



# Nevada Pay Equity

## **Statute**

- Discrimination on Basis of Sex Prohibited, Nev. Rev. Stat. § 608.017
- An Act Relating to Employment (SB 293)

## **Classes Protected**

- Sex, race, color, religion, sexual orientation, gender identity or expression, age, disability, or national origin

## **Key Language on Pay Discrimination**

- “It is unlawful for any employer to discriminate between employees, employed within the same establishment, on the basis of sex by paying lower wages to one employee than the wages paid to an employee of the opposite sex who performs equal work which requires equal skill, effort and responsibility and which is performed under similar working conditions.”
- Unlawful employment practice for an employer “to discriminate against any person with respect to the person’s compensation, terms, conditions or privileges of employment, because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin[.]”

## **Exceptions for Pay Disparities (Including Affirmative Defenses)**

- Seniority system
- Merit system
- Compensation system under which wages are determined by the quality or quantity of production
- Wage differential based on factors other than sex

## **Prohibition on Salary History Inquiry**

- Prohibits employers from seeking job applicants' wage or salary history when making hiring decisions or determining rate of pay to offer an applicant.
- The law also makes it unlawful for employers to refuse to interview, hire, promote or employ the applicant or discriminate or retaliate against the applicant if he/she does not provide their pay history.

## **Anti-Retaliation**

- Prohibits employers, employment agencies, and labor organizations from discriminating against the inquiry, discussion, or voluntary disclosure of information on wages.

### **Wage Disclosure Requirement**

- The "wage or salary range" or "rate" for a position must be automatically provided after an applicant has completed an interview for a position.
- The "wage or salary range" or "rate" must be provided to a current employee if the individual has: (i) applied for promotion or transfer to a new position; (ii) completed an interview for promotion or transfer or has been offered the promotion or transfer; and (iii) requested the wage or salary range or rate for the promotion or transfer.

### **Pay Transparency**

- Unlawful employment practice for an employer "to discriminate against any employee because the employee has inquired about, discussed or voluntarily disclosed his or her wages or the wages of another employee."

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### ***Pay Equity Team***

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