



North Carolina Pay Equity

Statue

- [Executive Order 93 \(Prohibiting the Use of Salary History in the State Hiring Process\)](#)
- [168A-5. Discrimination in employment](#)
- [168A-9. Affirmative defenses.](#)

Classes Protected

- Disability

Key Language on Pay Discrimination

- Employers with 15 or more employees cannot “discriminate against a qualified person with a disability on the basis of a disabling condition with respect to compensation or the terms, conditions, or privileges of employment.”

Exceptions for Pay Disparities (Including Affirmative Defenses)

- A bona fide seniority or merit system
- A system which measures earnings by quantity or quality of work or production
- Differences in location of employment

Prohibition on Salary History Inquiry

- State agencies may not request pay history information from applicants and may not rely upon previously obtained prior salary information in setting pay.
- State agencies must collect and compile information regarding their efforts to educate relevant staff about Executive Order 93. This information must be included in Equal Employment Opportunity Plans due annually to the North Carolina Office of State Human Resources.

Pay Equity Team

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