

● **IOWA CIVIL RIGHTS ACT OF 1965 (WAGE DISCRIMINATION)**

STATUTORY CITATION: Iowa Code § 216.6A

RELATED REGULATIONS: Iowa Admin. Code 161.1.1 – 161.15.3

GENERAL SUMMARY: The Iowa Civil Rights Act includes a provision explicitly prohibiting wage discrimination. The Act applies to all employers who regularly employ 4 or more individuals, without regard to industry or occupation.

SPECIFIC TERMS AND CONDITIONS: It is illegal for an employer who regularly employs 4 or more workers to discriminate against an employee — because of the employee's age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability — by paying wages to the employee at a rate less than the rate paid to other employees in the same establishment for equal work on jobs that require equal skill, effort and responsibility and that are performed under similar working conditions.

Wage differentials are not regarded as discriminatory if they are based on a seniority system, a merit system, a system that measures earnings by quantity or quality of production, or some other factor other than the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability of the employee.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Iowa Civil Rights Commission, Des Moines, Iowa 50319 (515-281-4121; toll-free 800-457-4416).* The Commission is charged with receiving, investigating and determining the merits of complaints alleging unfair or discriminatory practices.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*

PRIVATE CIVIL ACTION — After 60 days following the timely filing of a complaint, the complainant may request a right-to-sue letter from the Commission and file a private civil suit for relief in state district court, using a private attorney or a public legal service provider. However, the Commission is barred from issuing a right-to-sue letter if, on the date of the request, (1) the Commission has issued a finding of "no probable cause," (2) a conciliation agreement has been entered into, (3) the Commission has served a notice of hearing on the respondent, or (4) the complaint has been administratively closed and 2 years have elapsed since the date of closure. In all cases, private civil action must commence within 90 days after the right-to-sue letter is mailed, and once a letter is issued, the Commission is barred from further action on the complaint.