

# Employee Rights to Equal Pay and Opportunities



Washington State's **Equal Pay Opportunity Act** requires employers to provide equal pay and career advancement opportunities to their employees, regardless of gender. The act promotes fairness among workers through:

- **Equal pay.** Employers must provide equal compensation to "similarly employed" workers, except for some specific reasons unrelated to gender. "Similarly employed" means the same employer and similar working conditions, skills, effort and responsibility.
- **Equal career advancement opportunities.** Employers must not limit or provide career advancement opportunities based on gender.
- **Open wage discussions.** Employers cannot stop employees from disclosing their wages to other workers or require agreements with employees that stop them from disclosing their wages.
- **Protection from discrimination, retaliation and firing.** Employers cannot take any negative action against an employee for:
  - Asking or talking about wages with other workers.
  - Asking the employer to provide a reason for the employee's wages or lack of opportunity for career advancement.
  - Helping or encouraging a fellow worker to take an action protected by the Equal Pay Opportunity Act.
  - Filing a complaint.
  - Taking any action protected by the Equal Pay Opportunity Act.
- **Enforcement.** Employees may submit complaints to the Department of Labor & Industries (L&I). L&I will investigate complaints, and can charge employers fines, damages and interest for violations. Employees also have the right to take legal action against an employer. Once a civil complaint is filed in court, L&I cannot investigate the complaint.

## Questions?

For more information, contact L&I's Employment Standards program at 360-902-4930 or [esgeneral@Lni.wa.gov](mailto:esgeneral@Lni.wa.gov).

To file a complaint, go to [www.Lni.wa.gov/EqualPay](http://www.Lni.wa.gov/EqualPay).

### Acceptable reasons for a difference in pay:

- Education, training or experience.
- Seniority.
- Merit.
- Measuring earnings by production quantity or quality.
- Regional difference in compensation levels.

### Other reasons for a difference in pay that *may* be acceptable:

- Job related factors consistent with business need.
- Reasons not based on gender.
- Local minimum wage laws.

A difference in pay **cannot** be based on an employee's wage or salary history.

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Washington State Department of  
**Labor & Industries**  
*Employment Standards / Workplace Rights*

*Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 360-902-5797. L&I is an equal opportunity employer.*