

# EQUAL PAY LAW



STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR

## **EQUAL PAY - RSA 275:37**

It is illegal in New Hampshire under both state and federal law to pay employees different wages for the same work based solely on sex. If you think that your employer has violated this provision, please contact the

New Hampshire Department of Labor, 95 Pleasant St, Concord, NH 03301

Phone: (603) 271-1492, 271-6294, or 271-3176

Fax: (603) 271-2668

Email: [InspectionDiv@dol.nh.gov](mailto:InspectionDiv@dol.nh.gov)

You may file a wage claim by downloading the form at:

<http://www.nh.gov/labor/documents/wage-claim.pdf>

The full text of RSA 275:37 Equal Pay can be found at this link:

<http://www.gencourt.state.nh.us/rsa/html/XXIII/275/275-37.htm>

**RSA 275:38-a Non-Retaliation Provision.** No employer shall discharge or in any other manner discriminate against any employee because they invoke their rights under this statute, including filing charges or complaints, or causing any investigation, proceeding, hearing, or action under or related to this subdivision, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing, or action or has inquired about, discussed, or disclosed his or her wages or those of another employee.

This section shall not apply to any employee who has access to the wage information of other employees as a part of such employee's essential job functions who discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge or in furtherance of an investigation, proceeding, hearing, or action under RSA 275:41-a including an investigation conducted by the employer. Nothing in this section shall be construed to limit the rights of an employee provided under any other provision of law.

**RSA 275:41-b Pay Disclosure.** No employer shall require that an employee refrain from disclosing the amount of his or her wages or sign a waiver or other document that purports to deny the employee the right to disclose the amount of his or her wages, salary, or paid benefits, as a condition of employment. No employer shall discharge, formally discipline, or otherwise discriminate against an employee who discloses the amount of his or her wages, salary, or paid benefits.

**RSA 275:41 Limitation of Actions.** Any action to recover unpaid wages and liquidated damages based on violation of RSA 275:37, shall be commenced within 3 years of discovery of the violation. No action brought under this section shall include any violation that occurred more than 4 years prior to the commencement of such action.

Effective Date: January 1, 2015

**Inspection Division**

PO Box 2076

Concord NH 03302-2076

Telephone – (603) 271-1492 & 271-3176

**Rudolph W. Ogden, III**  
Deputy Commissioner

**Ken Merrifield**  
Commissioner

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