

YOU DESERVE FAIR PAY

Know Your Rights

What is pay discrimination?

- Pay discrimination occurs when employers pay employees differently based on race, color, religion, sex, national origin, disability, age, or genetic information.

Is pay discrimination illegal?

- **Yes!** Title VII of the Civil Rights Act of 1964 is a federal law that prohibits job discrimination—including pay discrimination—based on race, color, sex, religion, and national origin. It is also illegal under the Illinois Equal Pay Act, which prohibits employers with four or more employees from paying unequal wages to men and women, and to African-American and non-African-American employees, for doing the same or substantially similar work, except if the difference is based on a seniority system, a merit system, a system measuring earnings by quantity or quality of production, or factors other than gender or race. **It is illegal to pay women less than men for the same job. It is also illegal to pay employees of one race less than employees of another race for the same job.**

How do I know if I'm being paid fairly?

- The U.S. Department of Labor has a resource about your federal **rights to equal pay and pay transparency**, as well as your rights in each state. You can access that at dol.gov/agencies/wb/equal-pay-protections. The Illinois Department of Labor also has a resource on your rights in Illinois at <https://www2.illinois.gov/idol/FAQs/Pages/equal-pay-faq.aspx>.
- Illinois recently adopted a new section of the Illinois Equal Pay Act that allows employees of companies with 100 or more employees **to request certain anonymized data** from IDOL regarding their employer as it relates to other employees in their same job classification and their pay.
- **You are protected by law if you talk to your coworkers about your pay.** Under both Illinois and federal law, it is illegal for employers to ban you from talking about your pay, benefits, or other compensation to other people—and if you're comfortable, that can be a good way to find out if you're being paid less than your coworkers.

When I'm applying for jobs, can employers ask about my current or past wages?

- **Not in Illinois.** Under the **No Salary History Law**, an amendment to the Illinois Equal Pay Act, employers in Illinois cannot ask you—or your current or previous employers—about your pay history when you're applying or interviewing for a job.
- **If you live outside of Illinois**, check this list to see if there's a similar law in your area: aauw.org/resources/policy/state-and-local-salary-history-bans/



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What can I do if I think my equal pay rights were violated?

- **The Illinois Department of Labor (IDOL)** enforces the Illinois Equal Pay Act. If you think your equal pay rights were violated by your current or former employer in Illinois, you can call them at 1-866-372-4365 or file a complaint online at www2.illinois.gov/idol/Pages/Complaints.aspx.
- You can also contact **the Equal Employment Opportunity Commission (EEOC)**, which enforces the Civil Rights Act of 1964. To reach the nearest office, go to eeoc.gov/field, or call 1-800-669-4000. The TTY number is 1-800-669-6820.
- Both agencies have a **time limit to file**, so contact them as soon as possible.
- Even if you're not ready to file a complaint, you should **take steps to protect your rights**:

1

Keep copies of your records related to pay—offer letters, pay stubs, and any other wage-related information.

2

Keep records of your performance at work. Continue doing a good job at work, and print and save copies of job evaluations, emails or letters, or any other documentation that shows you are performing well.

3

Seek support from your loved ones. Being treated unfairly is stressful and difficult, especially if you're dealing with it on your own.

You can learn more about these and other rights at womenemployed.org/FairPay

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