

■ **EQUAL PAY ACT OF 1963**

TERMS: In general, no employer who has any employee covered by the federal minimum wage (*see entry, U.S. — Wages & Hours — Minimum Wage*) may pay wages to workers at a rate less than the rate the employer pays workers of the opposite sex at the same establishment for substantially equal work, on jobs requiring equal skill, effort and responsibility and performed under similar working conditions.

Different pay scales, however, may be lawful when wages are determined according to a seniority system, a merit system, a system that measures earnings by quantity or quality of production, or some other system based on any factor other than sex.

ENFORCEMENT: *Equal Employment Opportunity Commission, Washington, D.C. 20507 (202-663-4900; toll-free 800-669-4000)*. A worker who has not received the pay he or she is entitled to under the Equal Pay Act may file a complaint with any district, area or local office of the Commission.

As an alternative to enforcement action by the Commission, the worker has a right to take legal action against the employer in civil court, using a private attorney or a public legal services program. Any such action must be filed no later than 2 years after the discrimination occurred (within 3 years in the case of a willful violation).

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or participated in an investigation or other action under this law.