

## ● EQUAL PAY LAW

*STATUTORY CITATION:* Or. Rev. Stat. §§ 652.210 – 652.230

*GENERAL SUMMARY:* No private employer in Oregon (among others) may pay wages to any employee at a rate less than that at which the employer pays wages to employees of the opposite sex for work of comparable character, the performance of which requires comparable skills. This prohibition does not apply where payment is made pursuant to a seniority or merit system which does not discriminate on the basis of sex, or where a wage differential is based in good faith on factors other than sex.

*PROVISIONS APPLICABLE TO AGRICULTURE:* The equal pay law applies to agricultural employment to the same extent as in any other industry.

### *SPECIAL NOTES OR ADVISORIES*

**RETALIATION** — A person may not discriminate in the payment of wages against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

### *ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Wage and Hour Division, Oregon Bureau of Labor and Industries, Portland, Oregon 97232 (971-673-0844)*. The Bureau has statutory authority to investigate and attempt to resolve any complaint filed by a worker seeking unpaid wages. At the worker's request, the Bureau may take assignment of a wage claim and initiate an administrative proceeding to collect it; unless the amount of the wage claim and penalty specified in a final order by the Bureau is paid, the order constitutes a judgment against the employer, enforceable as if issued by a court of law. In lieu of an administrative action, the Bureau also has authority to file suit in civil court to collect a claim whenever circumstances warrant.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *Civil Rights Division, Oregon Bureau of Labor and Industries, Portland, Oregon 97232 (971-673-0764)*. The Wage and Hour Division may refer cases under this law to the Bureau's Civil Rights Division, because the provisions in the civil rights laws forbidding sex discrimination in the payment of wages are broader and afford more ample rights.

**PRIVATE CIVIL ACTION** — As an alternative to a complaint to the Bureau, any worker who has not received full compensation as a result of discriminatory wage rates based on sex has a right to civil action against the employer, for the amount of the unpaid wages to which the worker is entitled for the one-year period preceding the suit and an additional equal amount as liquidated damages, together with court costs and attorney's fees.