents) with four or more employees are		wage rates that are lower than the wage rates paid to employees of the opposite sex for equal	wage differentials pursuant to seniority or		deny promotion to or	Mexico Human Rights	Fair employment
	covered by the Equal	<u>3.</u>	work that requires equal skill, effort and	merit systems or		otherwise discriminate	Commission to:	practices law: N.M. Stat.
	pay law.	Fair employment	responsibility under similar working conditions in	systems that measure		against employees for	stop discriminatory	Ann. §§ 28-1-2, 28-1-9;
	pay law.	practices law:	the same establishment. Wage means	earnings by production		asserting claims under	practices; take further	N.M. Code R. § 9.1.1.7
	N.M. Stat. Ann. § 28-23-	race, age, religion,	compensation for performance of employee	quantity or quality.	. (	the Equal pay law,	affirmative action,	14.14. Code R. § 9.1.1.7
	11.IVI. Stat. AIIII. § 20-25-	color, national origin,	services, including the cash value of all	N.M. Stat. Ann. §§ 28-		assisting others in	including reporting	Pay Discrimination
	=	ancestry, sex, physical	compensation paid in any medium other than	23-2, 28-23-3	16	asserting such claims	compliance with	Prohibitions: Equal pay
		or mental handicap,	cash. Employers also cannot reduce employees'	<u>23-2, 20-23-3</u>		or informing others	compliance with commission orders;	law: N.M. Stat. Ann.
		serious medical	wages to comply with the Equal pay law. N.M.	Fair employment		about their rights under	and pay actual	§§ 28-23-2, 28-23-3
		condition, spousal	Stat. Ann. § 28-23-3.	practices law:		the law.	damages and	Fair employment
		affiliation, sexual	Otal. 74111. § 20 20 0.	Employers cannot		N.M. Stat. Ann. § 28-23-	reasonable attorneys'	practices law: N.M. Stat.
		orientation, gender	Fair employment practices law:	discriminate in	0	5	fees	Ann. §§ 28-1-2, 28-1-7
		identity, or, effective	Employers cannot discriminate in compensation	compensation against	1	<u> </u>	1000	(2020 N.M. Laws 49
		May 20, 2020,	against otherwise qualified employees based on	otherwise qualified	1		Employers that are	(H.B. 25))
		pregnancy, childbirth,	race, age, religion, color, national origin, ancestry,	employees based on			sued can be ordered to:	( = 5//
		or related conditions	sex, physical or mental handicap, serious medical	race, age, religion,	0		hire, reinstate and	Retaliation Prohibition:
		unless such	condition, spousal affiliation, sexual orientation,	color, national origin,			promote employees;	Equal pay law: N.M.
		discrimination is based	gender identity, or, effective May 20, 2020,	ancestry, sex, physical			stop discriminatory	Stat. Ann. § 28-23-5
		on a bona fide	pregnancy, childbirth, or related conditions unless	or mental handicap,			practices; post notice in	Penalties/Remedies:
		occupational	such discrimination is based on a bona fide	serious medical			their place of business	Equal pay law: N.M.
		qualification or another	occupational qualification or another statutory	condition, spousal			describing violations or	Stat. Ann. § 28-23-6
		statutory prohibition.	prohibition.	affiliation, sexual			a copy of a cease and	
		N.M. Stat. Ann. §§ 28-1-	N.M. Stat. Ann. §§ 28-1-2, 28-1-7 (2020 N.M. Laws	orientation, gender			desist order; pay	New Mexico Laws:
		2, 28-1-7	49 (H.B. 25))	identity, or, effective			employees unpaid	http://www.newmexico.
		(2020 N.M. Laws 49		May 20, 2020,			wages (limited to six	gov/
		(H.B.	Statutory Language: N.M. Stat. Ann. § 28-23-3.	pregnancy, childbirth,			years prior to the date	gov/
		25)).	Prohibition on paying employees less for same work	or related conditions			of the last pay violation)	New Mexico
			"A. No employer shall discriminate, within any	unless such			and damages from	Regulations:
			establishment in which such employees are	discrimination is based			retaliation; pay actual,	http://www.nmcpr.state.n
			employed, between employees on the basis of	on a bona fide			triple and punitive	m.us/nmac/
			sex by paying wages to employees in the	occupational			damages; pay costs	
			establishment at a rate less than the rate that the	qualification or another			and reasonable	New Mexico
			employer pays wages to employees of the	statutory prohibition.			attorneys' fees; and	Department of
			opposite sex in the establishment for equal work	Fair employment			comply with other court	Workforce Solutions,
			on jobs the performance of which requires equal	practices law: N.M. Stat.			orders.	Labor Relations
			skill, effort and responsibility and that are	<u>Ann.</u>				Division, Human Rights
			performed under similar working conditions,	§§ 28-1-2, 28-1-7 (2020			Employers might not be	Bureau:
			except where the payment is made pursuant to a:	N.M. Laws 49 (H.B.			ordered to pay triple	http://www.dws.state.
			seniority system; merit system; or system that	25))			damages or any other	nm.us/LaborRelations/
			measures earnings by quantity or quality of				amount exceeding the	HumanRights/Informati
			production. B. An employer shall not reduce the wage of an employee to comply with this section.				amounts established in	on
			C. No agreement between an employer and an				the Equal pay law if	
			employee for a specific wage in violation of the Fair				employers establish that any action was	New Mexico Human
			Pay for Women Act shall prevent the employee from				taken in good faith and	Rights Commission:
			raising a claim based on a violation of the Fair Pay				with reasonable	http://governor.state.
		25	for Women Act."				grounds for believing	nm.us/Human_Rights.a
		, ()	TO TROMOTIVOL				such action did not	spx
							violate the law.	
		~					N.M. Stat. Ann. § 28-23-	
							6	
						l	<u> </u>	1

New York	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
New York	All employers in New	Protected Classes	Fair employment practices law:	Employers can pay	Equal pay law (effective	Employers cannot:	Employers that fail to	Coverage: Fair
	York are covered by the	applies to equal pay	Employers cannot discriminate in compensation	different wage rates	Jan. 6, 2020):	retaliate against	pay wages in	employment practices
	Fair employment	and fair employment	based on age (18 and older), race, creed, color,	pursuant to:	Employers cannot:	applicants or	accordance with the	law: N.Y. Exec. Law §§
	practices law.	discrimination law.	national origin, sexual orientation, gender identity	seniority or merit	rely on applicants' wage	employees based on	Equal pay law are guilty	292, 296 (2019 N.Y.
	Employees exclude	Protected classes	or expression, military status, sex, disability,	systems;	or salary history in	their prior wage or	of a misdemeanor and	Laws 160 (S.B. 6577);
	domestic service	include: age (18 and	predisposing genetic characteristics, familial	systems that measure	deciding whether to	salary history;	fined \$500 to \$20,000	2019 N.Y. Laws 161
	workers, except under	older), race, creed,	status (including pregnancy), marital status, or	earnings by production	offer them employment	retaliate against	or imprisoned for up to	(S.B. 6594))
	the harassment	color, national origin,	domestic violence victim status. National origin	quantity or quality; or	or determining their	applicants or	one year for a first	
	provisions, and people	sexual orientation,	includes ancestry.	bona fide factors other	wages or salary;	employees because	violation. For each	Pay Discrimination
	employed by their	gender identity or		than status within one	seek, request, or	they do not provide	subsequent violation	Prohibitions: Fair
	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 or salary	that occurs within six	employment practices
	child. Special	status, sex, disability,	aid, abet, incite, compel, or coerce unlawful	classes, such as	writing) applicants' or	history; or	years of a conviction	law: N.Y. Exec. Law §§
	provisions apply to	predisposing genetic	discriminatory acts or try to do so.	education, training, or	employees' wage or	retaliate against	for a prior violation,	292, 296 (2019 N.Y.
	licensing agencies,	characteristics, familial		experience.	salary history as a	applicants, employees,	employers are guilty of	Laws 160 (S.B. 6577);
	employment agencies,	status (including	No employees: It is unlawful for an employer to		condition of	or former employees	a felony and fined \$500	2019 N.Y. Laws 161
	labor organizations,	pregnancy), marital	permit unlawful discrimination against non-	Any such bona fide	employment or	who file complaints with	to \$20,000, imprisoned	(S.B. 6594))
	and certain religious	status, or domestic	employees in its workplace. Nonemployees	factors cannot be	promotion, or as a	the New York State	for up to one year plus	
	employers. Any person	violence victim status.	include contractors, subcontractors, vendors,	based upon or derived	condition of being	Department of Labor	one day, or fined and	Wage Dis <u>closure: Equal</u>
	(as defined in N.	National origin includes	consultants, or other persons providing services	from a differential in	interviewed or	alleging violations of	imprisoned. The same	pay law: N.Y. Lab. Law
	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 history	penalties apply to	<u>§ 194</u>
	covered by the	<u>§§ 190, 194</u> (2019 N.Y.	employer may be held liable for discrimination	one or more protected	considered for	provisions.	officers or agents of	N.Y. Comp. Codes R. &
	prohibitions against	Laws 93 (S.B. 5248))	against a nonemployee when the employer, its	classes and must be	employment;		corporations,	Regs. tit. 12, §§ 194-1.1
	aiding, abetting,		agents, or supervisors knew or should have known	job-related and	seek, request, or	N.Y. Lab. Law § 194-a	partnerships, or limited	to 194-1.4
	inciting, compelling, or		that such nonemployee was subjected to an	consistent with	require (orally or in	(2019 N.Y. Laws 94	liability companies if	
	coercing unlawful		unlawful discriminatory practice in the workplace,	business necessity.	writing) applicants' or	(S.B. 6549)	they knowingly permit	Salary History: Equal
	discriminatory acts.		and the employer failed to take immediate and	Business necessity	employees' wage or		these violations.	pay law: N.Y. Lab. Law
			appropriate corrective action. The extent of the	means that a factor	salary history from a	Employers cannot	Employers that	§ 194-a (2019 N.Y.
	N.Y. Exec. Law §§ 292,		employer's control and any other legal	bears a manifest	current or former	discharge, threaten,	otherwise violate or fail	Laws 94 (S.B. 6549))
	296 (2019 N.Y. Laws		responsibility the employer might have over the	relationship to the job	employer or employee,	penalize, or otherwise	to comply with the law	
	160 (S.B. 6577); 2019		person who engaged in discriminatory conduct is	in question.	or an agent of such an	discriminate or retaliate	are guilty of a	Retaliation Prohibition:
	N.Y. Laws 161 (S.B.		considered when liability is determined.	Facilities and the second	employer, except as	against employees	misdemeanor and fined	Equal pay law: N.Y. Lab.
	6594)		A successor to and sucissors. Contain any successor	Employers cannot pay	provided below;	because:	up to \$100 for a first	Law § <u>194-a (2019 N.Y.</u>
	Employees and interne		Agreements and waivers: Certain agreements, clauses, covenants, and waivers related to the	different wage rates pursuant to bona fide	refuse to interview, hire,	they make complaints	offense; fined \$100 to	<u>Laws 94 (</u> S.B. 6549))
	Employees and interns are covered under this		Fair employment practices law are invalid.	factors other than sex if	promote, employ, or otherwise retaliate	to anyone, including their employer, the New	\$500, imprisoned for up to 30 days, or fined and	Penalties/Remedies:
	law.		N.Y. Exec. Law §§ 292, 296 (2019 N.Y. Laws 160	employees can show	against applicants or	York State Department	imprisoned for a second	Equal pay law: N.Y. Lab.
	law.			that:	*	•	offense; and fined at	Law §§ 2, 194-a (2019
			(S.B. 6577); 2019 N.Y. Laws 161 (S.B. 6594))	these pay practices	employees based on their prior wage or	of Labor, or the New York attorney general's	least	N.Y. Laws 94 (S.B.
			Equal pay law:	result in pay	salary history;	office, about employer	\$300, imprisoned for up	6549)), 196, 197 to 198-
			Subject to the exceptions below, employers	differentials based on	refuse to interview, hire,	conduct that they	to 60 days, or fined and	a, 213, 218,
			cannot pay employees or interns who are	status within one or	promote, employ, or	reasonably believe	imprisoned for a	219, 219-c
			members of protected classes under the Fair	more protected classes	otherwise retaliate	violates the state's	subsequent offense.	210, 210 0
			employment practices law wage rates that are	(disparate impact);	against applicants or	labor law or department	The same penalties	New York Laws:
			lower than the wage rates paid to employees or	alternative pay	employees because	orders;	apply to employers'	http://public.leginfo.stat
			interns who are not members of the same	practices would serve	they do not provide	employers or other	agents or employees	e.ny.us/lawssrch.cgi?
			protected classes for:	the same business	their wage or salary	people believe that	who violate or fail to	NVLWO:
		4	equal work that requires equal skill, effort, and	purpose without	history; or	employees made those	comply with the law.	
		×	responsibility under similar working conditions in	resulting in such pay	refuse to interview,	complaints;	They also apply to	New York Regulations:
		C	the same establishment; or	differentials; and	hire, promote, employ,	they initiate or are	officers or agents of	https://www.dos.ny.gov/i
		73	substantially similar work, when viewed as a	employers refuse to	or otherwise retaliate	about to initiate	corporations if they	nfo/nycrr.html
		'0'	composite of skill, effort, and responsibility, and	adopt such alternative	against applicants,	proceedings related to	knowingly permit these	
			performed under similar working conditions in the	pay practices.	employees, or former	the labor law;	violations.	New York State
		•	same establishment.		employees who file	they provide information	The New York State	Department of Labor:
					complaints with the	to the department or	Department of Labor	http://www.labor.state.ny
					New York State	attorney general;		. us/
	*	•			•			

New York	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
	3		Protected classes under the Fair employment		Department of Labor	they testify or are about	can order employers	New York State
			practices law include: age, race, creed, color,		alleging violations of	to testify in	that violate the law to:	Industrial Board of
			national origin, sexual orientation, gender identity		the salary history	investigations or	comply with law;	Appeals:
			or expression, military status, sex, disability,		provisions.	proceedings under the	pay the amount of any	http://industrialappeals.
			predisposing genetic characteristics, familial		providenc.	labor law;	wages owed to	ny.gov/
			status (including pregnancy), marital status, and		Employers can confirm	they otherwise exercise	employees for the six-	119.907/
			domestic violence victim status; any employee		wage or salary history	their rights under the	year period preceding	New York State Office of
			otherwise protected from discrimination under N.Y.		only if, at the time that	labor law; or	the initiation of the	the Attorney General:
			Exec. Law § 296(1)(a) to (1)(c); and any intern		an employment offer	they are involved in an	administrative action;	https://ag.ny. gov/
			protected from discrimination under N.Y. Exec.		with compensation is	adverse determination	pay an additional	mtps.//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	ITOTTI tile departifierit.	employees or up to	
			Employees work in the same establishment if they			Effective Oct. 25, 2019,	three times that amount	
					wage or salary history			
			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,	
			NIV Lab Law 99 400 404 (0040 NIV Laws 00		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	
			NV I I 0404	•.10	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	. 40	negotiations.	citizenship or	of wages owed to	
			without status within the same protected class or		l <u>_</u>	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-		N.Y. Lab. Law § 194-a		percent penalty on the	
			related with respect to the position in question and		(2019 N.Y. Laws 94		total judgment amount;	
		X	shall be consistent with business necessity. Such		(S.B. 6549))		post a notice of	
		S	exception under this paragraph shall not apply				violations and other	
		. 0.5	when the employee demonstrates (1) that an				relevant information, in	
		. "0"	employer uses a particular employment practice				an area visible to	
			that causes a disparate impact on the basis of				employees, for up to	
		▼	status within one or more protected class or				one year;	
			classes,				post a notice of willful	
							failures to pay wages	

New York Coverage	Protected Classes	Key Provisions	Employer Defenses Salary History	Retaliation	Remedies/Damages: Citing References
		(2) that an alternative employment practice exists			as required, in an area
		that would serve the same business purpose and			visible to the public, for
		not produce such differential, and (3) that the			up to 90 days; and
		employer has refused to adopt such alternative		N.	report certain statistics
		practice."			on their employees,
		"2. For the purpose of subdivision one of this			including wage rates
		section: (a) "business necessity" shall be defined			and work hours, if they
		as a factor that bears a manifest relationship to	(		committed repeat,
		the employment in question, and (b) "protected			willful, or egregious
		class" shall include age, race, creed, color,	10	<b>\</b>	violations.
		national origin, sexual orientation, gender identity			
		or expression, military status, sex, disability,			If a successor employer
		predisposing genetic characteristics, familial			is similar in operation
		status, marital status, or domestic violence victim			and ownership to a
		status, and any employee protected from	O ·		prior employer that was
		discrimination pursuant to paragraphs (a), (b),			found in violation of the
		and (c) of subdivision one of section two hundred			law, they are
		ninety-six and any intern protected from			considered the same
		discrimination pursuant to section two hundred	- (° O°		employer under the
		ninety-six-c of the executive law."	.101		department's order and
		"3. For the purposes of subdivision one of this			the successor employer
		section, employees shall be deemed to work in			is subject to the order.
		the same establishment if the employees work for	·X		The successor
		the same employer at workplaces located in the			employer is similar if its
		same geographical region, no larger than a			work, work conditions,
		county, taking into account population distribution,	4 C		and supervisors or its
		economic activity, and/or the presence of			production process,
		municipalities."			products, and
		"4. (a) No employer shall prohibit an employee			customers are
		from inquiring about, discussing, or disclosing the			substantively the same.
		wages of such employee or another employee."			Employers that are
		"(b) An employer may, in a written policy provided to			sued for wage claims,
		all employees, establish reasonable workplace and			by employees or the
		workday limitations on the time, place and manner			department, also can
		for inquires about, discussion of, or the disclosure			be ordered to:
		of wages. Such limitations shall be consistent with			pay the amount of any
		standards promulgated by the commissioner and			wages owed to
		shall be consistent with all other state and federal			employees (plus
		laws. Such limitations may include prohibiting an			prejudgment interest)
		employee from discussing or disclosing the wages			for the six-year period
		of another employee without such employee's			preceding the filing of
		prior permission.			the lawsuit;
		"(c) Nothing in this subdivision shall require an			pay an additional
		employee to disclose his or her wages. The			amount (the amount of
		failure of an employee to adhere to such			any wages owed to
		reasonable limitations in such written policy shall			employees or up to
		be an affirmative defense to any claims made			three times that amount
	X	against an employer under this subdivision,			for willful violations) as
	260	provided that any adverse employment action			liquidated damages,
	2	taken by the employer was for failure to adhere to			unless they prove a
		such reasonable limitations and not for mere			good- faith basis for
		inquiry, discussion or disclosure of wages in			believing they were in
		accordance with such reasonable limitations in			compliance with the
		such written policy.			law;

New York	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
New TOTK	Coverage	Flotected Classes	"(d) This prohibition shall not apply to instances in	Employer Defenses	Salary History	Retailation		Citing References
			1 1 1				pay a 15 percent	
			which an employee who has access to the wage				penalty on the total	
			information of other employees as a part of such				judgment amount if any	
			employee's essential job functions discloses the			- Dx	part remains unpaid for	
			wages of such other employees to individuals who			OY	more than 90 days after	
			do not otherwise have access to such information,			CV	the judgment is issued	
			unless such disclosure is in response to a			70'	or 90 days after the	
			complaint or charge, or in furtherance of an		\ <u>\</u>		time to appeal expires	
			investigation, proceeding, hearing, or action under		(6)	V	(and no appeal is	
			this chapter, including an investigation conducted				pending), whichever	
			by the employer.		$\Omega \setminus \mathbb{R}$		date is later;	
			"(e) Nothing in this section shall be construed to				pay a fine of \$500 for	
			limit the rights of an employee provided under any		• • • • • • • • • • • • • • • • • • • •		each violation (if sued	
			other provision of law or collective bargaining				by the department);	
			agreement."		, 0		and	
							pay reasonable	
							attorneys' fees and	
				_(			costs, including up to	
							\$50 for expenses.	
				•.(0)				
							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	
				1			otherwise compelled to	
							comply. If it sues them	
							for failing to provide an	
			Circi				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	
			ilemed by				penalties/remedies	
			\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \				above, employers that	
							violate the salary	
			.0				history provisions are	
							subject to any damages	
							sustained by	
			·. (7)				applicants, employees,	
							or former employees as	
		<b>A</b> .	7				a result of the violation,	
							injunctive relief, and	
		250					reasonable attorneys'	
		25					fees.	
							N V Lob Low SS O	
							N.Y. Lab. Law §§ 2,	
							194-a (2019 N.Y. Laws	
							94 (S.B. 6549)),	

Ne	w 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	Carrana	Dueto et ad Classes	Kay Brayisiana	Employer Defenses	Calamelliatame	Deteliation	Damadiaa/Damasaa	Citing Deference
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	9 to 168A-12
	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: <u>Executive</u>
	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				O ·	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-	
	1.				0-	applicants who	11	
	N.C. Gen. Stat. § 168A-					exercise their rights or		
	3					assist others in		
						exercising their rights		
						under the pay		
						discrimination		
						prohibitions.		
				400		prombidene.		
						N.C. Gen. Stat. § 168A-		
						10		
				)		<u></u> 0		

North Dakota	Covered	Protected Classes	Voy Broyleians	Employer Defendes	Colomi Hiotomi	Retaliation	Demodice/Demograps	Citing Beforences
	Coverage		Key Provisions	Employer Defenses	Salary History		Remedies/Damages:	Citing References
North Dakota	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	N/A	Employers cannot	Employers that violate	Coverage: Equal pay
	employers that employ	Sex	Employers cannot pay employees of one sex	Employers can pay		discharge or	the Equal pay law or	law: N.D. Cent. Code §
	men and women are covered by the Equal	N.D. Cent. Code Ann. § 34- 06.1-03	wage rates that are lower than the wage rates paid to employees of the opposite sex for	different wage rates		discriminate against employees because	related retaliation	34-06.1-02
	pay law.	34- 00.1-03	comparable work that requires comparable skill,	pursuant to: established seniority		they take action to	prohibition are guilty of a class B misdemeanor	Fair employment practices law: N.D.
	pay law.	Fair employment	effort and responsibility in the same	· ·		initiate enforcement or	and can be fined	Cent. Code § <u>§ 14-02.4-</u>
	N.D. Cent. Code § 34-	practices law:	establishment. Wage rates cover all compensation	systems; systems that measure		otherwise assist in	\$1,000, imprisoned for	02 to 14-02.4-05, 14-
	06.1-02	race, color, religion,	for employment, including amounts paid by	earnings by production	. (	enforcing the Equal pay	up to 30 days or fined	02.4-10
	00.1-02	sex, national origin, age	employers for employee benefits. Employers that	quantity or quality;		law, unless these	and imprisoned.	02.4-10
		(40 and older), physical	pay wage differentials in violation of the Equal pay	merit systems; or	,6	actions are fraudulent.	Special penalties apply	Pay Discrimination
		or mental disability,	law cannot reduce employees' wage rate to	bona fide factors other		Employers also cannot	to organizations,	Prohibitions: Equal pay
		marital or public	comply with the law.	than sex, such as		discharge or	including corporations,	law: N.D. Cent. Code
		assistance status or	compry with the law.	education, training or		discriminate against	limited liability	§§ 34-06.1-01 to 34-
		participation in lawful	Unlawful pay discrimination occurs when:	experience, that do not		employees because	companies and	06.1-03
		activities, such as	employers adopt discriminatory compensation	discriminate based on		they complain about	unincorporated	Fair employment
		smoking, off employer	decisions or practices; employees become subject	sex.	\	violations of the law,	associations.	practices law: N.D.
		premises during	to discriminatory compensation decisions or	SOX:		initiate any proceedings	Employers that are	Cent. Code § 14-02.4-
		nonwork hours (if those	practices; or employees are affected by	Fair employment		related to the law or	sued also can be	09
		activities do not directly	discriminatory compensation decisions or	practices law:	0	testify or are about to	ordered to stop	<u>55</u>
		conflict with employers'	practices, including each time discriminatory	Employers can apply		testify in these	violations; pay wages	Retaliation Prohibition:
		essential business-	wages, benefits or other compensation are paid.	different compensation		proceedings.	owed to employees;	Equal pay law: N.D.
		related interests).	wagoo, sorione or other compensation are paid.	standards pursuant to		procedurige.	pay up to an additional	Cent. Code §§ 34-
		Tolated interestor.	N.D. Cent. Code §§ 34-06.1-01 to 34-06.1-03	bona fide seniority or		N.D. Cent. Code §§ 34-	equal amount in	06.1-03, 34-06.1-09
				merit systems, pursuant		06.1-03, 34-06.1-09	damages for willful	30:: 30; 0:: 30:: 30
			Statutory Language: N.D. Cent. Code Ann. § 34-	to systems that		<u> </u>	violations; reinstate	
			06.1-03. Prohibition of discrimination "1. An	measure earnings by			employees; pay	Penalties/Remedies:
			employer may not discriminate between employees	production quantity or			reasonable attorneys'	Equal pay law: N.D.
			in the same establishment on the basis of gender,	quality or to employees			fees and costs; and	Cent. Code <u>§§ 12.1-</u>
			by paying wages to any employee in any	who work in different			provide other remedies.	03-04, 12.1-32-01 to
			occupation in this state at a rate less than the rate	locations if these			Employees' agreement	12.1-32-01.1, 12.1-32-
			at which the employer pays any employee of the	differences are not			to work for less than the	03, 34-06.1-05, 34-
			opposite gender for comparable work on jobs that	intended to discriminate			wage rate to which they	06.1-09
			have comparable requirements relating to skill,	based on protected			are entitled does not	
			effort, and responsibility. Differentials that are paid	status categories. N.D.			bar voluntary wage	North Dakota Laws:
			pursuant to established seniority systems,	Cent. Code §§ 14-02.4-			restitution by	http://www.legis.nd.gov/
			systems that measure earnings by quantity or	02 to 14-02.4-05, 14-			employers.	information/statutes/cent
			quality of production, merit systems, or a bona fide	02.4-10				-code.html
			factor other than gender, such as education,				N.D. Cent. Code §§	
			training, or experience, and which do not				12.1-03-04, 12.1-32-01	North Dakota
			discriminate on the basis of gender, are not within				to 12.1-32-01.1,	Department of Labor
			this prohibition.				<u>12.1-32-03, 34-06.1-05,</u>	and Human Rights:
			An employer that is paying a wage differential in				<u>34-06.1-09</u>	http://www.nd.gov/labor
			violation of this chapter may not, in order to					/human-rights/
			comply with this chapter, reduce the wage rates of					
			any employee.					
			A person may not cause or attempt to cause an					
		<b>4</b>	employer to discriminate against any employee in					
		X	violation of this chapter.					
		6	An employer may not discharge or discriminate					
		W	against an employee by reason of any action					
			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.					

North Dakota	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			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			$0^{\circ}$	'	
			an individual is affected by application of a			CV	'	
			discriminatory compensation decision or other			10.	'	
			practice, including each time wages, benefits, or		_ \^		'	
			other compensation is paid, resulting in whole or		.(6)		'	
			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		O,		'	
			mental disability, marital or public assistance				'	
			status or participation in lawful activities, such as		3		'	
			smoking, off employer premises during nonwork				'	
			hours (if those activities do not directly conflict		O		'	
			with employers' essential business-related	•:10)			'	
			interests). N.D. Cent. Code §§ 14-02.4-02 to 14-				'	
			02.4-05, 14-02.4-10				'	
				• *			'	

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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	Code §§ 4111.14,
	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 §§	4111.17	rates that are less than the wage rates paid to	merit systems;		they make complaints,	be fined up to \$150.	
	4111.14, 4111.17; 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;	4111.06 to 4111.07,
			generally include reasonable costs for providing	race, color, religion,	10	the Equal pay law.	organizations include	4111.17
			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. §		4111.13, 4111.17	partnerships, joint	Ohio Rev. Code §§
			Tale in order to comply man are aqual pay iam	4111.17			ventures,	4111.13, 4111.17
			Ohio Rev. Code Ann. §§ 4111.01, 4111.06 to		0,		unincorporated	
			4111.07, 4111.17		1		nonprofit associations,	Penalties/Remedies:
							estates, trusts and	Ohio Rev. Code §§
			Statutory Language: Ohio Rev. Code Ann. §		,		other commercial or	2901.23, 2929.28,
			4111.17 Wage discrimination; exceptions;		0		legal entities. Each day	<u>2929.31, 4111.13,</u>
			enforcement				that a violation occurs	4111.17,
			"(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	<u>code/3cetion-4111.99</u>
			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.					
			Nothing in this section prohibits an employer from				wages, plus reasonable	ov/
			paying wages to one employee at a rate different				attorneys' fees and costs.	
							COSIS.	
			from that at which the employer pays another				Ohio Boy, Codo SS	
			employee for the performance of equal work under similar conditions on jobs requiring equal				Ohio Rev. Code §§ 2901.23, 2929.28,	
			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."					

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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: Employers cannot pay female employees at wage	Equal pay law:	N/A	See Fair employment	Employers are guilty of a misdemeanor and	Coverage: Equal pay law: Okla. Stat. tit. 40, §
	employers are covered by the Equal pay law.	(sex) Okla. Stat. Ann. tit. 40, §	rates that are lower than the wage rates paid to	Employers can pay wage differentials		practices law.	can be fined \$25 to	_
	by the Equal pay law.	198.1	male employees for comparable work that requires	wage unrecentials wages pursuant to			\$100.	198.1; Fair employment
	Okla. Stat. tit. 40, §	190.1	comparable skill, effort and responsibility. Okla.	seniority systems or			\$100.	practices law: Okla.
	198.1	Fair employment	Stat. Ann. tit. 40, § 198.1.	merit systems, systems			Okla. Stat. tit. 40, §	Stat. tit. 25, §§ 1301 to
	130.1	practices law:	Otat. Atm. ut. 40, § 130.1.	that measure earnings		CV	198.2	1304, 1307 to 1308;
		Race, color, religion,	Fair employment practices law:	by production quality or			130.2	Okla. Admin. Code §
		sex, national origin,	Employers cannot discriminate in compensation	quantity or any factor				335:15-3-1
		age, disability or	based on race, color, religion, sex, national origin,	other than sex. Okla.	100	<b>\</b>		Dav Dia arinain atian
		genetic information	age, disability or genetic information, unless this	Stat. tit. 40, § 198.1				Pay Discrimination
		Okla. Stat. tit. 25, §	discrimination is justified by a bona fide	<u> </u>				Prohibitions: Equal pay
		1302	occupational qualification that is reasonably	Fair employment				law: Okla. Stat. tit. 40, §
			necessary to normal business operations. Okla.	practices law:				198.1
			Stat. tit. 25, §§ 1302, 1309, 1311	Employers can apply	0,			Fair employment
				different compensation	\			practices law: Okla. Stat. tit. 25, §§ 1302,
			Statutory Language: Okla. Stat. Ann. tit. 40, § 198.1.	standards pursuant to	1			1309, 1311
			Payment of discriminatory wages based on	bona fide seniority or	,			1309, 1311
			employee's sex prohibited	merit systems, pursuant	O			Penalties/Remedies:
			"It shall be unlawful for any employer within the	to systems that				Equal pay law: Okla.
			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				<u>5tat. tit. 40, § 150.2</u>
			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				<u>genresenaes, menaepri</u>
			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,				
				§§ 1302, 1309, 1311				

Oregon	Coverage	Protected Classes	Key Provisions	<b>Employer Defenses</b>	Salary History	Retaliation	Remedies/Damages:	Citing References
Oregon	Private and public	Protected class, which	Equal pay law:	Employers can pay	Equal pay law:	Employers cannot	Employers that are	Coverage: Equal pay
	employers, excluding	means a group of	Employers cannot discriminate based on a	employees at different	Employers cannot	discriminate against	sued under the Equal	law: Or. Rev. Stat. §
	the federal government,	people distinguished by	protected class in the payment of wages or other	compensation levels for	screen applicants	employees in the	pay law can be ordered	652.210; Or. Admin. R.
	are covered by the	race, color, religion,	compensation for comparable work. They also	comparable work if	based on their current	payment of wages or	to pay the amount of	839-008-0000
	Equal pay law if they	sex, sexual orientation	cannot pay wages or other compensation to any	these differences are	or past compensation,	other compensation	unpaid wages owed to	Fair employment
	have one or more	(as defined in Or. Rev.	employee at a rate higher than the rate paid to	based on one or more	which includes using	because they:	employees for the one-	practices law: Or. Rev.
	employees. Employees	Stat. § 174.100),	employees of a protected class for comparable	of the following bona	information about such	file complaints under	year period before	Stat. §§ 659A.001,
	are people who work in	national origin, marital	work. These actions are considered "unlawful	fide job-related factors,	compensation, obtained	the Fair employment	lawsuits were filed, plus	659A.006, 659A.350;
	Oregon for employers	status, veteran status	employment practices" under the Fair employment	including, effective Jan.	from any source, to	practices law (Or. Rev.	an equal amount as	Or. Admin. R. <u>839-005-</u>
	that pay or agree to	(as defined in Or. Rev.	practices law (Or. Rev. Stat. §§ 659A.001 to	1, 2020, when such	determine an	Stat. § 659A.820);	liquidated damages and	0003, 839-005-
	pay them at a fixed	Stat. § 408.225),	659A.990). In addition, employers cannot reduce	factors are contained in	applicant's suitability or	file complaints in	reasonable attorneys'	0014
	rate. They do not	disability, or age.	an employee's compensation level to comply with	a collective bargaining	eligibility for	proceedings under the	fees. Unpaid wages are	
	include partners,	,, 3	the Equal pay law.	agreement (each factor	employment.	Equal pay law;	the difference between	Pay Discrimination
	independent		1 1 7	is further defined in Or.	Employers also cannot	file complaints in	wages actually paid and	Prohibitions: Equal pay
	contractors, participants		Effective Jan. 1, 2020, employers may pay a	Admin. R.	determine	proceedings under the	wages required to be	law: Or. Rev. Stat. §§
	in work training		different level of compensation to employees who:	839-008-0015):	compensation for	Fair employment	paid under the Equal	652.210 to 652.220
	programs administered		receive wages for modified work in accordance	seniority or merit	positions based on	practices law (Or. Rev.	pay law.	(2019 Or. Laws 617
	under state or federal		with a claim for a compensable injury under <u>Or.</u>	systems;	applicants' current or	Stat. § 659A.885);	If employees allege	(S.B. 123)); <u>Or. Admin.</u>
	assistance laws, or		Rev. Stat. § 656.001 et seq.;	systems that measure	past compensation.	testify, are about to	violations of the Equal	R. 839-008-0000, 839-
	people who work partly		as the result of a medical condition, are	earnings by production	These actions are	testify, or might testify	pay law by filing a	008-0010 to 839-008-
	in the state (unless		temporarily performing modified work that is	quantity or quality, such	considered "unlawful	in investigations,	complaint with the	0025
	their employment		authorized by a licensed medical professional; or	as a piece-rate system;	employment practices"	proceedings, or criminal	Oregon Bureau of	Fair employment
	contract is entered into		as the result of a medical condition, are	workplace location	under the Fair	actions under the Equal	Labor and Industries	practices law: Or. Rev.
	in the state or		temporarily performing requested modified work	considerations;	employment practices	pay law; or	under the Fair	Stat. §§ 659A.001 to
	payments under these		which has been authorized by the employer in a	travel, if regular and	law (Or. Rev. Stat. §§	testify, are about to	employment practices	659A.006, 659A.029 to
	contracts normally are		manner that does not discriminate on the basis of	necessary for the	659A.001 to 659A.990).	testify, or might testify	law (Or. Rev. Stat. §	659A.030; Or. Admin. R.
	made in the state).		a protected class.	employee; or		in investigations or	659A.820), the bureau	839-005-0000 to 839-
			a processor according to	education, training, or	Employers can ask	proceedings under the	can order employers to	005-0010, 839-005-
	Or. Rev. Stat. §		Comparable work means work that requires	experience.	applicants for written	Fair employment	pay back pay for the	0013, 839-005-0021
	652.210; Or. Admin. R.		substantially similar knowledge, skill, effort,		authorization to confirm	practices law (Or. Rev.	lesser of:	
	839-008-0000		responsibility, and work conditions (as further	Employers also can	their prior	Stat. §§ 659A.830,	the two-year period	Wage Disclosure: Fair
			defined in Or. Admin. R. 839-008-0010), regardless	provide employees	compensation after	659A.885).	immediately preceding	employment practices
			of the job description or title. Work conditions	different benefits (as a	making them an offer of		the filing of the	law: Or. Rev. Stat.
			include the work environment, hours, time of day,	part of compensation) if	employment that	Or. Rev. Stat. §	complaint plus the	§ 659A.355
			physical surroundings, and potential hazards.	the same benefit	includes a	652.220	period of time between	
			When evaluating comparable work, only Oregon	options are offered to	compensation amount.		the date when the	Salary History: Equal
			employees need to be considered for purposes of		Employers also can		complaint was filed and	pay law: <u>Or. Rev. Stat.</u>
			comparison.	performing comparable	consider current		the date when the	§§ 652.210 to 652.220;
				work. The cost of a	employees'		bureau issued its order;	Or. Admin. R. 839-008-
			Protected class means a group of people	benefit that is offered to	compensation for		or	0005
			distinguished by race, color, religion, sex, sexual	but declined by an	internal transfer, move,		the period of time that	Fair employment
			orientation (as defined in Or. Rev. Stat. §	employee can be	or hiring purposes.		employees were	practices law: Or. Rev.
			174.100), national origin, marital status, veteran	considered as part of	÷ · ·		subject to an unlawful	Stat. § 659A.357
			status (as defined in Or. Rev. Stat. § 408.225),	the total compensation	Compensation includes		wage differential plus	
			disability, or age.	paid to the employee.	wages, salaries,		the period of time	Retaliation Prohibition:
			70.		bonuses, benefits,		between the date when	Equal pay law: Or. Rev.
		•	Compensation includes wages, salaries, bonuses,		fringe benefits, and		the complaint was filed	Stat. § 652.220
		X	benefits, fringe benefits, and equity-based		equity-based		and the date when the	
		C	compensation. It does not include tips or		compensation. Wages		bureau issued its order.	Penalties/Remedies:
			reimbursement for actual costs incurred, such as		are all compensation for			Equal pay law: Or. Rev.
		, '0'	relocation expenses, mileage, and out-of-pocket		work performed by		If employees allege	Stat. §§ 652.210 to
			expenses. Wages are all compensation for work		employees for		violations of the Equal	652.235 (2019 Or.
		•	performed by employees for employers,		employers, regardless		pay law by filing a	Laws 617 (S.B. 123)),
			regardless of who pays this compensation or how		of who pays this		lawsuit under the Fair	652.990, 659A.870,
			it is paid. Rate means the basis of compensation		compensation or how it			
		1		1	·	1	1	

Oregon	Coverage Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
5		for work and compensation based on time worked		is paid. For other		employment practices	659A.885; Or. Admin. R.
		or quantity accomplished, produced, or handled.		applicable definitions,		law ( <u>Or. Rev. Stat.</u>	839-008-0000
		System (effective Jan. 1, 2020) means a		see "Pay Discrimination		§ 659A.885), employers	1
		consistent and verifiable method in use at the time		Prohibitions."	N.	can be subject to	Oregon Laws:
		of an alleged violation. Individual types of		Or. Rev. Stat. §§		penalties/remedies	https://www.oregonlegis
		compensation are defined as follows:		652.210 to 652.220; <u>Or.</u>		under the Fair	lature.gov/bills laws/Pa
		Benefits means:		Admin. R. 839-008-0005		employment practices	ges/ORS.aspx
		the rate of contribution that an employer makes		\(()		law. For more	1
		irrevocably to a trustee or third person under a		Fair employment		information, see	Oregon Regulations:
		plan, fund, or program (as further defined in Or.		practices law:	•	Oregon EEO	http://arcweb.sos.state.
		Admin. R. 839-008-0000), beyond what is required		Employers cannot seek		Enforcement. They also	or.us/pages/rules/acce
		by federal, state, or local law; or		employees' and		can be ordered to pay	ss/index.html
		the rate of costs to an employer in providing		applicants' salary		punitive damages if:	1
		benefits to an employee, beyond what is required		history from them or		evidence proves that	Oregon Bureau of
		by federal, state, or local law, based on an		their current or former		they engaged in fraud,	Labor and Industries:
		enforceable commitment to that employee to		employers. These		acted with malice, or	https://www.oregon.
		carry out a financially responsible plan or program		actions are considered		acted with willful and	gov/boli/Pages/index.a
		(as further defined in Or. Admin. R. 839-008-		"unlawful practices"		wanton misconduct; or	spx
		0000).		under the Fair		they previously were	1
		Fringe benefits has the same meaning as	•:\(\)	employment practices		adjudicated for violating	i
		"benefits," above.		law (Or. Rev. Stat. §§		the Equal pay law	i l
		Bonus means an amount that is paid or something		659A.001 to		through proceedings	ľ
		of value given to an employee by an employer in		659A.990). Employers		under the Fair	i
		addition to the employee's regular rate of pay,		can ask applicants for		employment practices	i
		typically as a means of encouragement or		written authorization to		law (Or. Rev. Stat. §§	i l
		recognition.		confirm their prior		659A.885, 659A.850).	i
		Equity-based compensation means non-cash		compensation after			ľ
		payments that represent ownership, membership	) `	making them an offer of		In any lawsuit alleging	1
		interests, or opportunity for investment in the employer's business, such as restricted stock		employment that includes a		violations of the Equal pay law, employers can	ľ
		awards, stock options, employee stock purchase		compensation amount.		file a motion to disallow	i
		plans, stock appreciation rights, and similar		Or. Rev. Stat. §		an award of	1
		compensation schemes. It does not include a		659A.357		compensatory or	1
		one-time buyout.		<u>00071.007</u>		punitive damages.	1
		Salary means a predetermined amount				Courts grant this	1
		constituting all or part of the employee's				motion if employers can	i
		compensation paid for each pay period of one				prove all of the	1
		week or longer (but not more than one month).				following:	1
		,				They completed a	i l
		Or. Rev. Stat. §§ 652.210 to 652.220 (2019 Or.				good-faith equal pay	1
		Laws 617 (S.B.				analysis of their pay	i l
		123https://oregon.public.law/statutes/ors_652.220));				practices within three	i l
		Or. Admin. R. 839-008-0000, 839-008-0010 to 839-				years before the lawsuit	1
		008-0025				was filed. This analysis	1
		. 0				involves an evaluation	1
		Fair employment practices law:				process to assess and	i l
		Employers cannot discriminate in compensation				correct wage disparities	i l
	X	based on race, religion, color, sex, sexual				among employees who	i l
	G V	orientation, marital status, familial status, national				perform comparable	
		origin, age (18 and older), disability or expunged				work.	
	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	juvenile records, unless this discrimination is				Their equal pay	
		justified by a bona fide occupational qualification.				analysis was	
		Employers also cannot discriminate in				reasonable in detail	
		compensation based on a perception that an				and scope for their	1
		employee is a member of a protected class or				size. Until Jan. 1, 2020,	1

Oregon	Coverage Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
		based on an employee's association with a				this analysis also must	
		person who is a member of a protected class.				be related to the	
		Or. Rev. Stat. §§ 659A.001 to 659A.006, 659A.029				protected class	
		to 659A.030; Or. Admin. R. 839-005-0000 to 839-			N.	asserted by the plaintiff.	
		005-0010, 839-005- 0013, 839-005-0021				Effective Jan. 1, 2020,	
						this analysis must also	
		Statutory Language: Or. Rev. Stat. Ann. § 652.220.				include a review of	
		Discriminatory wage practices; complaints; posting		. (		practices designed to	
		of notice "(1) It is an unlawful employment practice				eliminate unlawful wage	
		under ORS chapter 659A for an employer to:		100		differentials.	
		In any manner discriminate between employees				Until Jan. 1, 2020, they	
		on the basis of a protected class in the payment of				eliminated wage	
		wages or other compensation for work of				differentials for the	
		comparable character.				plaintiff and made	
		Pay wages or other compensation to any				reasonable, substantial	
		employee at a rate greater than that at which the		\		progress toward	
		employer pays wages or other compensation to				eliminating wage	
		employees of a protected class for work of		,		differentials for the	
		comparable character.		0		protected class	
		Screen job applicants based on current or past				asserted by the plaintiff.	
		compensation.	10			Effective Jan. 1, 2020,	
		Determine compensation for a position based on				they made reasonable,	
		current or past compensation of a prospective				substantial progress	
		employee. This paragraph is not intended to				toward eliminating	
		prevent an employer from considering the				unlawful wage	
		compensation of a current employee of the	400			differentials for their	
		employer during a transfer, move or hire of the				employees.	
		employee to a new position with the same				cinpleyees.	
		employer.				Effective Jan. 1, 2020,	
		Notwithstanding subsection (1) of this section:				evidence that an	
		An employer may pay employees for work of				employer increased an	
		comparable character at different compensation				employee's pay as a	
		levels if all of the difference in compensation				result of conducting an	
		levels is based on a bona fide factor that is related				equal-pay analysis or	
		to the position in question and is based on:				has not completed an	
		A seniority system;				equal-pay analysis will	
		B) A merit system;				not be considered an	
		A system that measures earnings by quantity or				admission of a violation	
		quality of production, including piece-rate work;				of the Equal pay law.	
		Workplace locations:				Until Jan. 1, 2020, if a	
		Travel, if travel is necessary and regular for the				court grants the motion,	
		employee;				it can order employers	
		Education;				to pay back pay only for	
		Training;				the two-year period	
		Experience; or				immediately preceding	
		Any combination of the factors described in this				the filing of the lawsuit,	
		paragraph, if the combination of factors accounts				plus reasonable	
	×	for the entire compensation differential.				attorneys' fees and	
		(b) An employer may pay employees for work of				costs, but cannot award	
		comparable character at different compensation				compensatory or	
	.0.	levels on the basis of one or more of the factors				punitive damages.	
		listed in paragraph (a) of this subsection that are				Effective Jan. 1, 2020,	
	▼	contained in a collective bargaining agreement.				if a court grants the	
		(3) An employer may not in any manner discriminate				motion and the	
		in the payment of wages or other compensation				employee prevails on a	

Oregon Coverage Pro	otected Classes Ke	ey Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
		gainst any employee because the employee has				claim alleging a	
		ed a complaint under <u>ORS 659A.820</u> or in a				violation of the Equal	
	pro	oceeding under ORS 652.210 to				pay law, the court:	
		52.235 or 659A.885 or has testified, or is about			N	will order the employer	
		testify, or because the employer believes that				to eliminate the	
	the	e employee may testify, in any investigation or				unlawful wage	
	pro	oceedings pursuant to ORS 652.210 to				differential for the	
		52.235, 659A.830 or 659A.885 or in a criminal		<b>\(</b>		employee;	
	act	ction pursuant to <u>ORS 652.210</u> to <u>652.235.</u>				will award back pay or	
	(4)	) An employer may not reduce the compensation		10	<b>)</b>	unpaid wages pursuant	
	lev	vel of an employee to comply with the provisions				to the Equal pay law or	
	of t	this section."				the Fair employment	
						practices law, as	
						described above; and	
				O'		can award the	
						employee costs and	
			_			attorneys' fees (but not	
			.0			compensatory or	
						punitive damages).	
			•30)				
						Employers that violate	
						the Equal pay law also	
						are guilty of a class A	
						misdemeanor.	
						Or. Rev. Stat. §§	
						652.210 to 652.235	
			) `			(2019 Or. Laws 617	
		×				(S.B. 123)), 652.990,	
						659A.870, 659A.885;	
						Or. Admin. R. 839-008-	
						0000	

Pennsylvania	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Pennsylvania	Public and private	Equal pay law:	Equal pay law:	Equal pay law:	State agencies shall	See Fair employment	Employers that violate	Coverage: Equal pay
	employers are covered	Sex	Employers cannot pay employees of one sex at	Employers can pay	not inquire about a job	practices law.	the Equal pay law,	law: 43 Pa. Stat. §
	by Pennsylvania Equal		wage rates that are lower than the wage rates	different wage rates	applicant's current		including the retaliation	336.2; Fair employment
	pay law.	Fair employment	paid to employees of the opposite sex for equal	pursuant to seniority,	compensation or	N.	prohibition, can be fined	practices law: 43 Pa.
	Employees subject to	practices law:	work that requires equal skill, effort and	merit or piece-rate	compensation history	OV	\$50 to \$200 or	Stat. §§ <u>954</u> to <u>955</u>
	the federal Fair Labor	race, color, religious	responsibility under similar working conditions in	systems or any factor	at any stage during the	CV.	imprisoned for 30 to 60	otat: 33 <u>501</u> to <u>566</u>
	Standards Act are	creed, ancestry, age	the same workplace.	other than sex. <u>43 Pa.</u>	hiring process.		days. Each day of a	Pay Discrimination
	exempt from the law.	(40 and older), sex,		Stat. §§ 336.2 to 336.3	Applicants are not		continuing violation is a	Prohibitions: Equal pay
		national origin, non job-	Statutory Language: 43 Pa. Stat. Ann. § 336. Wage		prevented from		separate offense.	law: 43 Pa. Stat. §§
	43 Pa. Stat. § 336.2	related handicap or	rates "(a) No employer having employees subject to	Fair employment	volunteering		Employers that are	336.2 to 336.3
		disability or the use of	any provisions of this section shall discriminate,	practices law:	information about their		sued for knowingly	Fair employment
		guide or support	within any establishment in which such	Employers can request	current compensation		violating the law also	practices law: 43 Pa.
		animals because of	employees are employed, between employees on	a BFOQ interpretation	level or salary history in		can be ordered to pay	Stat. §§ <u>954</u> to <u>955</u> ; <u>16</u>
		blindness, deafness or	the basis of sex by paying wages to employees in	from the Pennsylvania	negotiating a salary;		wages due to	Pa. Code §§ 41.71 to
		physical handicap, unless this	such establishment at a rate less than the rate at	Human Relations	however, no agency		employees, an	<u>41.73</u>
		discrimination is based	which he pays wages to employees of the opposite sex in such establishment for equal work	Commission. BFOQs have limited scope and	can request that an applicant disclose		additional equal amount in liquidated damages,	
		on bona fide	on jobs, the performance of which, requires equal	application, and are	current salary or salary		reasonable attorneys'	Salary History: Executive
		occupational	skill, effort, and responsibility, and which are		history information. In		fees and costs.	Order 2018-18-03
		qualifications or	performed under similar working conditions,	employers can prove a	addition, applicants can		lees and costs.	
		applicable federal or	except where such payment is made pursuant to	factual basis for	refuse to disclose		43 Pa. Stat. § 336.8	Penalties/Remedies:
		state security	(1) a seniority system; (2) a merit system; (3) a	believing that all or	current compensation		<u>10 1 d. Otdi. 3 000.0</u>	Equal pay law: 43 Pa.
		regulations.	system which measures earnings by quantity or	substantially all	level and/or history			Stat. § 336.8
			quality of production; or (4) a differential based on	members of a	without negative			Pennsylvania Laws
			any other factor other than sex: Provided, That	protected class would	repercussions by the			(Consolidated Statutes):
			any employer who is paying a wage rate	be unable to safely and	agency in its			http://www.legis.state.pa
			differential in violation of this subsection shall not	efficiently perform the	employment decisions.			.us/cfdocs/legis/LI/Publi
			in order to comply with the provisions of this	job duties; otherwise				c/cons index.cfm
			subsection, reduce the wage rate of any	applicants only can be	Executive Order 2018-18-			
			employee.	excluded upon showing	<u>03</u> .			Pennsylvania
			(b) No labor organization, or its agents,	that they are unable to				Department of Labor
			representing employees of an employer having	perform the job. Race,				and Industry:
			employees subject to any provisions of this	color, religious creed,				https://www.dli.
			section, shall cause or attempt to cause such an employer to discriminate against an employee in	ancestry, age, sex and national origin are valid				pa.gov/Pages/default.a
			violation of subsection (a) of this section."	BFOQs only if they are				spx
			Violation of Subsection (a) of this section.	reasonably necessary				
			Fair employment practices law:	to essential, normal				
			Employers cannot discriminate in compensation	business operations.				
			based on race, color, religious creed, ancestry,	Employers have the				
			age (40 and older), sex, national origin, nonjob-	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				
		<b>▲</b>	Specifically, employers cannot discriminate	reasons such as:				
		X	against employees, applicants and independent	assumptions about the				
			contractors who are the best able and most	general employment				
		7	competent persons to perform required services.	characteristics of those				
			Employers can request a BFOQ interpretation	protected classes (for 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				
			application, and are permitted only when	Sharaotoriotios of those			1	

Pennsylvania	Coverage	<b>Protected Classes</b>	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
			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-		OV		
			unable to perform the job. Race, color, religious	worker or employer		CV.		
			creed, ancestry, age, sex and national origin are	preferences and				
			valid BFOQs only if they are reasonably	history, tradition or	10			
			necessary to essential, normal business	custom; and				
			operations. Employers have the burden of	the need to provide	10			
			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);		O'			
			customer, client, co-worker or employer	•:101				
			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	30				
			commit these discriminatory practices. They also					
			cannot obstruct or prevent anyone from complying	1				
			with the law or orders issued under the law.					
			43 Pa. Stat. §§ 954 to 955; 16 Pa. Code §§ 41.71					
			to 41.73					

Public and private employers are covered by Rhode Island Equal pay law. Employers camnot give same and give same a	Rhode Island	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
by Rhode Island Equal pay law.  R. Gen Laws Ann. \$ 28-6-18  R. Gen Laws Ann. \$ 28-6-18	Rhode Island	Public and private	Equal pay law:	Equal pay law: Employers cannot pay female			Employers cannot	Employers that violate	Coverage: Equal pay
pay law.  R.I. Gen. Laws \$ 28-5- 17 is employment practices law: no, 28-6-18 laws 4nn, 28-6-18 laws 4n		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 §
R.I. Gen. Laws \$ 28-6-18  Rair employment practices law: race, color, religion, sex, sexual orientation, gender identity or expression, disability, age or ancestry. 28 R.I. Gen. Laws Ann. \$ 28-5-17.  R.I. Gen. Laws Ann. \$ 28-5-17.  Statutory Language: Wage differentials based on sex prohibited. 28 R.I. Gen. Laws Ann. \$ 28-6-18.  (a) No employer shall discriminate in the payment of law gas as between the trates paid to make employees for equal work or on the same operations.  (b) Nothing contained in this section shall prohibit a variation in raises of pay based upon either difference in services partment, or on consoinability, for other operations or any other reasonable factors besides sex. 28 and services performed, either regularly or consoinability for other operations or any other reasonable factors besides sex. 28 and services performed, either regularly or consoinability for other operations or any other reasonable factors besides sex. 28 and services performed, either regularly or consoinability for other operations or any other reasonable factors besides sex. 28 and services performed, either regularly or consoinability for other operations or any other reasonable factors besides sex. 28 and the responsibility of the properations or any other reasonable factors besides sex. 28 and the factors besides sex. 28 and		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
R.I. Gen. Laws § 28-6-18  Townsions in any contracts, agreements or practices law: race, color, religion, sex, sexual orientation, gender identity or expression, disability, age or ancestry. 28 FL, Gen. Laws Ann. § 28-6-18  R.I. Gen. Laws Ann. § 28		pay law.	§ 28-6-18	or for work on the same operations. 28 R.I. Gen.	seniority, experience,		employees because	\$200, imprisoned for up	employment practices
practices law: race, cofor, religion, sex, sexual orientation, gender identity or expression, disability, age or ancestry, 28 B.1. Gen. Laws Ann. § 28-5- Z.  Rid Gen. Laws Ann. § 28-5- Linking the destablish wage rate variations in violation of the Equal pay law are null and void. R.1. Gen. Laws Sex. 8-28-18 R.1. Gen. Laws Ann. § 28-5- Linking the destablish wage rate variations in violation of the Equal pay law are null and void. R.1. Gen. Laws Sex. 8-28-18 R.1. Gen. Laws Ann. § 28-5- Linking the destablish wage rate variations in violation of the Equal pay law are null and void. R.1. Gen. Laws Ann. § 28-5- Linking the destablish wage rate variations in violation of the Equal pay law. R.1. Gen. Laws Ann. § 28-6-18 R.1. Gen. Laws Ann. § 28-6-18 R.1. Gen. Laws Ann. § 28-6-19 Retallation Prohibit Equal pay law. R.1. Gen. Laws Ann. § 28-6-18 R.1. Gen. Laws Ann. § 28-6-18 R.2. Gen. Laws Ann. § 28-6-18 R.3. Gen. Laws Ann. § 28-				Laws Ann. § 28-6-18	training, skill or ability;		they file complaints,	to six months or fined	law: R.I. Gen. Laws §
race, color, religion, sex, sexual orientation, gender identity or expression, disability, age or ancestry. 28 R.I., Gen. Laws \$ 28-6-18 Fair employment practices law: Employers cannot discriminate in compensation based on race, color, religion, sex, sexual orientation, open derived on the Equal pay law. R.I. Gen. Laws \$ 28-6-18. Fair employment practices law: Employers cannot discriminate in compensation based on race, color, religion, sex, sexual orientation, open discriminate in compensation based on sex prohibited. 28 R.I. Gen. Laws Ann. \$ 28-6-18. Fair employment practices law: Employers cannot discriminate in compensation based on sex prohibited. 28 R.I. Gen. Laws Ann. \$ 28-6-18. Fair employment practices law: Employers cannot discriminate in compensation based on sex prohibited. 28 R.I. Gen. Laws Ann. \$ 28-6-18. Fair employment practices law: Employers cannot discriminate in compensation based on sex prohibited. 28 R.I. Gen. Laws Ann. \$ 28-6-18. Fair employment practices law: Employers and discrimination of the Equal pay law. R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employment practices law: R.I. Gen. Laws \$ 28-6-19. Fair employers law: R.I. Gen. Laws \$ 28-6-19. Fair employer		R.I. Gen. Laws § 28-6-	Fair employment		duties and services that		initiate proceedings or	and imprisoned.	<u>28-5-6</u>
sex, sexual orientation, gender identity or expression, disability, age or ancestry, 28 R.I. Gen. Laws § 28-6-18  T. in violation of the Equal pay law are null and void. R.I. Gen. Laws § 28-6-18  Fair employment practices law: Employers cannot discriminate in compensation based on race, color, religion, sex, sexual orientation, gender identity or expression, disability, age or ancestry. R.I. Gen. Laws § 28-5-7  Statutory Language: Wage differentials based on sex prohibiled, 28 R.I. Gen. Laws Ann. § 28-6-18  (a) No employer shall discriminate in the payment of wages as between the sexes or shall possible in his or fee employ salary or wage rates less than the rates paid to male employees for equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in Sex (c) Except as provided in this or the capted in this or the content of the salar to the shift or time of day worked; availability for other operations, or any other reasonable factor besides sex. 28  R.I. Gen. Laws § 28-6-21  The shift or time of day worked; and shall prohibit and the payment of wage sax between the sexes or shall pay any female in his or the employ salary or wage rates less than the rates paid to male employees for equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in Sex (c) Except as provided in this section, any provision in any contract, agreement, rotated differentials based on sex professions, and the payment of wage rates less than the rates paid to male employees for equal work or the rates paid to male employees for equal work or wor		<u>17</u>	practices law:	Provisions in any contracts, agreements or	are performed regularly			Employers that are	
R.I. Gen. Laws § 28-6-18  gender identity or expression, disability, age or ancestry. 28 R.I. Gen. Laws § 28-6-18  T. Statutory Language: Wage differentials based on sex prohibited. 28 R.I. Gen. Laws Ann. § 28-6-18  (a) No employer shall discriminate in the payment of wages as between the sea between the sea between the sea between the sea between the sex of shall pay any female in his or her employ salary or wage rates less than the rates paid to made employees for equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in: Seniority, experience, training, skill, or ability. Duties, and services performed, either regularly or occasionally. The shift or time of day worked; or Availability for other operations or any other reasonable differentiation except difference in sex.  (c) Except as provided in this section, any provision in any contract, agreement, understanding effered into				understandings that establish wage rate variations	or occasionally;	\ (	related to violations of	sued for such violations	Pay Discrimination
expression, disability, age or ancestry. 28.1. Gen. Laws Ann. § 28-5.  7. Statutory Language: Wage differentials based on sex prohibited. 28 R.I. Gen. Laws Ann. § 28-6-18.  (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 equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in Seniority, experience, training, skill, or ability. Duties and services performed their regularly or occasionally. The shift or time of day worked; or Availability for other operations or any other reasonable factor besides sex. 28 R.I. Gen. Laws § 28-6-21  8. R.I. Gen. Laws § 28-6-20  8. R.I. Gen. Laws § 28-6-21  8. R.I. Gen. Laws			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
age or ancestry, 28 R.I. Gen Laws Ann. § 28-5 7.  Fair employment practices law: Employers cannot discriminate in compensation based on race, color, religion, sex, sexual orientation, gender identity or expression, disability, age or ancestry. R.I. Gen Laws (18 Gen Laws Ann. § 28-6-18)  Statutory Language: Wage differentials based on sex prohibited. 28 R.I. Gen. Laws Ann. § 28-6-18.  (a) No employer shall discriminate in the payment of wages as between the rates paid to male employees for equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in: Seniority, experience, training, skill, or ability, Dutles and services performation except difference in: Seniority, experience, training, skill, or ability, Dutles and services performation except difference in services performation or any other reasonable differentiation except difference in sex. (c) Except as provided in this section, any protypicion in any contract, agreement, or understanding entered into			gender identity or	R.I. Gen. Laws § 28-6-18	*	110		unpaid wages and	law: R.I. Gen. Laws §
discriminate in compensation based on race, color, religion, sex, sexual orientation, gender identity or expression, disability, age or ancestry. R.I. Gen. Laws § 28-6-7  Statutory Language: Wage differentials based on sex prohibited. 28 R.I. Gen. Laws Ann. § 28-6-18.  (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 equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in: Seniority, experience, training, skill, or ability; Duties and services performed, either regularly or occasionally; The shift or time of day worked, or Availability for other parations or any other reasonable difference in sex (c) Except as provided in this section, any provision in any contract, agreement, or understanding entered into			expression, disability,		availability for other		R.I. Gen. Laws § 28-6-	liquidated damages.	28-6-18; Fair
color, religion, sex, sexual orientation, gender identity or expression, disability, age or ancestry. R.I. Gen. Laws § 28-5-7  Statutory Language: Wage differentials based on sex prohibited. 28 R.I. Gen. Laws Ann, § 28-6-18  Statutory Language: Wage differentials based on sex prohibited. 28 R.I. Gen. Laws Ann, § 28-6-18  (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 equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in: Seniority, experience, training, skill, or ability, Duties and services performed, either requisiting of their operations or any other reasonable differentiation except difference in sex.  (c) Except as provided in this section, any provision in any contract, agreement, or understanding entered into			age or ancestry. 28 R.I.	Fair employment practices law: Employers cannot	operations; or	`	<u>21</u>		employment practices
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R.I. Gen. Laws § 28-5-7  Statutory Language: Wage differentials based on sex prohibited. 28 R.I. Gen. Laws Ann. § 28-6-18, (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 equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in: Seniority, experience, training, skill, or ability; Dutes and services performed, either regularly or occasionally; The shift or time of day worked; or Availability for other operations or any other reasonable differentiation except difference in sex.)  (c) Except as provided in this section, any provision in any contract, agreement, or understanding entered into			<u>7</u> .	color, religion, sex, sexual orientation, gender				20 to 28-6-21	<u>28-5-7</u>
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sex prohibited. 28 R.I. Gen. Laws Ann. § 28-6-18.  (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 equal work or work on the same operations.  (b) Nothing contained in this section shall prohibit a variation in rates of pay based upon either difference in: Seniority, experience, training, skill, or ability; Duties and services performed, either regularly or occasionally; The shift or time of day worked; or Availability for other operations or any other reasonable differentiation except difference in sex.)  (c) Except as provided in this section, any provision in any contract, agreement, or understanding entered into									Equal pay law: R.I.
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variation in rates of pay based upon either difference in: Seniority, experience, training, skill, or ability; Duties and services performed, either regularly or occasionally; The shift or time of day worked; or Availability for other operations or any other reasonable differentiation except difference in sex. (c) Except as provided in this section, any provision in any contract, agreement, or understanding entered into									Gen. Laws §§ 28-6-20
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and services performed, either regularly or occasionally; The shift or time of day worked; or Availability for other operations or any other reasonable differentiation except difference in sex.  (c) Except as provided in this section, any provision in any contract, agreement, or understanding entered into				· · · ·					http://www.rilin.state.ri.u
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reasonable differentiation except difference in sex.  (c) Except as provided in this section, any provision in any contract, agreement, or understanding entered into									
(c) Except as provided in this section, any provision in any contract, agreement, or understanding entered into									Department of Labor
any contract, agreement, or understanding entered into				·					, o
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									state.ri.us/
				after passage of this act establishing a variation in					
rates of pay as between the sexes, shall be null and									
void."				void."					

South Carolina	Covered	Dratastad Classes	Voy Proviniena	Employer Defences	Colomy Hiotomy	Retaliation	Damadiaa/Damagaa	Citing Deferences
	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History		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		OV		http://www.scstatehous
	a location or do		age discrimination. S.C. Code Ann. § 1-13-80	to systems that		CV		e.gov/code/statmast.ph
	business in South			measure earnings by				р
	Carolina and have 15			production quantity or	1			
	or more employees for			quality and to				
	each workday in each			employees who work in	10	<b>)</b>		
	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	O'			
	employment agencies			race, religion, color,				
	and labor			sex, national origin or	7			
	organizations.			disability. Employers				
				also can differentiate in	0			
	S.C. Code Ann. §§ 1-13-			wages or compensation				
	30, 1-13-80			based on sex if such				
				differentiation is				
				authorized by the				
				federal Fair Labor				
				Standards Act (29				
				U.S.C. 206 (d)).				
				S.C. Code Ann. § 1-13-				
				80				
							J	

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: S.D.
	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	<u>20-13- 10</u>	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	10			<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 §§ 20-13-10 to 20-13-13, 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	O'			.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	3			
	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	0			
			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,	§§ 20-13-10, 20-13-16,				
	apply generally to		color, creed, religion, sex, ancestry, disability, or	20-13-17				
	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 §§ 20-13-10 to					
	are students or trainees		20-13-13, 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. S.D.							
	Codified Laws § 20-13-							
	1 (2020 South		. 0,					
	Dakota H.B. 1216)		<b>X</b> *					
			0					

Tannasas	Cayarana	Dystostad Classes	Key Provisions	Employer Defences	Calam, History	Retaliation	Damadiaa/Damagaa	Citing Deferences
Tennessee Tennessee	Coverage Public and private	Protected Classes Equal pay law:	Equal pay law:	Employer Defenses Employers can pay	Salary History N/A	Employers cannot	Remedies/Damages: Employers that are	Citing References Coverage: Equal pay
Termessee	employers are covered	Sex	Employers cannot pay employees of one sex at	different wages based	IV/A	discharge or	sued for violating the	law: Tenn. Code Ann. §
	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	50-2-201
	Tenn. Code Ann. § 50-2-	202.	wage rates or salaries paid to employees of the	seniority systems or		employees who take	ordered to pay unpaid	Fair employment
	201		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	(0)	1,0	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		202	ordered to pay	Prohibitions: Equal pay
		origin.	Employers that pay different wage rates in	factor other than sex.	0		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
			Statutory Language: Tenn. Code Ann. § 50-2-202.		, 0		plus two times that amount for a second	practices law: Tenn. Code Ann. § <u>4-21-401</u>
			Wage Differentials				violation; and unpaid	Code Alli. 9 <u>4-21-401</u>
			"(a) No employer shall discriminate between				wages plus three times	Retaliation Prohibition:
			employees in the same establishment on the		0		that amount for each	Equal pay law: Tenn.
			basis of sex by paying any employee salary or	illipi			subsequent violation.	Code Ann. § <u>50-2- 202</u>
			wage rates less than the rates the employer pays				Retaliation prohibition:	<u> </u>
			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	. 40			and can be fined up to	<u>206</u>
			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 imprisoned.	http://tn.gov/
			production, or any other reasonable differential that is based on a factor other than sex.				imprisoried.	Tennessee Department
			(b) An employer who is paying a wage differential				Tenn. Code Ann. §§ 40-	of Labor and Workforce
			in violation of this part shall not, in order to comply				<u>35-111</u> , <u>50-2-204</u> , <u>50-2-</u>	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					

Texas	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Texas	Private employers (and their agents) with 15 or more employees for each workday in each of 20 or more calendar weeks in the current or preceding calendar year, public employers, employment agencies and labor organizations are covered by the pay discrimination prohibitions.  Employees do not include anyone who works outside of Texas or for a parent, spouse or child.  [Note: A franchisor is not considered to be the employer of a franchisee or its employees (as defined in 16 C.F.R. § 436.1), unless a Texas court finds that the franchisor exercised an unusual type or degree of control over the franchisee or its employees for trademark and brand protection purposes (Tex. Lab. Code Ann. § 21.0022).]  Tex. Lab. Code Ann. §§ 21.003, 21.111, 21.117	Race, color, disability, religion, sex, national origin, or age Tex. Lab. Code Ann. §§ 21.051	Employers can apply different compensation standards that are not discriminatory based on race, color, disability, religion, sex, national origin, or age: to employees who work in different locations; under bona fide seniority systems, merit systems, or employee benefit plans that are not intended to evade the discrimination prohibitions; and under systems that measure earnings by production quantity or quality. Tex. Lab. Code Ann. § 21.051, 21.102, 21.112  Statutory Language: Tex. Labor Code Ann. § 21.102. Bona Fide Employee Benefit Plan; Production Measurement System "(a) Except as provided by Subsections (b) and (c), an employer does not commit an unlawful employment practice by applying different standards of compensation or different terms, conditions, or privileges of employment under: a bona fide seniority system, merit system, or an employee benefit plan, such as a retirement, pension, or insurance plan, that is not a subterfuge to evade this chapter; or a system that measures earnings by quantity or quality of production.  (b) An employee benefit plan may not excuse a failure to hire on the basis of age. A seniority system or employee benefit plan may not require or permit involuntary retirement on the basis of age except as permitted by Section 21.103.  (c) This section does not apply to standards of compensation or terms, conditions, or privileges of employment that are discriminatory on the basis of race, color, disability, religion, sex, national origin, or age."  Statutory Language: § 21.112. Employees at Different Locations  "An employer does not commit an unlawful employment practice by applying to employees who work in different locations different terms, conditions, or privileges of employment that are not discriminatory on the basis of race, color, disability, religion, sex, national origin, or age."	Employers can apply different compensation standards that are not discriminatory based on race, color, disability, religion, sex, national origin, or age: to employees who work in different locations; under bona fide seniority systems, merit systems, or employee benefit plans that are not intended to evade the discrimination prohibitions; and under systems that measure earnings by production quantity or quality.  Tex. Lab Code Ann §§ 21.051, 21.102, 21.112	N/A	See Fair employment practices law.	See Fair employment practices law.	Coverage: Tex. Lab. Code Ann. §§ 21.002. 21.051 to 21.053, 21.109. 21.111, 21.117 40 Tex. Admin. Code § 819.11  Pay Discrimination Prohibitions: Tex. Lab. Code Ann. §§ 21.051, 21.102, 21.112  Texas Laws: http://www.statutes.legis. state.tx.us/ Texas Regulations: http://www.sos.state.tx.us/ /tac/index.shtml

Utah	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Utah	Private employers are	Race, color, sex,	Employers cannot discriminate against otherwise	Employers can	N/A	See Fair employment	See Fair employment	Utah Code Ann. §§
	covered by the pay	pregnancy, childbirth,	qualified employees in compensation based on	increase employees'		practices law.	practices law. Employers	34A-5-102, 34A-5-106
	discrimination	pregnancy-related	race, color, sex, pregnancy, childbirth,	pay based on tenure if		pradiood law.	that violate the pay	to 34A-5-102, 34A-5-106
	prohibitions if they have	conditions, age (40 and	pregnancy-related conditions, age (40 and older),	these increases are			discrimination prohibitions	to 34A-5-107
	15 or more employees	older), religion, national	religion, national origin, disability, sexual	uniformly applied and			also can be ordered to	
	in Utah for each working	origin, disability, sexual	orientation or gender identity. Employers and their	available to all		O $Y$		Utah Laws:
	day in each of 20 or	orientation or gender	employees also cannot aid, incite, compel or	employees on a		CV	pay additional damages	http://le.utah.gov/Docu
	more calendar weeks in	identity. Utah Code Ann.	coerce pay discrimination; obstruct or prevent	substantially			equal to back pay, unless	ments/code_const.htm
	the current or preceding	§ 34A-5- 102	anyone from complying with the discrimination	proportional basis.	/*		they can show	
	calendar year. Public	30	prohibitions or related orders; or directly or	Employers and		<i>V</i>	that they acted in good	Utah Regulations:
	employers, employment		indirectly try to commit pay discrimination.	employees can agree			faith and reasonably	https://rules.utah.gov/publ
	agencies and labor		Discriminate in compensation means paying	to pay rates or work			believed they did not	ications/utah-adm- code/
	organizations also are		different wages or salaries to employees who	schedules that are			violate the prohibitions.	
	covered by the		have substantially equal experience,	designed to protect			Utah Code Ann. § 34A-5-	
	prohibitions.		responsibilities and skills for a particular job.	employees from a loss			107	
	[Note: Franchisors are		Otherwise qualified employees have job-related	of Social Security				
	not considered to be		qualifications required by employers for a	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-	O-1			
	by 16 C.F.R. § 436.1),		accommodation), moral character, integrity,	5-106				
	unless franchisors		disposition to work and adherence to reasonable	<u>5-100</u>				
	exercise an unusual		rules and regulations.					
	type or degree of control		raise and regulations.					
	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	*O				
	(Utah Code Ann. § 34A-		agree to pay rates or work schedules that are					
	5-102).]		designed to protect employees from a loss of					
	<u>5 102</u> ).]		Social Security benefits if they are eligible for					
	Utah Code Ann. § 34A-		these benefits.					
	5-102		Utah Code Ann. § 34A-5-106					
			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					
			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					
		A.	and employee from agreeing to a rate of pay or					
		X	work schedule designed to protect the employee					
		-60	from loss of Social Security payment or benefits if					
			the employee is eligible for those payments."					
	L		the employee is eligible for those payments.					

Vermont	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Vermont	Public and private	Sex	Employers cannot discriminate based on sex by	Employers can pay	Employers cannot ask	See Fair employment	See Fair employment	Vt. Stat. Ann. tit. 21,
· · · · · · · · · · · · · · · · · · ·	employers (and their	Joan	paying employees of one sex at wage rates that	different wage rates	or seek information	practices law.	practices law.	vi. Giai. / iiii. iii. 21,
	agents) are covered by	Vt. Stat. Ann. tit. 21 §	are less than the wage rates paid to employees	pursuant	about applicants'	praetieee iaw.	Employers that violate	§§ 495, 495b, 495d,
	the pay discrimination	495	of the opposite sex for equal work that requires	to seniority or merit	current or past		the pay discrimination	33 433, 4335, 4336,
	provisions if they have	100	equal skill, effort, and responsibility under similar	systems, systems that	compensation from	_ (X	prohibitions or the	495m Vermont
	one or more workers		work conditions. Employers that violate this	base earnings on	them or their current or	$O_{X}$	wage disclosure	490III VCIIIIOIII
	performing services in		prohibition cannot reduce any employee's wage	<u> </u>	former employers. If	CV	provisions also can be	Laws:
	Vermont. The provisions		rate to achieve compliance. Vt. Stat. Ann. tit. 21,	production quantity or	applicants voluntarily		ordered to pay affected	Laws.
	also apply to		§ 495.	quality, or other bona	disclose this		employees the amount	http://vermont.gov/
	employment agencies		3 100.	fide factors besides sex	information, however,	V	of any wages owed	nup.//vermont.gov/
	and labor organizations.		Statutory Language: Vt. Stat. Ann. tit. 21, § 495	if they can show that	employers can try to		plus an equal amount	
	and labor organizations.		"(7) For any employer, employment agency, labor	these factors are job-	confirm the information		as liquidated damages.	
	Vt. Stat. Ann. tit. 21 §		organization, or person seeking employees to	related, are based on	or ask applicants to		as liquidated darriages.	
	495d		discriminate between employees on the basis of	legitimate business	confirm it after making		Vt. Stat. Ann. tit. 21 §	
	1004		sex by paying wages to employees of one sex at	considerations, and do	them an offer of		495b	
			a rate less than the rate paid to employees of the	not perpetuate sex-	employment with		1005	
			other sex for equal work that requires equal skill,	based compensation	compensation.			
			effort, and responsibility and is performed under	differentials. Vt. Stat.	Employers also cannot			
			similar working conditions. An employer who is	Ann. tit. 21 § 495	require that applicants'			
			paying wages in violation of this section shall not		current or past			
			reduce the wage rate of any other employee in	101	compensation meet			
			order to comply with this subsection. (A) An	•.0	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	. 40	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 discussing the wages of other employees;		requirements and can			
					provide information			
			Require an employee to sign a waiver or other document that purports to deny the employee the		about the wages, benefits,			
			right to disclose the amount of his or her wages		•			
			or to inquire about or discuss the wages of other		compensation, or 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></u>			
			(8) Retaliation prohibited. An employer,					
			employment agency, or labor organization shall					
			not discharge or in any other manner					
		<b>*</b>	discriminate against any employee because the					
			employee: has opposed any act or practice that					
		29	is prohibited under this chapter; has lodged a					
		. '0	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					

Vermont	Coverage	Protected Classes	Key Provisions	<b>Employer Defenses</b>	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			N.		
			employees; or is believed by the employer to					
			have acted as described in subdivisions (A)					
			through (D) of this subdivision."					

Virginia	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
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.  Va. Code Ann. § 40.1-28.6	New Law: race, color, religion, national origin, or sex  VA LEGIS 1138 (2020), 2020 Virginia Laws Ch. 1138 (H.B. 827)	Fair employment practices law (Effective July 1, 2020) It is unlawful for an employer to discriminate in compensation based on race, color, religion, sex, sexual orientation, gender identity, marital status, pregnancy, childbirth or related medical conditions including lactation, age (40 and older), status as a veteran, or national origin.  Employers can apply different compensation standards pursuant to a bona fide seniority or merit system that measures earnings by production quantity or quality of production, 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.  Va. Code Ann. §§ 2.2-3904 to 2.2-3905 (2020 Va. Laws 1140 (S.B. 868))  Pay Transparency Provision (new 2020):  "A. No employer shall discharge from employment or take other retaliatory action against an employee because the employee (i) inquired about or discussed with, or disclosed to, another employee any information about either the employee's own wages or other compensation or about any other employee's wages or other compensation or (ii) filed a complaint with the Department alleging a violation of this section. However, the provisions of this section shall not apply to employees who have access to the compensation information of other employees or applicants for employment as part of their essential job functions who disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with a legal duty to furnish information." Va. Code Ann. § 40.1-28.7:9.	Employers can apply different compensation standards pursuant to a bona fide seniority or merit system that measures earnings by production quantity or quality of production, 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.	Employees are protected when they inquire about, discuss or disclose information about their own or any other employee's wages, or when they file a complaint with the DOL alleging a violation of this law.  The law does not apply to "employees who have access to the compensation information of other employees or applicants as part of their essential job functions who disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information," unless that disclosure is in response to a formal complaint or charge, made in connection with an investigation, proceeding, hearing or action, or is consistent with a legal duty to disclose the information.  Va. Code Ann. § 40.1-28.7:9.	N/A	Employers that violate the Equal pay law can be fined \$10 to \$200. Employers that are sued also can be ordered to pay the balance of unpaid wages plus 8 percent annual interest, damages of up to two times unpaid wages, and reasonable attorneys' fees.  Va. Code Ann. §§ 40.1-28.6, 40.1-28.11 to 40.1-28.12	Va. Code Ann. §§ 40.1-1, 40.1-6, 40.1-28.6, 40.1-28.11 to 40.1-28.12  Virginia Laws: https://law.lis.virginia.gov/vacode  Virginia Department of Labor and Industries: http://www.doli.virginia.gov/

Post large year Control of the security of the	Washington	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
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3.98.0110 to 43.9.8.000 sersonly, mental, or physical disabilities, and the use of trained day gather or service.  In the company of the comp		Wash Rev Code 88		_ · · · · · · · · · · · · · · · · · · ·	<u> </u>	if:		-	Pav Discrimination
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with sus of trained day guides or service and rearrand by guides or service and remarks by people with dissoliblities. Social and visual cherwise he available. Wash. Rev. Code \$3, \$3,8,000.021 (20) (17) An employer may not, on the feature of populations that avoid otherwise he available. (3A effectived in a correct advancement based on a brons field pib-related factor or factors that meet the criteria in companisation based on control whether in companisation has a \$8,000 (3) (3) (3) (3) (3) (3) (3) (3) (3) (3)				Employers also cannot discriminate based on gender	_	V .		•	-
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Salary expectations:								• •	•
with the results of an HIV or hepatitis C lest, unless the absence of the definition of the form						Salary expectations:		1000.	•
the factors specified in RCW 49.58.020(3)(b) (i) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (ii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(3)(b) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iv).**  the factors specified in RCW 49.58.020(4) (iii) through (iiii) t						T		Wages and interest	(
unless the absence of HIV or hepatitis C infection is a BFOQ.  The properties of the provided by employers. Wash. Rev. Code \$ 45.85.01 (2018).  Employees and benefits provided by employers, Wash. Rev. Code \$ 45.85.01 (2018).  Employees are similarly employed if they work for the same employer and their jobs require similar skill, effort, and responsibility, and temployees are similarly employed. Wash. Rev. Code \$ 45.80.01 (2018).  Employees are similarly employed in the work of the same employer and their jobs require similar skill, effort, and responsibility, and temployees are similarly employed. Wash. Rev. Code \$ 45.80.01 (2018). The performance of the job requires similar skill, effort, and responsibility, and hep figs are performed under similar working characteristics.  As 35.010 (2018). The performance of the job requires similar skill, effort, and responsibility, and hep figs are performed under similar working characteristics. As a similar skill, effort, and responsibility, and hep figs are performed under similar working characteristics.  As 35.010 (2018). The performance of the job requires similar skill, effort, and responsibility, and hep figs are performed under similar working characteristics.  As 35.010 (2018). The performance of the job requires similar skill, effort, and responsibility, and hep figs are performed under similar working characteristics.  As 35.010 (2018). The performance of the job requires similar skill, effort, and responsibility, and hep figs are performed under similar working characteristics.  As 35.010 (2018). The performance of the job requires similar skill, effort, and responsibility, and hep figs are performed under similar working characteristics.  As 35.010 (2018). The performance of the job requires a similar skill, effort, and responsibility and the provided in the related complaint was flied. Wages and line treats with the rolated complaint was flied. Wages and line treats with the rolated complaint was flied. Wages and line treats with particular the rolated comp								•	Wage Disclosure:
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infection is a BFOQ.  Compensation is discretohary and nonpisseretionary wages and benefits provided by employer's. Wash, Rev. Code \$\frac{8}{49.58.010 (2018)}\$.  Employees are similarly employed if they work for the same employer and their globs require similar skill, effort, and responsibility under similar work conditions, job titles allowed not determine whether employees are similarly employed. Whis Nev. Code \$\frac{8}{34.95.010 (2018)}\$.  Which is a propriete discretionary and nonpisseretionary wages on salary for the position sought, upon the applicant's request, after initially offering that position to him or wiolations of the salary history provisions must be calculated from the burden of proving those days and interest owed for a violations of the salary history provisions must be calculated from the position or promotion from the position or promotion of the applicant's request, after initially offering that position to him or wiolations of the salary history provisions must be calculated from the position or promotion from the position or promotion from the position or promotion of the applicant's request, after initially offering that position to him or violations of the salary history provisions must be calculated from the first date that wages were over due to the wage sale or salary range for any internal transfer to a new position or promotion sought by the employee, upon the employee, upon the employee, upon the employee, upon the employee in the position or promotions ought by the employee in the position or promotion sought by the employee in the position of the position or promotion sought by the employee, upon the employee, upon the employee in the position or promotion sought by the employee in the position or promotion sought by the employee in the position or promotion sought by the employee in the position or promotion sought by the employee in the position or promotion sought by the employee in the position or promotion sought by the employee in the position or promotion sought by th				unough (iv). ).	Employers also can	1		1	
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Rev. Code \$ 49.58.010 (2018).  Employees are similarly employed if they work for the same employer and their jobs require similar work conditions, job titles of this section, employees are similarly employed. Wash. Rev. Code \$ 49.58.010 (2018), (2018) (2018), (2						_			Salary History:
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same employer and their jobs require similar skill, effort, and responsibility under similar work conditions; job titles alone do not determine whether employees are similarly employed. Wash. Rev. Code § 49.58.010 (2018) (*2) For purposes of this section, employees are similarly employer, the performance of the job requires similar skill, effort, and responsibility, and the jobs are performed under similar working chain the post requires similar skill, effort, and responsibility, and the jobs are performed under similar working chain the post requires similar skill, effort, and responsibility, and the jobs are performed under similar working chain the post requires similar working chain the post requires similarly employed.*).  Fair employment practices law: Employers cannot discriminate in compensation based on protected classes under the Fair employment practices law (Find the post requires actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or				Employees are similarly employed if they work for the		1		_	
effort, and responsibility under similar work conditions, job titles alone are not determined whether employees are similarly employed. Wash. Rev. Code § 4.95.8.010 to 49.58.030  Washington Laws:  ### worder of proving those defenses.  Wash. Rev. Code § 4.95.8.010 to 49.58.030  ### worder of proving those defenses.  Wash. Rev. Code § 4.95.8.010 to 49.58.030  ### worder of proving those defenses.  Wash. Rev. Code § 4.95.8.010 to 49.58.030  ### worder of proving those defenses.  Wash. Rev. Code § 4.95.8.010 to 49.58.030  ### worder of proving those defenses.  ### worder of proving those the wage scale or any internal transfer to a new position or promotion sought by the employee. It was a provide its minimum wage or salary range for any internal transfer to a new position or promotion sought by the employee are salary range exists, the employee are salary range exists, the employee are salary ra					· ·			* *	
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employees are similarly employed. Wash. Rev. Code § 49.58.010 (2018) ("(2) For purposes of this section, employees are similarly employed if the individuals work for the same employer, the performance of the job requires similar working conditions. Job titles alone are not determinative of whether employees are similarly employed.").  Wash. Rev. Code § 49.58.03  the wage scale or salary range for any internal transfer to a new position or promotion sought by the employee, upon the employee, upon the employee scannot discriminate in compensation based on protected classes under the Fair employers cannot discriminate in compensation based on protected classes under the Fair employment practices law. Protected classes under the Fair employment practices law. Protected classes are actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or						1			
salary range for any internal transfer to a new position or promotion sought by the employees are similarly employed.").  49.58.010 to 49.58.030  salary range for any internal transfer to a new position or promotion sought by the employees are similarly employed.").  Fair employment practices law: Employers cannot discriminate in compensation based on protected classes under the Fair employment practices law. Protected classes are actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or						1 -			1
internal transfer to a new position or promotion sought by the employee are similarly employed.").  Fair employment practices law: Employers cannot discriminate in compensation based on profected classes under the Fair employment practices law. Protected classes are actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or						_			
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whether employees are similarly employed.").  employee's request. If no wage scale or salary range exists, the Employers cannot discriminate in compensation based on protected classes under the Fair employment practices law. Protected classes are actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or  employee's request. If no wage scale or salary range exists, the employees. For the purpose of determining its minimum wage or salary expectation before posting the position, making the  compensation they paid to affected employees. For the purpose of determining fines for violations of the law's pay discrimination prohibition and origin, and, effective June 11, 2020, citizenship or						1 -			49.58.010 to 49.58.030,
no wage scale or salary range exists, the employers cannot discriminate in compensation based on protected classes under the Fair employment practices law. Protected classes are actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or						-		_	49.58.060 to 49.58.070,
Fair employment practices law: Employers cannot discriminate in compensation based on protected classes under the Fair employment practices law. Protected classes are actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or  range exists, the employer must provide its minimum wage or salary expectation before posting the position, making the  employees. For the purpose of determining fines for violations of the law's pay discrimination prohibitions and prohibition prohibition			<b>\</b>	in input in the second		1			
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based on protected classes under the Fair employment practices law. Protected classes are actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or  based on protected classes under the Fair its minimum wage or salary expectation before posting the position, making the  its minimum wage or salary expectation before posting the position, making the  Washington Laws: http://apps.leg.wa.gov cw/			73			1		1	
employment practices law. Protected classes are actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or			. '0			1			Washington Laws:
actual or perceived age (40 to 70), sex, marital status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or				1		_			http://apps.leg.wa.gov/r
status, sexual orientation, race, creed, color, national origin, and, effective June 11, 2020, citizenship or			~			1		_ · ·	
origin, and, effective June 11, 2020, citizenship or retaliation prohibition									
I immigration status: honorably discharged veteran or								·	
Page   78				immigration status; honorably discharged veteran or					

Washington	Coverage	Protected Classes	Voy Proviniona	Employer Defenses	Solony History	Retaliation	Remedies/Damages:	Citing References
wasnington	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation		3
			military status; the presence of sensory, mental, or		transfer, or making the		each violation affecting	Washington
			physical disabilities; and the use of trained dog		promotion.		an employee is	Regulations:
			guides or service animals by people with disabilities. Sexual orientation includes gender expression or				considered a separate	http://apps.leg.wa.gov/w
			identity. National origin includes ancestry. Employers		Employers cannot use		violation.	ac/
			also cannot discriminate in compensation based on		employees' previous	OV	Employees alleging	
			the results of an HIV or hepatitis C test, unless the		wage or salary history	CV.	violations of the	Washington State
			absence of HIV or hepatitis C infection is a BFOQ.		as a defense against		provisions on career	Department of Labor
			Wash. Rev. Code §§ 49.60.040, 49.60.180 to		alleged violations of the		advancement	and Industries: https:
			49.60.200; Wash. Admin. Code §§ 162-16- 200, 162-		Equal pay law's pay		opportunities are	//www.lni.wa.gov/
			16-220.		discrimination	<b>)</b>	entitled to these	
			10 220.		prohibitions (excluding		remedies only if the	
			Employers and their managers, employees, or		the provisions on		department finds that	
			agents cannot aid, abet, encourage, or incite anyone		career advancement		employers committed a	
			to commit unlawful discriminatory practices. They		opportunities).		pattern of violations	
			also cannot try to obstruct or prevent anyone from				against employees or	
			complying with the law or orders issued under the		Wash. Rev. Code §§		committed violations	
			law.		49.58.020, 49.58.100 to		through the application	
			Wash. Rev. Code §§ 49.60.040, 49.60.172 to		49.58.110		of formal or informal	
			49.60.174, 49.60.180 (2020 Wash. Laws 52 (SB		<del>30.00.110</del>		employer policies or	
			5165)), 49.60.220				practices. (Those	
			( 100)), <u>10.00.220</u>	*.0			provisions are part of	
							the law's pay	
							discrimination	
				Clil				
							prohibitions.)	
							Employee lawsuits:	
							Employers that are	
							sued by employees can	
				1			be ordered to:	
							stop violations;	
							pay actual damages;	
							pay statutory damages	
							equal to the amount of	
							actual damages or	
							\$5,000, whichever is	
			(7)				greater;	
							pay interest of 1	
							percent per month on	
							all compensation owed;	
							reinstate employees;	
			, ()				and	
							pay reasonable	
							attorneys' fees and	
							costs.	
			, N					
							Wages and interest	
			ilemed 104				owed are calculated for	
							the four years	
		<u> </u>	7				preceding the last	
		25					violation before the	
		25					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 Hist	ory Retaliation	Remedies/Damages:	Citing References
						first date that wages	_
						were owed to the	
						employee. If wages are	
					N.	owed because of	
						unlawful compensation	
						discrimination based on	
						gender, employers are	
					.00	credited for any	
						compensation they	
					(6)	paid to affected	
						employees.	
						Employees alleging	
						violations of the	
						provisions on career	
				, 0	,	advancement	
						opportunities are	
						entitled to these	
						remedies only if courts	
						find that employers	
				*101		committed a pattern of	
						violations against	
						employees or	
						committed violations	
						through the application	
				_/ ) '		of formal or informal	
				46)		employer policies or	
						practices. (Those	
						provisions are part of	
						the law's pay	
			X			discrimination	
			C			prohibitions.)	
						Employers that	
						discriminate based on	
			X ·			gender in providing	
						compensation to	
						employees who are	
						similarly employed are	
						guilty of a	
			107			misdemeanor.	
			7 4			Wash. Rev. Code §§	
			Negra			49.58.010 to 49.58.030,	
			.01			49.58.060 to	
						49.58.070, 49.58.100 to	
			. (7)			<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	1	discriminate in the	the Equal pay law are	law: W. Va. Code § 21-
	more employees are	5B-3	the payment of wages for work of comparable	different wages:		payment of wages	guilty of a misdemeanor	5B-1
	covered by West	<u>55 0</u>	character that requires comparable skills. They	based on seniority or		against employees	and can be fined \$25 to	<u> </u>
	Virginia Equal pay law.		also cannot pay employees of one sex wage rates	merit increase systems		because they file	\$100. Employers that	Fair employment
	Employees do not		that are lower than the wage rates paid to	that do not discriminate		complaints or testify, or	are sued also can be	practices law: W. Va.
	include independent		employees of the opposite sex for work of	based on sex; or		because employers	ordered to pay unpaid	Code § 5-11-3; W. Va.
	contractors or workers		comparable character that requires comparable	when such differences	. (	believe they will testify,	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	10	related to violations of	year period preceding	<u></u>
	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			liquidated damages	law: W. Va. Code §§
	covered by any federal		quantity of work produced or handled. W. Va.				and reasonable	21-5B-1, 21-5B-3
	law requiring equal		Code Ann. § 21-5B-3	Fair employment	O'		attorneys' fees.	
	wages for equal work			practices law:			_	Fair employment
	regardless of		Employers violate the Equal pay law cannot	Employers can comply			W. Va. Code §§ 21-5B-	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
			prohibitions. W. Va. Code §§ 21-5B-1, 21-5B-3	fide pension,	0			
	W. Va. Code § 21-5B-1			retirement, employee	•			Retaliation Prohibition:
			Statutory Language: W. Va. Code Ann. § 21-5B-3.	insurance or benefit				Equal pay law: W. Va.
			Discrimination between sexes in payment of wages	plans that are not				Code § 21-5B-3
			for work of comparable character prohibited	created to evade these				321020
			"(1) No employer shall: (a) In any manner	pay discrimination				Penalties/Remedies:
			discriminate between the sexes in the payment of	prohibitions.				Equal pay law: W. Va.
			wages for work of comparable character, the	W. Va. Code §§ 5-11-3,				Code §§ 21-5B-4 to 21-
			performance of which requires comparable skills;	<u>5-11-9</u>				<u>5B-5</u>
			(b) pay wages to any employee at a rate less than					
			that at which he pays wages to his employees of					West Virginia Laws:
			the opposite sex for work of comparable					http://www.wvlegislature.
			character, the performance of which requires					gov/WVCODE/Code.cfm
			comparable skills.					
			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					
			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."					
		25	omminar action pursuant to this article.					
		. 0	Fair employment practices law:					
			Employers cannot discriminate against employees					
		V	in compensation, privileges and other terms of					
			employment if they are able and competent to					
			perform required duties. Employers can comply					
		1	ponorm required daties. Employers can comply					

West Virginia	Coverage	Protected Classes	Key Provisions	<b>Employer Defenses</b>	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.			N.		
			W. Va. Code §§ 5-11-3, 5-11-9			OV		

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		praetiese iaw.	practices iam:	law: Wis. Stat. §§
	employment agencies,	status, sex, national	ancestry, arrest or conviction records, military	incapable of performing				111.32, 111.321
	labor organizations,	origin, ancestry, arrest	service, the use or nonuse of lawful products off	a job's essential duties				<u>-111.02, 111.021</u>
	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	. (	nS		§§ 111.32, 111.321 to
	prohibitions. Employees	products off employer	matters.	undermined by				111.322, 111.33,
	do not include certain	premises during	mattere.	employing members of	10	<b>,</b> *		111.34, 111.35 to
	real estate licensees	nonwork hours, or	Sex discrimination includes discriminating:	both sexes.				111.365
	(as provided in Wis.	declining to attend	based on sex in compensation for equal or		21			<u></u>
	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				Stat. § 103.36
	parent, spouse, or	about religious or	against female employees in compensation based	compensation based				<u> </u>
	child.	political matters. Wis.	on pregnancy, childbirth, maternity leave or	on disability if	\			Wisconsin Laws:
	[Note: Franchisors are	Stat. Ann. § 111.321	related medical conditions; and	employees' disabilities	1			https://docs.legis.wiscon
	not considered to be	<u> </u>	in compensation based on sexual orientation.	are reasonably related	,			sin.gov/statutes/preface
	employers of		in compensation bacca on coxual chemation.	to their ability to	0			s/toc
	franchisees or their		Sex is a BFOQ if all members of one sex are	adequately perform				<u>5,155</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		and the state of t	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				ge i/
	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				
	111.321		X	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:	discriminate in				
			impairs their ability to adequately perform their	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:				
		C	constitutes a violation of Wis. Stat. § 254.92(2);	impairs their ability to				
			conflicts with any federal or state law, regulation,	adequately perform				
		`'U'	or rule.	their job-related				
				responsibilities;				
		•	Employers can discriminate against employees in	creates a conflict of				
			compensation if:	interest, or the				
				appearance of a				
	1	1			I .	<u>I</u>	I	l

Wisconsin Covera	ge Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
		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		N.		
		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		19		
		religious or political matters beyond what is legally	of Wis. Stat. §	C-\			
		required.	<u>254.92(2);</u>	10	•		
			conflicts with any				
		Wis. Stat. §§ 111.32, 111.321 to 111.322, 111.33,	federal or state law,				
		111.34, 111.35 to 111.365	regulation, or rule.				
			Employers can				
			discriminate against				
			employees in	(4)			
			compensation if:				
			they decline to attend	O			
			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				
		X	employers do not				
			provide any information				
			about religious or				
			political matters beyond				
			what is legally required.				
			Wis. Stat. §§ 111.32,				
		<b>10</b> 3	<u>vvis. Stat. §§ 111.32,</u> 111.321 to 111.322,				
		7 4	<u>111.321 to 111.322,</u> <u>111.33, 111.34, 111.35</u>				
		0.7	to 111.365				

Wyoming	Coverage	Protected Classes	Key Provisions	Employer Defenses	Salary History	Retaliation	Remedies/Damages:	Citing References
Wyoming	Public and private	Equal pay law: sex	Equal pay law:	Employers can pay	N/A	Employers cannot	Employers that are	Coverage: Equal pay
	employers and their	Wyo. Stat. Ann. § 27-4-	Employers cannot pay employees of one sex at	wage differentials		discharge or otherwise	convicted of willfully	law: Wyo. Stat. §§ 27-
	agents are covered by	<u>302</u>	wage rates that are lower than the wage rates	pursuant to seniority or		discriminate against	violating the Equal pay	4-301 to 27-4-302
	the Equal pay law.		paid to employees of the opposite sex for equal	merit systems, systems		employees because	law, including the	
		Fair employment	work that requires equal skill, effort, and	that measure earnings		they make complaints	related retaliation	Fair employment
	Wyo. Stat. §§ 27-4-301	practices law: age (40	responsibility under similar working conditions in	by production quantity		to employers, the	prohibition, will be fined	practices law: Wyo.
	to 27-4-302	or over), sex, race,	the same establishment. Wyo. Stat. Ann. § 27-4-	or quality, or any factor		Wyoming Department	\$25 to \$200 (effective	Stat. § 27-9-102; 053-
		creed, color, national	<u>302</u>	other than sex. Wyo.		of Workforce Services,	July 1, 2019, up to	0024 Wyo. Code R. §
		origin, ancestry,		Stat. § 27-4-302		or other persons	\$500), imprisoned for	3-2
		pregnancy, or disability.	Statutory Language: Wyo. Stat. Ann. § 27-4-302.		1/0	concerning the Equal	10 to 180 days	
		Wyo. Stat. § 27-9-105	Prohibition on paying employees less for same work			pay law; initiate or	(effective July 1, 2019,	Pay Discrimination
			"(a) No employer shall discriminate, within the			cause initiation of	up to six months), or	Prohibitions: Equal pay
			same establishment in which the employees are			proceedings related to	both. Each day of a	law: Wyo. Stat. § 27- 4-
			employed, between employees on the basis of			the law; or testify or will	continuing violation is a	302
			gender by paying wages to employees at a rate		O'	testify in proceedings	separate offense.	
			less than the rate at which the employer pays			related to the law.	Employers that violate	Fair employment
			wages to employees of the opposite gender for				the law also can be	practices law: Wyo.
			equal work on jobs the performance of which			Wyo. Stat. §§ 27-4-301,	ordered by the	Stat. § 27-9-105
			requires equal skill, effort and responsibility and		O <sup>*</sup>	<u>27-4-304</u>	Wyoming Department	<u> </u>
			which are performed under similar working	cuit libr			of Workforce Services	Retaliation Prohibition:
			conditions, except where the payment is made	. (1)			to pay the amount of	Equal pay law: Wyo.
			pursuant to:				wages due plus an	Stat. §§ 27-4-301, 27-
			A seniority system;	• 🗙			equal amount in	4-304
			A merit system;				liquidated damages.	<u> </u>
			A system which measures earning by quantity or				Employers that are	Penalties/Remedies:
			quality of production; or				sued by employees can	Equal pay law: Wyo.
			A differential based on any other factor other than				be ordered to pay the	Stat. §§ 27-4-303 to 27-
			gender."				amount of unpaid	4-304 (2019 Wyo.
							wages plus an equal	Sess. Laws 20 (H.B.
			Fair employment practices law: Employers cannot				amount in liquidated	71)
			discriminate in compensation based on age (40				damages.	' ' '
			and older), sex, race, creed, color, national origin,					Wyoming Laws:
			ancestry, pregnancy, or disability. Employers also				Wyo. Stat. §§ 27-4-303	http://legisweb.state.wy
			cannot reduce the wages of any employees to				to 27-4-304 (2019 Wyo.	.us/LSOWeb/StatutesD
			comply with these prohibitions. Wyo. Stat. § 27-9-				Sess. Laws 20	ownload.aspx
			105				(H.B. 71)	OWITIOAU.ASPX
								Wyoming Regulations:
								http://soswy.state.wy.us
								/AdminServices/Rules
			, <b>V</b> ,					Overview.aspx
			<b>X</b> *					O TOT TIOTT GODA
			20,					Wyoming Department
			\ <b>(</b> )					of Workforce Services:
			. N					http://www.
								wyomingworkforce.org/
			T.C					wyoningworkiorce.org/