

EQUAL PAY LAWS

POLICY RECOMMENDATIONS

Utah is one of the last U.S. states (and the only Rocky Mountain West state) without a standalone equal pay law. Meanwhile, Utah continues to receive the designation as one of the “worst states for women” and the state with the second-highest gender pay gap in the country. A standalone equal pay act comparable to most states would provide provisions one through five below, but each of the following provisions (including six) could also be enacted independently.

1

A private right of action for aggrieved employees:

Provide Utah women with a private right of action so they can challenge pay discrimination on their own without resorting to a state agency or protracted federal process with the U.S. Equal Employment Opportunity Commission.

4

Pay transparency protection:

Lead the way on free speech and equal pay protections by preserving employees' right to reasonably discuss their wages through an express pay transparency provision.

2

At least a 1-year statute of limitations:

Extend the statute of limitations for claims beyond 180 days. As with most states, the statute of limitations for such a claim should be somewhere between 1-3 years to provide employees with adequate opportunity to exercise their rights under state law.

5

Salary history ban:

Restricting the use of salary history as part of the hiring process has been shown to help reduce an unexplained portion of the gender pay gap, and may be particularly applicable to Utah given the high number of women who return to work after extended absences from the workforce.

3

Antiretaliation protections:

Consistent with the Utah Antidiscrimination Act, any proposed equal pay law should have an express antiretaliation provision to protect workers pursuing their rights to equal pay for equal work.

6

Conduct a comprehensive, statewide study on the causes and effects of Utah's gender pay gap:

This will ensure future Utah-specific policies and solutions to address the gender wage gap are community-led and research-based.

For more information, view the [full white paper](#).