

Employee Rights to Equal Pay and Opportunities (RCW 49.58)



Washington State's Equal Pay and Opportunities Act prohibits gender pay discrimination and promotes fairness among workers by addressing business practices that contribute to income disparities between genders. Both employees and job applicants have rights under this law.

Employee rights

- **Equal pay.** Employers must provide equal compensation to “similarly employed” workers, except for some specific reasons unrelated to gender. “Similarly employed” means the same employer, skills, effort, and responsibility, and the jobs are performed under similar working conditions.
- **Equal career advancement opportunities.** Employers must not limit or provide career advancement opportunities to their employees on the basis of gender.
- **Open wage discussions.** Employers cannot prohibit employees from discussing their wages with others or require employees to sign agreements that prevent them from discussing their wages.
- **Access to wage or salary information for employees.** Employers must provide an employee who is offered an internal transfer or promotion with the wage scale or salary range of their new position, if they request that information. This requirement only applies to employers with 15 or more employees.
- **Protections from discrimination, retaliation, and firing.** Employers cannot take any adverse

action against an employee for discussing wages, filing a complaint, or exercising other protected rights granted under the Equal Pay and Opportunities Act.

Job applicant rights

- **Wage and salary protections.** Employers cannot seek the wage or salary history of an applicant or require that an applicant's prior wage or salary history meet certain criteria.
- **Access to wage or salary range information.** Employers must provide the wage or salary range, general description of benefits, and general description of other compensation on job postings. This requirement only applies to employers with 15 or more employees.

Enforcement: Employees and applicants can file complaints with the Department of Labor & Industries (L&I). L&I will investigate complaints and may charge employers fines, damages, and interest for violations. Employees and job applicants also have the right to take civil legal action against an employer. Once a civil complaint is filed in court, L&I cannot investigate the complaint.

Questions?

Contact L&I's Employment Standards program at 1-866-219-7321 or esgeneral@Lni.wa.gov.

For more information or to file a complaint, go to www.Lni.wa.gov/EqualPay.

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Employment Standards / Workplace Rights

Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 711. L&I is an equal opportunity employer.