



Puerto Rico Pay Equity

Statute

- Puerto Rico Equal Pay Act – Act 16

Classes protected

- Sex

Key language on pay discrimination

- Prohibits gender-based pay discrimination and requires equal pay for work that requires the same skill, effort, and responsibilities, and which is performed under similar working conditions

Exceptions for pay disparities (including affirmative defenses)

- Seniority system
- Merit system
- System which measures earnings by quantity or quality of production
- Pay differential based on a factor other than sex

Prohibition on salary history inquiry

- Employers are prohibited from asking job applicants about wage history before offering a job, unless the applicant volunteered such information or a salary was already negotiated with the applicant and set forth in an offer letter, in which case the employer can inquire or confirm salary history

Anti-retaliation

- Cannot retaliate against employees for exercising rights under the law.

Other key provisions

- Employers are exempt from additional penalties if employer completed a good faith self-evaluation of compensation practices and achieved reasonable progress to eliminate wage gaps on account of gender within the year prior to the filing of a wage claim.

Pay Equity Team

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