

SUMMARY OF CURRENT FEDERAL AND STATE PAY EQUITY LAWS

FEDERAL

	Classes Protected	Comparison Group	Geographic Limitations on Comparisons?	Protects Discussion of Wages?	Salary History Provisions*
Equal Pay Act	Sex	Equal work and similar working conditions	Same location	No	None
Title VII	Sex, Race/Ethnicity, Color, Religion, National Origin	Similarly situated employees	None	No	None
Executive Order 11246 (federal contractors)	Title VII Classes, plus Sexual Orientation and Gender Identity	Similarly situated employees	Same location	No	None

STATE

California	Sex	“Substantially similar work” under “similar working conditions”	None	Yes	No seeking salary history info unless volunteered by applicant**
New York	Sex	“Equal work,” “equal skill, effort and responsibility,” and “similar working conditions”	Same “geographical region, no larger than a county”	Yes	None***
Maryland	Sex, Gender Identity	“Work of comparable character or work on the same operation, in the same business, or of the same type”	Same county	Yes	None
Massachusetts (effective 7/1/18)	Gender	“Substantially similar skill, effort and responsibility . . . performed under similar working conditions”	Same location	Yes	No questions about salary history unless applicant voluntarily discloses or offer has been made

*Delaware and Oregon have also passed laws relating to asking about and relying on salary history.

**Effective January 1, 2018.

***Effective October 31, 2017, New York City employers are barred from inquiring into salary history.

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