

Subject: [AALList] UO Implementation of the Oregon Equal Pay Act
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From: aallist-bounces@lists.uoregon.edu on behalf of HR Communications
To: aallist@lists.uoregon.edu
Attachments: ATT00001.txt

****Sent on behalf of Jamie Moffitt and Jayanth Banavar****

Dear Colleagues,

Consistent with the university's commitment to advancing pay practices that are equitable, competitive, and compliant with federal and state laws, Human Resources, in collaboration with key partners across the university, continues working to implement the Oregon Equal Pay Act enacted in 2017. Now that the new requirements of the law are in effect as of January 1, 2019, we want to bring you up-to-date regarding our implementation efforts and establish expectations for the immediate and long-term future of compensation practices at the university under the provisions of the Oregon Equal Pay Act (OEPA).

Overview

In summary, this law greatly extends pay equity protections to a variety of protected classes, prohibits employers from asking applicants about their salary history, and requires equal pay for work of comparable character. Key components of the law include:

- **Salary history:** In 2017, the university implemented the first phase of this law, which prohibits organizations from obtaining or using salary history information as part of the hiring process.
- **Protected class:** The law prohibits employers from compensating employees differently on the basis of an employee's status as a member of a protected class (a group of persons distinguished by race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability or age).
- **"Work of comparable character":** Work of a comparable character is work that requires "substantially similar knowledge, skill, effort, responsibility, and working conditions in the performance of work regardless of job description or job title." Employers cannot pay wages or other compensation differently for work of comparable character, unless that difference can be attributed to one of eight legislatively mandated allowable factors. The eight factors include things such as education, seniority, merit, and experience.

More resources and information about the Oregon Equal Pay Act is available on the [Human Resources website](#).

University Action

The university is addressing key components of the legislation that require equitable pay for "work of comparable character" in the following ways:

Formation of the Oregon Equal Pay Act Advisory Group and subcommittees

- In order to strengthen pay practices across campus, the university has formed an Oregon Equal Pay Act Advisory Group to evaluate systems, structures, and processes, and to recommend updated pay action processes across our diverse portfolios.
- Subcommittees have been tasked with assignments related to specific actions impacting employee groups. Subcommittees are currently meeting to discuss and address future pay action processes for officers of administration, non-tenure-track faculty, and tenure-track

faculty.

You can expect to receive periodic updates and process change information as the advisory group and subcommittees continue their work.

Greater review of positions and pay actions

As we work to formulate and update systems and structures that guide pay actions in the future, we will be reviewing immediate position and pay action requests with additional scrutiny for consistency and fit with overall compliance. To meet the equitable pay for “work of comparable character” standard as required under the new law, more information about a position, such as job duties, education, experience required to perform a job, as well as information about an individual employee’s education and experience, may be necessary to determine compensation.

It is important for everyone to recognize that the new law will necessitate a more extensive review of positions and pay actions than has been conducted in the past. Our talent acquisition team will be reaching out regarding position and pay actions that are in the evaluation process, where it is determined the pay action or offer could possibly create a pay inequity among jobs that are of “work of comparable character.” The following information provides an overview by types of positions:

- **For OA positions**, please see the updated [OA positions and pay actions webpage](#), which includes new guidance regarding changes to the expansions of duties, new hire offer, and retention increase processes.
- **For classified and other staff positions**, generally, the hiring, reclassification, and special merit increase procedures for staff have not changed; however, units should expect greater scrutiny and review of all pay actions.
- **For TTF positions**, academic departments have already received guidance from the Office of the Provost (OtP) regarding the TTF hiring process and immediate changes that are being made. If you have questions about that process, please contact Brad Shelton. TTF retention offers may also be subject to greater scrutiny and OtP may request additional documentation for these requests.
- For **NTTF positions (instructional, research and librarians)**, please see the [HR website](#) for new guidance regarding NTTF pay actions, including the new hire offer, reclassification, and retention increase processes.

HR and OtP are committed to partnering with you to review pay actions as expeditiously as possible, but please be advised that pay action decisions, for the immediate future, may take longer than expected to complete as they undergo greater review.

OA job family framework project

As previously shared, Human Resources has launched the second phase of the officer of administration (OA) compensation project to create a job family framework. This project will be done in conjunction with our work related to Oregon Equal Pay Act. The job family framework project is expected to provide enhanced visibility and transparency about placement, growth, and career advancement opportunities. The framework will also provide a better set of transparent, consistent tools related to compensation decisions for units and HR to use when creating and evaluating new and

revised positions. More information about this project is available on the [HR website](#).

Other interim actions

Human Resources anticipates other interim actions will be implemented in the months ahead as the work of the advisory group and sub-committees progresses. Your understanding and cooperation with these necessary actions is greatly appreciated. Human Resources will continue to reach out to you directly as well as stay in regular communications with HR Partners and supervisors across campus in an effort to keep everyone informed and provide the support necessary to navigate the advancement of more consistent compensation practices at the university. HR will be reaching out to HR Partners and supervisors about this important work later today.

How you can help

Many of you have asked, what should I do now? In response to that question, we want to provide a clear list of current action items. This list will be updated as the OEPA committees complete their work:

1. Share this information with HR partners and supervisors in your unit;
2. Read the [summary of the Oregon Equal Pay Act](#) and start thinking about the law as you move forward with pay actions – hiring, expansions of duties, etc. This will be helpful because HR will likely be discussing the act’s requirements with you when you submit a request;
3. If you are in an academic unit, read the recent email from the Provost’s office regarding changes to TTF hiring practices and the newly posted memorandum regarding changes to certain NTTF pay actions;
4. Read the newly posted guidance regarding changes to [OA pay actions](#);
5. Set expectations with your staff regarding pay actions. Let them know that pay actions will take longer to be approved and ask them to plan for extended timelines. This is especially true for “common jobs,” those that are very similar and exist across campus. Examples include advisors, executive assistants, budget managers, etc.;
6. Due to greater review requirements and stricter practices under the new law, please do not tell an employee that they are going to get an increase in compensation or that they will be taking on new job responsibilities until it has been officially approved; and
7. Be prepared to review and apply new guidance regarding changes to pay action procedures as they are implemented.

While implementation of the Oregon Equal Pay Act is prompting our immediate actions, the work at hand is intended to strengthen the university’s pay practices to attract and retain top talent. Our goal is to build and implement compensation programs that are equitable, competitive, and compliant with federal and state laws. Through a coordinated effort of interim and longer-term changes, we are hopeful that our systems and processes will not only comply with the law, but also strengthen the university’s compensation practices across campus.

Please reach out to Human Resources by email at uoelr@uoregon.edu if you have questions or have specific issues within your unit or department to discuss. The [Oregon Equal Pay Act webpage](#) on the Human Resources website will provide updates and information as the advisory group and subcommittees continue their work in the months ahead. Thank you for your attention and engagement with this important matter.

Best regards,

Jamie Moffitt
Vice President of Finance & Administration and Chief Financial Officer

Jayanth Banavar
Provost and Senior Vice President