

HB 2356 -- GENDER-BASED EMPLOYMENT DISCRIMINATION

SPONSOR: McCann Beatty

This bill prohibits employers from discriminating in providing compensation based on gender for equal work. An employer may pay different wages if the difference in wages is based on: a bona fide seniority or merit system; a system that measures earnings by quantity or quality of production; any bona fide factor other than gender, based on varying market rates for equal jobs; or bona fide regional economic differentials.

This bill prohibits employers from taking any adverse action against employees who have in any way participated in any action to enforce the provisions of this bill. Any employer who violates the provisions of this bill must pay the affected employee compensatory damages, which cannot exceed twice the wages awarded.

If a court finds that an employer has violated the provisions of this bill, the court may order the employer to take steps necessary to end the employer's gender-based practices. This could include reinstating an employee who was terminated in retaliation for taking action against the gender-based discrimination.

Any employee who prevails in a civil action brought under this bill may also recover court costs and reasonable attorney fees. Any action brought under the provisions of this bill must be commenced within two years after the alleged violation occurred or the date of the reasonable discovery of such violation.

This bill is the same as HB 2370 (2016).