

TIPS FOR COMPLIANCE WITH THE CALIFORNIA FAIR PAY ACT

Although not required, an employer can take several proactive steps to comply with California's equal pay laws. In doing so, employers may seek counsel for guidance and assistance with compliance.

1. **Ensure that you have access to reliable compensation information.**
2. **Review Job Descriptions.** Employers should regularly review job descriptions to make sure that the description accurately reflects the overall job content, including the required skill, effort, and responsibility for that position. Although job titles, classifications, or descriptions are not determinative of whether two employees are performing substantially similar work, it is relevant and does provide some basis for comparison.
3. **Educate Managers.** An employer should also educate its managers and supervisors who make compensation recommendations regarding the law and what factors they can and cannot utilize in their decision making.
4. **Document Compensation Decisions.** An employer should document all compensation decisions and identify the basis for any adjustments. An employer should retain such documents for no less than 4 years [[link to Report Requirements \(subject to approval\) with disclaimer of when it was last updated](#)].
5. **Systematize Compensation Factors.** An employer should systematically document the factors relied upon to support difference in wage rates between employees (e.g., education, experience, etc.). This practice encourages pay equity and can be referenced if the employer's compensation decisions are challenged.
6. **Consider Conducting an Audit.** Review employee wages to identify any significant disparities in wages amongst employees who perform the same or substantially similar work and make compensation adjustments as necessary. Employers may consult with counsel or an experienced professional for guidance on conducting an appropriate pay audit. [[LINK to Data Tool](#)].
7. **Do not retaliate.** Employers should not retaliate and should ensure that their managers and employees do not retaliate against employees for asserting rights under California or federal fair pay laws, as well as ensure that they have a reporting mechanism in place for complaints. This can be part of an employer's existing equal employment opportunity policy.

For further detail, please see: [[LINK to Overview of California Laws Concerning Equal Pay](#)]