

OREGON EQUAL PAY LAW



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PAY HISTORY	Effective October 6, 2017 , employers are prohibited from seeking the pay history of employment applicants and employees before the employer makes an offer of employment to the prospective employee that includes an amount of compensation.
UNLAWFUL PRACTICES	Effective January 1, 2019 , it is an unlawful employment practice under ORS chapter 659A (Unlawful Discrimination laws) for an employer to: <ul style="list-style-type: none">• Discriminate in any manner between employees on the basis of an employee's status as a member of a protected class in the payment of wages or other compensation for work of comparable character;• Pay wages or other compensation to any employee at a rate greater than that at which the employer pays wages or other compensation to employees of a protected class for work of a comparable character;• Screen job applicants based on current or past compensation;• Determine compensation for a position based on current or past compensation of a prospective employee (not including a current employee of the employer during a transfer, move or hire of the employee to a new position with the same employer);• Seek the pay history of an applicant or employee from the applicant or employee or a current or former employer of the applicant or employee before the employer makes an offer of employment to the prospective employee that includes an amount of compensation.
ADDITIONAL PROVISIONS	Also effective January 1, 2019: <ul style="list-style-type: none">• Employers may not reduce the compensation of any employee in order to comply with the law;• Amounts owed to an employee because of a failure of an employer to comply with the requirements of the Equal Pay Law are considered "unpaid wages" under the law;• Employees who assert violations of the Equal Pay Law may file complaints with the Civil Rights Division of BOLI or a civil action within one year after the occurrence of the unlawful practice;• An unlawful compensation practice is deemed to have occurred each time compensation is paid pursuant to a discriminatory compensation decision or other practice;• Notice of claim against public bodies (tort claim notices) must be given within 300 days of discovery of the alleged loss or injury.
OTHER PROVISIONS	See BOLI website for additional information regarding: <ul style="list-style-type: none">• Permitted circumstances for paying employees performing work of a comparable character at different compensation levels;• Legal remedies under the law; and• Provisions for employer equal pay analyses as a defense in the award of compensatory and punitive damages.

For additional information, contact the Bureau of Labor and Industries:

www.oregon.gov/boli

Portland: 971-673-0761
TTY: 711

Eugene: 541-686-7623

Salem: 503-378-3292

Technical Assistance for Employers Program: 971-673-0824

**This is a summary of the provisions of the Oregon Equal Pay Law. It is not a complete text of the law.
THIS INFORMATION MUST BE POSTED IN A CONSPICUOUS LOCATION**

2/2018