



## THE OREGON EQUAL PAY ACT

You have a right as an employee in Oregon to equal pay. Your employer can't:

- **Pay you less** because of your gender, race, color, religion, sexual orientation, national origin, marital status, age, disability or veteran status. This includes fringe benefits;
- **Pay your coworker more for the same job** unless the entire pay gap is based on one or more of these conditions: seniority, merit, quantity of production, education, training, experience, workplace location and travel;
- **Ask a potential new hire how much he or she is currently paid or has been paid in the past.** It is only when an employer makes a job offer that includes a payment amount that the employer can ask for wage history; and
- **Cut your pay** to follow this law or retaliate against you for asking for equal pay.

Even if you have agreed to be paid less than a coworker doing the same job, your employer could still owe you unpaid wages.

If your employer violates these rules, you are owed back pay and attorney's fees. You may also have the right to money for pain and suffering, punitive damages and a jury trial.

What can you do if your employer violates the rules? **You can file a complaint with the Oregon Bureau of Labor and Industries or sue your employer in court.**

However, employers are given time to put these rules into action, so a legal claim for back pay and other damages cannot be filed until **2019**. If your claim is based on your employer's using your prior earnings history, you must wait until **2024** to file a claim in court. *You may be able to file a claim with the Bureau of Labor and Industries before these time periods, but the amount you may recover could be less.*

If your employer has conducted a study of its equal pay practices in the three years before you file a claim, you may only have the right to back pay and attorney's fees.

**AND REMEMBER, YOU CAN ASK AND TALK ABOUT WAGES – YOURS AND THOSE OF YOUR CO-WORKERS - WITHOUT FEAR OF DISCIPLINE**