Equal Pay Act [1]

Colorado Equal Pay Act

The Equal Pay for Equal Work Act [2] (C.R.S. § 8-5-101 et seq.) was signed into law by Colorado Governor Polis on May 22, 2019. Effective January 1, 2021, this act amends Colorado law and provides new wage discrimination and employer provisions that differ from federal law and other state equal pay laws. System Administration, along with each campus of the University of Colorado, is evaluating the requirements of the new law and reviewing existing policies and pay practices for alignment. System Administration executive leadership, human resources, and legal counsel are leading this effort.

Please refer to this web page for ongoing communication and information on the status of work being done at System Administration in this area.

Frequently Asked Questions

Who does the Equal Pay Act apply to?

Colorado’s Equal Pay Act applies to all employers and employees in the state of Colorado, both public and private. Employer is defined as the state or any political subdivision, commission, department, institution, or school district thereof, and every other person employing a person in the state. Employee is defined as a person employed by an employer.

What does Colorado’s Equal Pay Act require?

There are several components to Colorado’s Equal Pay Act. Some of the provisions are:

1. Prohibits wage discrimination by requiring that an employer shall not discriminate between employees on the basis of sex, or on the basis of sex in combination with another protected status, by paying an employee of one sex a wage rate less than the rate paid to an employee of a different sex for substantially similar work (based on a composite of skill; effort, which may include consideration of shift work; and responsibility), regardless of job title. A wage rate differential is permissible if at least one of the following factors accounts for the entire wage rate differential:
   i. A seniority system;
   ii. A merit system;
   iii. A system that measures earnings by quantity or quality of production;
iv. The geographic location where the work is performed;
v. Education, training, or experience to the extent that they are reasonably related to the work in question; or
vi. Travel, if the travel is a regular and necessary condition of the work performed.

2. The act requires the employer to keep records of job descriptions and wage rate history for each employee for the duration of employment plus two years after the end of employment.

3. The act requires providing notice of job openings and promotional opportunities, including the hourly or salary rate or range, and a general description of all of the benefits and other compensation offered to the hired applicant.

4. Prohibits using pay history for prospective employees by requiring that an employer shall not seek the wage rate history, or rely on the wage rate history, of a prospective employee to determine a wage rate. Discrimination or retaliation against a prospective employee for failing to disclose wage rate history is prohibited.

How can I learn more?

Please bookmark our Equal Pay Act project web page and check back often for news and updates.

**Equal Pay Act Questions**

Submit System Administration Employees Compensation & Equal Pay Act Questions below.

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