



Kentucky Pay Equity

Statute

- Wage Discrimination Because of Sex, Ky. Rev. Stat. § 337.420 et seq.
- Ordinance No. 066, Series 2018 (Louisville/Jefferson County Metro Government)

Classes protected

- Sex

Key language on pay discrimination

- “No employer shall discriminate between employees in the same establishment on the basis of sex, by paying wages to any employee in any occupation in this state at a rate less than the rate at which he or she pays any employee of the opposite sex for comparable work on jobs which have comparable requirements relating to skill, effort and responsibility.”
- It is unlawful for an employer to:
 - Reduce the wage rate of any employee in order to comply with the Law’s requirements.
 - Discharge or otherwise discriminate against any employee for exercising protected rights or assisting in the enforcement of the Law.
 - Enter into an agreement with an employee to pay less than the wage rate to which the employee is entitled.
- The Law covers employers with two or more employees, but it does not apply to employers that are covered by the federal Fair Labor Standards Act (FLSA) when the federal requirements are comparable to, or greater than, state requirements. An employer must notify the Kentucky Department of Labor in writing that it is covered by the FLSA.

Exceptions for pay disparities (including affirmative defenses)

- Established seniority systems or merit increase systems which do not discriminate on the basis of sex.

Prohibition on Salary History Inquiry

- City and public employer ban only: Louisville/Jefferson County city agencies may not inquire about applicants’ salary histories.

Anti-retaliation

- Prohibits retaliation for any action taken by an employee to invoke or assist in any manner the enforcement of this law.

Other key provisions

- Applies to employers with 2 or more employees within the state of Kentucky in each of the 20 or more calendar weeks in the current or preceding calendar year.

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Pay Equity Team

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