

### Summary of Equal Pay Laws in the United States

JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
Federal	29 U.S.C. § 206	1963	Equal pay for equal work under similar working conditions.	A seniority system, a merit system, a system which measures earnings by quantity or quality of production, or a differential based on any factor other than sex.	Same location	No	No	After exhaustion of EEOC process	
AL	Alaska Stat. Ann. § 18.80.220 (a)(5)	1996	Equal pay for work of comparable character or work in the same operation, business, or type of work in the same locality.	An employer may provide greater health and retirement benefits to employees who have a spouse or dependent children than are provided to other employees.	Same operation, business or locality	No	No	Employee choice of filing a complaint with the Alaska State Commission for Human Rights or civil proceeding	
AZ	Ariz. Rev. Stat. Ann. § 23-340, <i>et seq.</i>	1973	Equal pay in the same establishment for the same quantity and quality of the same classification of work.	Seniority, length of service, ability, skill, difference in duties or services performed, whether regularly or occasionally, difference in the shift or time of day worked, hours of work, restrictions or prohibitions on lifting or moving objects in excess of specified weight, or other reasonable differentiation, factor or factors other than sex, when exercised in good faith.	Same establishment	No	No	Yes	
AK	Ark. Code Ann. § 11-4-601, <i>et seq.</i> , 610	1977	Equal pay for equal work.	Seniority, experience, training, skill, ability, differences in the duties and services	Courts have looked at different locations in the same county	No	No	Yes	

### Summary of Equal Pay Laws in the United States

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				performed, differences in the shift or time of day worked, or any other reasonable differentiation except difference in sex.					
CA	Cal. Labor Code § 1197.5	1/1/16	Equal pay for substantially similar work when viewed as a composite of skill, effort and responsibility.	Seniority system, merit system, system which measures earnings by quantity or quality of production, or any bona fide factor other than sex, race, or ethnicity such as education, training, or experience.	Any location	Prohibits retaliation for inquiring about or discussing compensation	Employers cannot inquire about prior salary after 1/1/18.	Employee choice of Labor Commissioner or civil proceeding	Also applies to race/ethnicity
San Francisco	Art. 33J of Police Code	7/1/18	Prohibits asking for an applicant's current and past wages and benefits, refusing to hire an applicant for failing to disclose such salary history, or considering such salary history as a factor in determining what salary to offer the applicant. Employers also may not release salary history of any employee without written authorization.	Following an initial salary offer by the employer, an applicant may disclose salary history to negotiate a different salary and the employer may consider salary history in determining a counteroffer.		Prohibits retaliation for refusing to disclose.	Employers cannot inquire about prior salary or use it in determining an initial offer to applicants.	The Office of Labor Standards Enforcement enforces the ordinance, and may refer an action to the City Attorney for enforcement.	
CO	Colo. Rev. Stat. Ann. § 8-5-102	1986	Prohibits employers from paying employees differently solely based on the gender of the employee.	None specified.	Not specified	No	No	There is no private right of action. Instead, employees have up to one year after a violation to file a written complaint	

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								with the Division of Labor in the Colorado Department of Labor and Employment.	
CT	Conn. Gen. Stat. Ann. § 31-75	2009	Equal pay for equal work on a job, the performance of which requires equal skill, effort, and responsibility, and is performed under similar working conditions.	Seniority system, merit system, system which measures earnings by quantity or quality of production, or a differential system based upon a bona fide factor other than sex, such as education, training or experience.	Same location	Prohibits retaliation for bringing a claim, challenging a discriminatory pay practice or discussing pay with other employees	No	Yes	
DE	19 Del. Code Ann. § 1107(a), 1113	1983	Equal pay for equal work on a job the performance of which requires equal skill, effort, responsibility, and which is performed under similar working conditions.	Seniority system, merit system, system which measures earnings by quantity or quality of production, or any other factor other than sex.	Same location	Prohibits retaliation against an employee who made a complaint, instituted legal proceedings, or testified in proceedings under this law.	Employers cannot inquire about prior salary after Dec 2017.	Yes	
FL	Fla. Stat. Ann. § 448.07	1997	Equal pay for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.	Seniority system, merit system, 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.	Courts have looked at employees in the same location	No	No	Yes	Applies to employers with 2 or more employees. Does not apply to employers covered by the FLSA to the extent the FLSA

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									preempts claims under Section 448.07.
GA	Ga. Code Ann. § 34-5-3	1966	Equal pay for equal work in jobs which require equal skill, effort, and responsibility and which are performed under similar working conditions	Seniority system, merit system, system which measures earnings by quantity or quality of production, or a differential based on any other factor other than sex.	Same location	Prohibits retaliation for making a complaint, instituting a proceeding, or testifying in a proceeding.	No	Yes	Applies to employers with 10 or more employees
HI	Haw. Rev. Stat. § 378-2.3, -5	2005	Equal pay for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and that are performed under similar working conditions.	Seniority system, merit system, system that measures earnings by quantity or quality of production, bona fide occupational qualification, or a differential based on any other permissible factor other than sex.	Same location	No	No	Yes	
ID	Idaho Code § 44-1702	1969	Equal pay for comparable work on jobs which 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, are not within this prohibition.	Same location	Prohibits retaliation against an employee who invokes or assists in any manner in the enforcement of this law.	No	Yes	
IL	820 Ill. Comp. Stat. 112/1	2004	Equal pay for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed	Seniority system, merit system, system that measures earnings by quantity or quality of production, or a differential based on any other factor other than sex or a factor that would constitute	Same county	Prohibits retaliation against an employee for inquiring about, disclosing, comparing, or otherwise discussing the	An Illinois proposal that would have prevented employers from requiring applicants to disclose their prior wages or	Yes	Specific to comparing employees within the county. Applies to employers with 4 or

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			under similar working conditions.	unlawful discrimination under the Illinois Human Rights Act.		employee's wages or the wages of another employee, or aiding or encouraging any person to exercise his or her rights under the law.	salary during the hiring process unexpectedly failed during the Illinois General Assembly veto session on Nov. 9.		more employees.
IN	Ind. Code Ann. § 22-2-2-4(d)	2007	Equal pay for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.	Seniority system, merit system, system which measures earnings by quantity or quality of production, or a differential based on any other factor other than sex.	Same location	No	No	Yes	Applies to employers with 2 or more employees.
KS	Kan. Stat. Ann. 44-1205	1977	Equal pay for equal work on jobs, the performance of which requires equal skill, effort and responsibility, and which are performed under similar working conditions.	Seniority system, merit system, system which measures earnings by quantity or quality of production, or a differential based on a factor other than sex.	Same location	Prohibits retaliation for making a complaint regarding payment of wages, instituting a proceeding, or testifying in proceeding.	No	Yes	
KY	Ky. Rev. Stat. § 337.423	1/1/17	Equal pay for comparable work on jobs which have comparable requirements relating to skill, effort and responsibility.	Established seniority systems or merit increase systems which do not discriminate on the basis of sex.	Same location	Prohibits retaliation for any action taken by an employee to invoke or assist in any manner the	No	Yes	

### Summary of Equal Pay Laws in the United States

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						enforcement of this law.			
LA	La. Rev. Stat. Ann. § 23:661	2013	Equal pay for the same or substantially similar work on jobs in which the employee's performance requires equal skill, effort, education, and responsibility and that are performed under similar working conditions including time worked in the position.	Seniority systems, merit systems, system that measures earnings by quantity or quality of production, or a differential based on a bona fide factor other than sex, including but not limited to education, training, or experience, provided that the factor is related to the job position in question and no alternative employment practice would serve the same legitimate business purpose without producing such a differential.	Same location	Prohibits retaliation against an employee for inquiring about, disclosing, comparing, or otherwise discussing the employee's wages or the wages of any other employee, or aiding or encouraging any other employee to exercise their rights under the law.	New Orleans prohibits inquiries about a candidate's salary history during the application and interview process for City positions.	Yes	State law applies only to state employers; but LA has a general employment discrimination law that applies to private employers
ME	Me. Rev. Stat. Ann. Tit. 26 § 628	2009	Equal pay for comparable work on jobs that have comparable requirements relating to skill, effort and responsibility.	Seniority system, merit increase systems, and difference in the shift or time of the day worked that do not discriminate on the basis of sex.	Same location	An employer may not discharge or discriminate against any employee for exercising his or her rights under this section.	No	Employee choice between civil proceeding or filing an Equal Pay Complaint with the Maine Department of Labor	
MD	Md. Labor and Employment Code Ann. § 3-301	2016	Equal pay for work of comparable character or work on the same operation, in the same business, or of the same type.	Seniority system, merit system, different required abilities or skills, regular performance of different duties or services or different shifts or at	An employee shall be deemed to work at the same establishment as another employee if the employees work for the same	Employer may not take adverse employment action against an employee for: (1)	No	Yes	May not require employee to sign a waiver denying her the right to disclose or

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JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
				different times of day, system which measures earnings by quantity or quality of production, geographic locations outside of the employees county, or bona fide factor other than sex, such as education, training, or experience.	employer at workplaces located in the same county of the State.	discussing or disclosing her own wages or that of another; (2) inquiring about another's wages; (3) asking the employer to provide reasoning for her wages; or (4) aiding or encouraging another to exercise her rights under this section.			discuss her wages. Also applies to gender identity.
MA	Ann. Laws of Mass. Gen. Laws Ch. 149, § 105A	7/1/18	Equal pay for work of like or comparable character or work on like or comparable operations. Under the new law, comparable work is "work that is substantially similar in that it requires substantially similar skill, effort, and responsibility and is performed under similar working conditions."	Employers cannot use an employee's previous wage or salary history as a defense in an equal pay lawsuit.  Seniority (not including time spent on protected leave), merit system, system which measures earnings by quantity or quality of production or sales, geographic location, education, training or experience, or travel if the travel is a regular and necessary condition of the job are affirmative defenses.  Self-evaluation defense available for employers that conduct self-	Same location	Employers may not discharge or retaliate against any employee for exercising rights under this statute.	Employers cannot inquire about prior salary.	Yes	

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JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
				evaluation and take steps to remedy pay disparities.					
MI	Mich. Comp. Laws Ann. § 408.423	5/27/14	Equal pay for equal work on jobs, the performance of which requires equal skill, effort, and responsibility and that is performed under similar working conditions.	Seniority system, merit system, system that measures earnings by quantity or quality of production, or a differential based on a factor other than sex.	Same location	No	No, on 3/26/18, Gov. Snyder signed Bill No. 353, effective in 90 days, prohibiting local government from regulating information employers can request, require, or exclude on an employment application or during the interview process, but does not prohibit requiring a criminal background check.	Yes	Applies to employers with 2 or more employees at any time within a calendar year, and the employer is subject to the act during the remainder of the calendar year.
MN	Minn. Stat. Ann. § 181.67	1986	Equal pay for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.	Seniority system, merit system, system which measures earnings by quantity or quality of production, or a differential based on any other factor than sex.	Courts have looked at different locations in the same county	Employers shall not discriminate with regards to hire or tenure when an employee exercises her right under this section.	No	Yes	
MO	Mo. Ann. Stat. § 290.410	1963	Equal pay for the same quantity and quality of the same classification of work.	Seniority, length of service, ability, skill, difference in duties or services performed, difference in shift or time of day work,	Same location	No	No	Yes	



### Summary of Equal Pay Laws in the United States

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				difference in hours of work, restrictions or prohibitions on lifting or moving objects in excess of specified weight, other reasonable differentiation, or factors other than sex, when exercised in good faith.					
MT	Mont. Code Ann. 39-3-104	1979	Unlawful to “employ women in any occupation within the state for compensation less than that paid to men for equivalent service or for the same amount or class of work or labor in the same industry, school, establishment, office, or place of employment of any kind or description.”	None specified.	Same location	No	No	Employers that violate the equal pay law are guilty of a misdemeanor, punishable by a fine of \$25 to \$500 for each offense (Mont. Code Ann., Sec. 39-3-104)	
NE	Neb. Rev. Stat. Ann. § 48-1221	1969	Equal pay for equal work on jobs which require equal skill, effort and responsibility under similar working conditions.	Established seniority system, merit increase system, system which measures earnings by quantity or quality of production, or any factor other than sex.	Same location	Employers may not discharge or discriminate against an employee for exercising her rights under this law	No	Yes	Applies to private employers with 2 or more employees for each working date in each of 20 or more calendar weeks in the current or preceding calendar year and applies

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JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
									to all public employers.
NV	Nev. Rev. Stat. § 608.017	1975	Equal pay for equal work which requires equal skill, effort and responsibility and which is performed under similar working conditions.	Seniority system, merit system, compensation system under which wages are determined by the quality or quantity of production, or a wage differential based on factors other than sex.	Same location	Prohibits employers, employment agencies, and labor organizations from discriminating against the inquiry, discussion, or voluntary disclosure of information on wages after June 3, 2017.	No	Employers that violate the equal pay law are guilty of a misdemeanor. In addition, the Labor Commissioner may impose an administrative penalty up to \$5,000 for each violation (Nev Rev. Stat., Sec. 608.195)	
NH	N.H. Rev. Stat. Ann. § 275:37	1/1/15	Equal pay for equal work that requires equal skill, effort, and responsibility and is performed under similar working conditions.	A seniority system, a merit or performance-based system, a system which measures earnings by quantity or quality or production, shift differentials, expertise, or a demonstrable factor other than sex, such as education, training, or expertise.	Same location	Prohibits retaliation for filing complaining or participating in an investigation. Also prohibits retaliation against an employee who inquired about, discussed, or disclosed his or her wages or those of another employee.	No	Yes	

### Summary of Equal Pay Laws in the United States

JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
NJ	S-104	<b>If signed, 7/1/18</b>	It shall be an unlawful employment practice for an employer to pay any of its employees who is a member of a protected class at a rate of compensation, including benefits, which is less than the rate paid by the employer to employees who are not members of the protected class for substantially similar work, when viewed as a composite of skill, effort and responsibility.	An employer may pay a different rate of compensation only if the employer demonstrates that the differential is made pursuant to a seniority system, a merit system, or the employer demonstrates: that the differential is based on one or more legitimate, bona fide factors other than the characteristics of members of the protected class, such as training, education or experience, or the quantity or quality of production; that the factor or factors are not based on, and do not perpetuate, a differential in compensation based on sex or any other characteristic of members of a protected class; that each of the factors is applied reasonably; that one or more of the factors account for the entire wage differential; and that the factors are job-related to the position in question and based on a legitimate business necessity. A factor based on business necessity shall not apply if it is	The proposed law would require that “[c]omparisons of wage rates ... be based on wage rates in all of an employer’s operations or facilities.”	The proposed law contains a broad anti-retaliation provision, and applies to retaliation for opposition activities, providing information to legal counsel or a government entity, filing or participating in any proceeding under the Act, aiding or encouraging another person to seek enforcement of their rights, requesting, discussing with disclosing job title, occupational category and rate of compensation, including benefits, of the employee or any other current or former employee, or the gender, race, ethnicity, military status, or national	No	Employee may bring a charge before the New Jersey Division of Civil Rights or bring a civil action against the employer directly.	If a jury were to determine that an employer had violated this pay equity section of the proposed law, the judge would be required to award treble damages. Where an employee brings a charge before the New Jersey Division of Civil Rights, the director would be permitted to award treble damages.

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JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
				demonstrated there are alternative business practices that would serve the same business purpose without producing the wage differential.		origin of the employee or any current or former employee.			
NM	N.M. Stat. Ann. § 28-23-1	2013	Equal pay for equal work on jobs the performance of which requires equal skill, effort and responsibility and that are performed under similar working conditions.	Seniority system, merit system, system that measures earnings by quantity or quality of production, bona fide occupational qualification or other statutory provision.	Same location	It is a violation to discharge, demote, deny promotion to or in any other way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to the Fair Pay for Women Act or assisting another person to do so, or for informing another person about employment rights or other rights provided by law.	No	Yes	
NY	N.Y. Labor Law § 194, 198	2016	Equal pay for equal work on a job the performance of which requires equal skill, effort and responsibility,	Seniority system, merit system, system that measures earnings by quality or quantity of production, or a bona	Same geographic region	No	Yes, for state employers, employers in NYC and Albany County	Yes	

### Summary of Equal Pay Laws in the United States

JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
			and which is performed under similar working conditions	bona fide factor other than sex, such as education, training, or experience so long as the factor is job related and consistent with business necessity.					
New York City	Administrative Code of City of N.Y. § 8-101 et seq.	10/31/17			N/A		It is an unlawful, discriminatory practice under the New York City Human Rights Law (NYCHRL) to inquire about the salary history of a job applicant during the hiring process. If an applicant discloses prior salary voluntarily, without prompting, an employer may consider salary history in determining compensation and may verify the applicant's salary history.	Under the NYCHRL, an aggrieved prospective employee may either file a complaint with the New York City Commission on Human Rights or file a lawsuit directly in New York State court	
ND	N.D. Century Code, 34-06.1-01	2015	Equal pay for comparable work on jobs that have comparable requirements relating to skill, effort, and responsibility.	Established seniority systems, systems that measure earnings by quantity or quality of production, merit systems, or a bona fide factor other than gender, such as	Same location	Employers may not discharge or discriminate against an employee for invoking or assisting in any manner the	No	Yes	

### Summary of Equal Pay Laws in the United States

JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
				education, training, or experience.		enforcement of this law, except when proven that the act of the employee is fraudulent.			
OK	40 Okla. Stat. Ann. § 198.1	1965	Equal pay for comparable work on jobs which have comparable requirements relating to skill, effort and responsibility.	Seniority system, merit system, system that measures earnings by quality or quantity of production, or a differential based on any factor other than sex.	Same location	Prohibits retaliation (implied by penalties).	No	Yes	
OR	Or. Rev. Stat. § 652.220	1/1/19	Equal pay for work of comparable character, the performance of which requires comparable skills.	Seniority, merit system, quantity or quality of production, workplace locations, travel, if necessary and regular, education, training, experience, or any combination of the above-mentioned factors if the combination accounts for the entire compensation differential.	Same location	Prohibits retaliation for filing a complaint or for testifying, is about to testify, or because employer believes employee may testify in an investigation, proceeding, or criminal action.	Yes, and employers may not use past compensation to set pay. Employers may confirm prior compensation after making an offer that includes an amount of compensation, but there is no exception for voluntary disclosure.	Employee choice of filing a complaint with Oregon's Bureau of Labor and Industries ("BOLI"), or by bringing a lawsuit against their employer directly	
PA	Pa. Stat. Ann. tit. 43 § 336.1	1968	Equal pay for equal work on jobs, the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.	Seniority system, merit system, system that measures earnings by quality or quantity of production, or differences based on any factor other than sex	Same location	Prohibits retaliation (implied by penalties).	Pittsburgh prohibits the city from asking about a job applicant's salary history and relying on wage history in the employment	Yes	

### Summary of Equal Pay Laws in the United States

JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
							process, unless the applicant volunteered the information.		
Philadelphia		Pending (Stayed)	Prohibits employers from asking about a prospective employee's wage and fringe benefits history.	If an applicant "knowingly and willingly" discloses wage or fringe benefits information, the employer may consider it when setting compensation.	N/A	This bill would prohibit retaliation against a prospective employee for failing to comply with any wage history inquiry or for otherwise opposing any act made unlawful by this chapter.	Employers cannot inquire about prior salary (stayed pending resolution of litigation about its constitutionality)	Employee may file complaint with the Philadelphia Human Relations Commission or file a complaint in the Philadelphia County Court of Common Pleas	The Bill includes a posting requirement.
RI	R.I. Gen. Laws Ann. 1956, § 28-6-18	1956	Equal pay for equal work or work on the same operations.	Seniority, experience, training, skill, or ability; duties and services performed, either regularly or occasionally; shift or time of day worked; availability for other operations; or any reasonable differentiation except difference in sex.	Same location	Prohibits retaliation for making a complaint, instituting a proceeding, or testifying in any proceeding (implied by penalties).	No	Yes	
SD	S.D. Codified Laws § 60-12-15	2008	Equal pay for comparable work on jobs which have comparable requirements relating to skill, effort, and responsibility, but not to physical strength.	Established seniority systems, job descriptive systems, merit increase systems, executive training programs.	Not specified	Prohibits retaliation.	No	Yes	

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TN	Tenn. Code Ann. § 50-2-201	2008	Equal pay for comparable work on jobs the performance of which require comparable skill, effort and responsibility, and that are performed under similar working conditions.	Seniority system, merit system, system that measures earnings by quality or quantity of production, or any other reasonable differential that is based on a factor other than sex.	Same location	Prohibits retaliation against an employee who invokes or assists in any manner enforcement of this law.	No	Yes	
TX	Tex. Lab. Code § 21.051, 21.102, 21.055, 21.112	1993	Prohibits wage discrimination due to race, color, disability, religion, sex, national origin, or age in connection with compensation.	Seniority system, merit system, or an employee benefit plan, such as a retirement, pension, or insurance plan, that is not a subterfuge for discrimination, or a system that measures earnings by quantity or quality of production.	Same location.	Prohibits retaliation against person who opposes a discriminatory practice; makes or files a charge; files a complaint; or testifies, assists, or participates in any manner in an investigation, proceeding, or hearing	No	Yes	
VT	Vt. Stat. Ann. tit. 21 § 495(a) (7), 95(b)	2014	Equal pay for equal work that requires equal skill, effort, and responsibility and is performed under similar working conditions.	Seniority system, merit system, system that measures earnings by quantity or quality of production, bona fide factor other than sex (employer must demonstrate that the factor does not perpetuate a sex-based differential in compensation, is job-related with respect to the position in question, and is based upon a	Courts have looked at employees in the same location	Prohibits retaliation against an employee who has opposed any act or practice prohibited under this law, lodged a complaint or testified in an investigation of prohibited acts or practices, is	No	Yes	



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				legitimate business consideration).		known by the employer to be about to lodge a complaint or testify, has disclosed wages or inquired about or discussed wages of other employees, or is believed by employer to have done any of these things.			
VA	Va. Code Ann. § 40.1-28.6	1974	Equal pay for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.	A differential based on a seniority system, a merit system, a system which measures earnings by quantity or quality of production, or any other factor other than sex.	Same location	No	No	Yes	This provision does not apply to employees covered by the FLSA.
WA	Wash. Rev. Code Ann. § 49.12.175 (HB 1506)	6/7/18	Any employer in this state who discriminates in any way in providing compensation based on gender between similarly employed employees of the employer is guilty of a misdemeanor.	A differential in compensation based in good faith on a bona fide job-related factor or factors that are consistent with business necessity; are not based on or derived from a gender-based differential; and account for the entire differential. More than one factor may account for the differential. Bona fide factors include, but are not limited to education, training or	Same region	An employer may not retaliate, discharge, or otherwise discriminate against an employee because the employee has filed any complaint, or instituted or caused to be instituted any proceeding under this	An individual's previous wage or salary history is not a defense.	Employee may file an administrative complaint with the department of labor or bring a civil action against their employer directly.	The Equal Pay Opportunity Act grants workers the right to inquire about, disclose, compare, or otherwise discuss their wages without retaliation from their employer.

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				experience, a seniority system, a merit system, a system that measures earnings by quantity or quality of production, or a bona fide regional difference in compensation levels. A differential in compensation based in good faith on a local government ordinance providing for a minimum wage different from state law does not constitute discrimination		chapter, or has testified or is about to testify in any such proceeding, or because of the exercise by such employee on behalf of himself or herself or others of any right afforded by this chapter.			
WI	Wis. Stat. Ann. § 111.322	1981	Prohibits discrimination to discriminate against any individual in compensation based on sex and other protected characteristics. Discrimination because of sex includes discriminating against any individual in compensation paid for equal or substantially similar work, or in terms, conditions or privileges of employment or licensing on the basis of sex.	Sex is a bona fide occupational qualification, defined as if all of the members of one sex are physically incapable of performing the essential duties required by a job, or if the essence of the employer's business operation would be undermined if employees were not hired exclusively from one sex.		It is an act of discrimination to discharge or otherwise discriminate against an individual who files a complaint to enforce a right, testifies or assists in an action or proceeding to enforce a right, or who opposes a discriminatory practice.	WI House has passed Assembly Bill 748, which states that no local ordinance may prohibit "an employer from soliciting information regarding the salary history of prospective employees." If passed by the Senate, Gov. Walker is expected to sign the bill.	Employee may file an administrative complaint.	Other characteristics include age, race, creed, color, disability, marital status, national origin, ancestry, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or

### Summary of Equal Pay Laws in the United States

JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
									declining to attend a meeting or to participate in any communication about religious matters or political matters
WV	W. Va. Code, § 21-5B-3	1965	Equal pay for work of comparable character, the performance of which requires comparable skills	Based in good faith on factors other than sex or on a seniority or merit system which does not discriminate on the basis of sex.	Courts have looked at employees in the same location	Prohibits retaliation against an employee who filed a complaint, testified or is about to testify or the employer believes that the employee may testify, in any investigation or proceedings under this article or a criminal action under this article.	No	Yes	
WY	Wyo. Stat. 1977 § 27-4-301	2012	Equal pay for equal work on jobs the performance of which requires equal skill, effort and responsibility and which are performed under similar working conditions.	A differential based on a seniority system, a merit system, system that measures quality or quantity of production, or any other factor other than gender.	Same location	Prohibits retaliation (implied by penalties).	No	Yes	

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JURISDICTION	CITATION	EFF. DATE	BASIC REQUIREMENT	EMPLOYER DEFENSES	COMPARISON ALLOWED	NON-RETALIATION?	PRIOR SALARY PROHIBITION?	EMPLOYEE CLAIM ALLOWED?	OTHER
Puerto Rico	Act 16 of March 8, 2017	3/8/18	Equal pay for work that requires the same skill, effort and responsibilities under similar conditions	A differential based on a bona fide seniority or merit system; compensation system based on quality or quantity of production, sales or profits; education, training, or experience related to the specific job functions; or any other reasonable factor that is not gender.	In Puerto Rico.	Prohibits retaliation for discussing salary, objecting to any prohibited practice, filing a claim or grievance, testifying or giving information during an investigation under the Act.	Yes, unless the applicant voluntarily reveals the information or an offer has been made that includes a negotiated salary	Yes	No liquidated damages if the employer did a good faith pay audit and achieved a substantial reduction in sex-based salary differences.