

Week 7 Follow-Up: Equal Pay and Opportunities Act

Guidance for Small Business Owners and Future Employers

The Equal Pay and Opportunities Act is designed to reduce gender-based pay differences and strengthen pay transparency. Understanding these requirements early can help you avoid common mistakes as you hire and grow.

Key Takeaways for Employers

1. Provide Equal Pay for Similar Work

As an employer, you must provide equal compensation to workers who are "similarly employed." In practice, this means:

- Roles with similar skills, effort, responsibility, and working conditions should be paid equally
- Differences in pay should be tied to legitimate, job-related factors, not gender or membership in one or more [protected classes](#)

2. Keep Advancement Opportunities Open and Fair

You cannot limit or deny career advancement opportunities based on gender or membership in one or more protected classes. Be intentional about ensuring equal access to:

- Promotions and internal transfers
- Professional development and training
- Mentorship and leadership opportunities

3. Allow Lawful Wage Discussions

Employees have the right to discuss their wages with coworkers. As an employer, you cannot:

1. Prohibit wage discussions
2. Require agreements that prevent wage discussions
3. Retaliate against employees for discussing compensation

4. Share Wage Scale Information for Transfers and Promotions (15+ employees)

If you have 15 or more employees, you must provide the wage scale or salary range to an employee who is offered an internal transfer or promotion, if they request it. If the employer is offering only a fixed wage amount for the new position or promotion, the employer must disclose the fixed wage amount rather than a scale or range.

- **Do Not Retaliate**

You cannot take adverse action against employees for exercising rights under this law, including discussing wages or raising concerns about pay equity.

Key Takeaways for Hiring and Job Postings

1. Do Not Ask About Salary History

Employers are prohibited from:

- Asking applicants about wage or salary history
- Requiring that an applicant's prior pay meet specific criteria

2. Include Pay Transparency Details in Job Postings (15+ employees)

Employers with 15 or more employees must include in job postings:

- Wage scale or salary range
- General description of benefits
- General description of other compensation (bonuses, commissions, etc.)
- Employers may also provide a single wage amount if they are only offering a fixed amount.

Action Steps for Launch & Grow Participants (Employers)

1. Build a clear pay structure.

- Define pay ranges for roles.
- Use consistent criteria for starting pay and raises.

2. Document job requirements and responsibilities.

- Keep job descriptions current.
- Align pay to the role, not to assumptions about who fills it.

3. Create fair advancement practices.

- Use consistent criteria for promotions and transfers.
- Track who receives training, stretch assignments, and development opportunities.

4. Review hiring practices.

- Do not ask about salary history.
- If required, include wage range, benefits, and other compensation in job postings.

5. Train anyone involved in hiring and pay decisions.

- Make sure managers understand pay transparency and anti-retaliation requirements.

6. Keep good records.

- Save job postings, offers, pay ranges, and decisions related to pay and advancement.

7. Ask for guidance when you are unsure.

- L&I can clarify requirements and provide resources for employers.

Additional Resources**Washington State Department of Labor & Industries**

The primary resource for filing complaints and getting information about your rights:

- Phone: 360-902-6625
- Email: equalpay@Lni.wa.gov
- Website: www.Lni.wa.gov/EqualPay

Legal Aid and Advocacy Organizations

- [Northwest Justice Project: Provides free legal assistance to low-income individuals](#)
- [Equal Rights Advocates: Nonprofit legal organization dedicated to protecting women's rights](#)
- [Washington State Human Rights Commission: Enforces anti-discrimination laws](#)

Educational Materials

- L&I Fact Sheets: Available at <https://www.lni.wa.gov/workers-rights/wages/equal-pay-opportunities-act/>
- Workplace Rights Information: Detailed guides on Washington labor laws
- Training Resources: Employer and employee education on pay equity

Remember: Knowledge is power. Understanding your rights is the first step toward ensuring fair treatment in the workplace.