



# Utah Pay Equity

## **Statute**

- Utah Antidiscrimination Act, UT Code § 34A-5-101, et seq. (Specifically § 34a-5-106)

## **Classes protected**

- Sex, race, color, pregnancy, childbirth, or pregnancy-related conditions, age (40 or older), religion, national origin, disability, sexual orientation, or gender identity

## **Key language on pay discrimination**

- Discriminatory or prohibited employment practice for an employer to “discriminate in matters of compensation” because of any of the protected categories.

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

- An increase in pay as a result of longevity with the employer, if the salary increase is uniformly applied and available to all employees on a substantially proportional basis
- Nothing in the pay equity law prohibits an employer and employee from agreeing to a rate of pay or work schedule designed to protect the employee from loss of Social Security payment or benefits if the employee is eligible for those payments.

## **Prohibition on salary history inquiry (Salt Lake City public employers)**

- Individuals participating in hiring for Salt Lake City are prohibited from asking an applicant about their current salary or past salary history, and if an applicant voluntarily discloses such information, the city cannot rely on it as the basis for any salary offer it may make.

## ***Pay Equity Team***

Learn more about our services and team.

## ***Related Insights***

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