

I WANT TO KNOW MY RIGHTS

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WHAT DOES IT MEAN TO BE PAID FAIRLY UNDER CALIFORNIA’S FAIR PAY ACT

Suppose you’ve been at a job for a while and you suspect that you are getting paid less than men at our company, agency, or organization for doing similar work – but you don’t know for sure. You’d like to do some research, but where do you start? Below are pay gap calculators you might find useful to help estimate if there is a gender pay gap where you work.

- Pathways to Equity: Women and Good Jobs <http://womenandgoodjobs.org/>
- Closing the Gap: 50 years Seeking Equal Pay <http://www.womenwagegap.org/tools>
- Economic Policy Institute: What Could You Be Making?
<http://www.epi.org/multimedia/gender-pay-gap-calculator/>

HOW CAN I FIND OUT IF I AM GETTING EQUAL PAY

There are many ways you can find out if you’re being appropriately compensated for your work and your particular role.

In addition to speaking with your co-workers and colleagues who do similar work as you do but work for a different employer (especially if they work in the same geographic area or region as you), check out the resources below to learn more about what the pay range looks like for people with your job and/or in your occupation in a particular area. Remember that job titles vary and can be helpful, but are not determinative, in figuring out what the appropriate compensation level is for a particular position. Resources that provide pay ranges, rather than just the average or median salary for a particular type of job, are generally more helpful. You can also cross-check different sources to find out more about what people in your job or field make, and how your salary or hourly rate compares.

Organization	Website	Description	Drawbacks
Employment Development Department	http://www.labormarketinfo.edd.ca.gov/		

Glassdoor	http://www.glassdoor.com	Glassdoor allows people to post how much they are earning at their current jobs. You can narrow your search down by geographic area.	Information is submitted by users and may not be reliable. Information may not be available for smaller employers.
America's Career Infonet	https://www.careeronestop.org/Toolkit/ACINet.aspx	This website, sponsored by the U.S. Department of Labor, allows users to search salary and hourly ranges by zip code and occupation category.	Information is only available as a range of salary for a broad category. Specific information about employers is not available.
Payscale	http://www.payscale.com	Provides compensation information for employers and individuals. Free comparison report showing an expected compensation range, common benefits, and job opportunities.	Must join and create a profile to access information. Information may not be employer specific.
SimplyHired	http://www.simplyhired.com/	SimplyHired's salary calculator allows users to compare salaries with others in the same profession regionally and nationally. Data is taken from their job listings.	Because salary data comes from the job listings posted on their search engine, information may not be available for smaller employers. Information is also limited to those employers who use the site to post job listings.

IF I AM NOT GETTING EQUAL PAY, WHAT CAN I DO

If you believe you are not receiving “equal pay,” you may consider:

- Talking to your boss (and bring a co-worker with you as a witness, to support you and establish that you’re engaging in protected, concerted activity). Please see section below on retaliation.
- Talk to your coworkers
- Talk to your union rep
- Consult with an attorney
- Filing a claim with the California Labor Commissioner’s Office
<https://www.dir.ca.gov/dlse/HowToFileWageClaim.htm>
- Filing a claim in court

HOW DO I FILE A CLAIM FOR EQUAL PAY

If you are an employee who has experienced an equal pay violation (you’ve been paid less than a co-worker of a different sex, race, or ethnicity for doing substantially similar work), you can file a claim with the Labor Commissioner’s office or file an action in court against your employer to seek the difference in pay. In order to succeed on such a claim, you will need to show that your employer paid you less than it paid another employee of the opposite sex [or different race or ethnicity] for performing substantially similar work sometime in the past two years. You may be able to go back three years if you can show your employer’s violation of the law was “willful” (done with knowledge). Your employer will then have the chance to show that there is a legitimate reason for the pay difference that has nothing to do with sex.

For information about filing a claim with the Labor Commissioner’s Office, go to <http://www.dir.ca.gov/dlse/dlseRetaliation.html>. Remember that you may, but do not have to, file an administrative claim before filing an action in court. (For more information, see https://www.dir.ca.gov/dlse/California_Equal_Pay_Act.htm)

AM I PROTECTED FROM RETALIATION IF I SPEAK UP ABOUT EQUAL PAY

Yes. California’s equal pay laws protect against retaliation and there are other laws that may apply to you if you engage in these kinds of activities with your coworkers.