

Equal Pay for Equal Work

What the Colorado Law Means for Employers

Women across the United States have made progress in terms of employment and earnings in recent years, but still face inequities that prevent them from reaching their potential or achieving economic security. To address these inequities, Colorado's Equal Pay for Equal Work Act (EPEWA, effective January 1, 2021) prohibits all employers from discriminating because of sex (including gender identity) — alone or with another protected status — by paying less for substantially similar work in terms of skill, effort and responsibility. Employer requirements within EPEWA include listing compensation in job postings, notifying employees of promotional opportunities, letting employees share pay information, and keeping job description and wage rate records.

Employers are complying! Several studies by the CDLE revealed that the majority of employers are compliance with the new law:



A review of hundreds of job postings by Colorado's 50 largest employers during the first months of EPEWA confirms that the overwhelming majority (and an increasing number over time) are posting compensation as required -- showing that this group of successful businesses has successfully adjusted their job postings to give Coloradans the greater pay transparency that the Act requires, and that is leveling the playing field for all Coloradans.

Less than 1% of remote job postings exclude Colorado workers, and roughly 99% of remote jobs remain as available to Coloradans as they've always been.

Spot-checking before and after EPEWA's effective date showed that numerous major employers who had not previously listed salaries in their job postings, began doing so once EPEWA took effect.

What EPEWA means for Colorado employers

Colorado employers with employees in Colorado are required to comply with EPEW, including for remote jobs.

What EPEWA means for out of state employers

An out-of-state employer without existing Colorado staff that posts a remote job is NOT covered by the law's salary-posting requirement — even if a Coloradan applies for the job. There is no need for these employers to limit their own talent pool by excluding Coloradans, just to avoid complying with a law that does not apply to them, and CDLE is initiating efforts to explain that guidance in individualized outreach to those employers.

Compliance through education

CDLE has a commitment to fostering compliance by prioritizing proactive outreach and education over penalties. As with any new employer requirement, the Department will have a consistent outreach effort through webinars, online resources and share new data as it becomes available. Fact sheets and more information are available at coloradolaborlaw.gov.

Employers may also contact the Division of Labor Standards and Statistics at 303-318-8441 or cdle_labor_standards@state.co.us with questions.



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