



5 Things You Should Know About The Diane B. Allen Equal Pay Act

- 1** In 2018, Governor Phil Murphy signed into law the Diane B. Allen Equal Pay Act to end pay discrimination based on race, sex, national origin, sexual orientation, gender identity or expression, age, disability, and other protected characteristics in New Jersey, by expanding upon the equal pay protections that already existed under the New Jersey Law Against Discrimination.
- 2** The Equal Pay Act generally prohibits an employer from paying any employee who is a member of a protected class less than what it pays an employee who is not a member of that protected class for “substantially similar work.” Whether work is substantially similar is viewed as a composite of skill, effort, and responsibility.
- 3** All forms of compensation are covered by the Equal Pay Act, including salary, bonuses, health benefits, and pension plan contributions. Comparisons of wage rates are across all of an employer’s operations or facilities. And an employer cannot reduce the rate of compensation of any employee in order to comply with Equal Pay Act.
- 4** A separate violation of the Equal Pay Act occurs each time you are paid disparate wages (i.e., each time you receive a paycheck paying you lower wages for substantially similar work). If you file a complaint with the Division on Civil Rights it will be considered timely if it is filed within 180 days of the most recent discriminatory paycheck; lawsuits must be filed in court within two years of the most recent discriminatory paycheck.
- 5** The Equal Pay Act prohibits your employer from retaliating against you for requesting salary information from a coworker, or from discussing with or disclosing such information to any coworker, lawyer, or government agency. Your employer also cannot retaliate against you for exercising or attempting to exercise any other rights under the Law Against Discrimination.

To find out more or to file a complaint, go to NJCivilRights.gov or call **973-648-2700**



NJ Office of the Attorney General **DIVISION ON CIVIL RIGHTS**
NJCivilRights.gov