

| HB 1506 - Equal Pay  |   |   |   |
|--|---|---|---|
| What You Must Do   | What You Must Not Do  | Or What?  | Other Considerations  |
| Pay similarly employed employees the same  | Base compensation differences on gender   | Guilty of a misdemeanor   | "Similarly employed" means "individuals work for the same employer, the performance of the job requires similar skill, effort, and responsibility, and the jobs are performed under similar working conditions."<br>(Job titles are not determinative.) |
| Base compensation differences in good faith on bona fide job-related factors such as education, training, experience, seniority, merit, quantity or quality of production, regional differences                | Base a defense on an employee's previous wage or salary history   | L&I investigates employee complaint and attempts to resolve the violation by "conference and conciliation"  | Employer carries the burden of proof on defenses (bona fide job-related factors)  |
| Base advancement opportunities on bona fide job-related factors (see above)  | Base advancement opportunities on gender  | If no agreement reached and L&I finds a pattern of violations, L&I may order a citation and notice of assessment and order:<br>1. Actual damages plus 1% per month interest on compensation owed or \$5000 (whichever is greater);<br>2. Employer pays L&I costs of investigation and enforcement;<br>3. "Any other appropriate relief" |   |
| You <b>may</b> prohibit an employee with access to compensation information from disclosing it, unless it's in response to a complaint or charge or consistent with your legal duty to provide the information | Require nondisclosure of wages as a condition of employment   | L&I may also impose a civil penalty:<br>1. Up to \$500 for 1st violation;<br>2. Up to \$1000 or 10% of damages (whichever is greater) for repeat violations   |   |
|  | Require an employee to sign a waiver preventing disclosure of wages   | Wages and interest owed can reach back up to four years   |   |
|  | Discharge or otherwise retaliate against an employee for asking about, disclosing, comparing, or discussing anyone's wages, or for asking you for a reason for the employee's wages or lack of advancement opportunity, or for helping or encouraging anyone to exercise his or her rights under this law | Employee can bring a civil action for the above damages, but it terminates the L&I complaint  |   |
|  | Discharge or otherwise retaliate against an employee for filing a complaint or for testifying   | Relief in a civil action only comes if court determines that employer committed a pattern of violations   |   |