

HB 740 -- Equal Opportunity Employment Practices

Sponsor: Lowe (44)

This bill requires that employers pay employees equal wages for equal work regardless of the employee's gender. Certain factors exempt employers from this requirement including a seniority or merit system, measured earnings based on quantity or quality of production, or regional economic differentials. An employer is prohibited from lowering an employee's pay to comply with this requirement.

An employer is prohibited from discharging or discriminating against an employee because he or she opposed any unlawful employment practice or made a charge, testified, assisted, or participated in an investigation, proceeding, or hearing pursuant to the equal pay for equal work requirement. An employer is prohibited from taking any adverse action against an employee for comparing or discussing wage rates with another employee.

An employer in violation is liable for the wages not paid to the affected employee and an additional amount for compensatory damages not to exceed twice the wages awarded. If an employer takes any adverse action against an employee pursuant to the requirements of the bill, the award amount, in addition to the wage award, is determined by the court. The court may require the employer to take additional steps to prevent any recurrence of the violation, and an employee prevailing in an action brought against an employer for a violation is to be awarded court costs.

Any action must be commenced within two years of the alleged violation.