

Employer Compliance

RSA's [275:37](#), [38-a](#), and [41-b](#) are the laws governing the employee's rights to equal pay among the sexes and the right to challenge the employer without fear of retaliation. This is the New Hampshire Department of Labor's guide to employers to be in compliance with the state laws that went into effect on January 1, 2015. There are many ways for employers to compensate their employees in a fair and non-discriminatory way. These are just a few examples of what employers could do to start the process:

- Employers will need to look at how they currently monitor their pay practices and evaluate their compensation system. At this time, if they discover pay disparities, they should be corrected.
- Employers could enact policies or procedures with regard to how they pay their employees and on which factors impact higher wages. Such factors may include:
 - o Seniority;
 - o Performance based;
 - o Quantity or quality of their production;
 - o Expertise;
 - o Shift differentials;
 - o Other factors such as education, training, or experience...
- If performance evaluations impact wages, then employers should review how this process occurs and determine if ratings discriminate between the sexes.
- Employers will need to enact a policy or create a procedure of non-retaliation to any employee for inquiring about, discussing with or disclosing wages to other employees.
- Comply with the new section of [RSA 275:49 VII](#), which mandates the employer to post the Equal Pay Poster in a conspicuous place.

Additional resources:

The new mandatory poster to be posted in a conspicuous place can be found at;
<http://www.nh.gov/labor/documents/equal-pay-poster.pdf>

The full text of RSA 275:37 Equal Pay can be found at this link;
<http://www.gencourt.state.nh.us/rsa/html/XXIII/275/275-37-1.htm>