

Oregon Equal Pay Act

Portland Public Schools

Frequently Asked Questions

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What is the Equal Pay Act?

The Equal Pay Act was signed into law June 1, 2017, by Governor Kate Brown. Many of the regulations came into effect January 1, 2019. The Act makes it unlawful for any Oregon employer:

- To discriminate between employees, in wages and other compensation for “work of a comparable character,” on the basis of a protected class;
- To seek or use the salary history of an applicant before an employment and salary offer has been made;
- To screen applicants on the basis of current or past compensation; or
- To determine compensation for a position based on current or past compensation of a prospective employee.

What are the protected classes under the law?

The original equal pay law was based on comparing compensation based on gender. The new law expands the list of protected classes to include: race, color, religion, gender, sexual orientation, national origin, marital status, veteran's status, disability, and age.

How is comparable work determined?

Comparable work requires substantially similar knowledge, skill, effort, responsibility, and working conditions.

What are the bona fide factors that can be used to differentiate pay?

Organizations can pay people differently when doing comparable work if the differences are based on one or more of these bona fide criteria: seniority system, merit system, work location, quality/quantity of piece rate work, education, training, experience, or travel if necessary.

What is an equal pay analysis? Will PPS complete an analysis?

The new law allows for organizations to complete an analysis to determine compliance. While we believe PPS is in compliance with the law, we will take advantage of this portion of the law and complete the analysis.

When will the pay analysis be complete? Will I be notified individually?

The PPS equal pay analysis will be completed by July 1, 2019. In the rare case where an individual's pay would be impacted, the individual and the manager will be notified. PLEASE NOTE: No employee will experience a pay decrease due to this analysis.

Who is covered under the law?

Everyone employed in the state of Oregon is covered, regardless of bargaining union status.

How will impacted employees be notified? Will managers know about this as well?

We anticipate very few employees will be impacted by the pay equity review completed through the new lens of the Oregon Equal Pay Act because it aligns with our current actions to pay equitably. However, in the few places where we will have to adjust pay, the employee, and their manager, will be notified in June for an anticipated July 1 effective date.

Will my pay be cut due to the new law?

No. No one will have a pay reduction due to this review.

How are my qualifications considered?

Your relevant performance, work experience, education, and seniority were evaluated to ensure equity with others completing comparable work.

Will this impact my benefits?

No. Your benefits will not change due to this review.

Will represented and unrepresented employees be treated differently?

No, all positions and jobs, regardless of whether they are represented, will be part of the equal pay analysis and reset as necessary. Again, no employees will have their pay decrease.

Is this the second phase from the compensation restructuring in 2016?

While there may still be questions concerning the compensation structure created in 2016, the focus of this project is an analysis based on the regulations of the Oregon Equal Pay Act.

What can I do if I don't believe I am paid equitably?

If you believe you are not equitably paid, you should reach out to your manager or email the Classification and Compensation department.

Does the Equal Pay Act require PPS to pay the same as other schools districts?

No. Equal pay is reviewed within the organization. While it is in the interest of PPS to understand what other districts pay, the Oregon Equal Pay act reviews and compares pay within a single organization.