

Pay Equity Update

October 21, 2020

FOUR CAMPUSES UNITED
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University of Colorado
Boulder | Colorado Springs | Denver | Anschutz Medical Campus

Colorado Equal Pay for Equal Work Act

Background:

- SB19-058 passed during the 2019 legislative session
- Effective January 1, 2021

Requires University to:

- Pay the same rate for substantially similar work

Adhere to new:

- Recordkeeping requirements
- Notice requirements
- Pay history prohibitions
- Pay transparency
- Rights of action process

Project Approach

- University-wide review started in early 2020 led by System HR, DEI Office, and University Counsel in partnership with campuses
- Advisory Committee:
 - Campus HR teams
 - Employees involved in setting compensation for staff and faculty
 - Faculty and Academic Affairs
 - University Faculty Council and Staff Council
- Consultant reviewing CU compensation policies and practices, also evaluating salaries across positions that perform substantially similar work
- Reviewing pay related Regent Laws and Policies at System level
- Reviewing each campus as separate entity (comparing substantially similar roles within each campus but not across the system)
 - Detailed position-by-position analysis

Project Activities

Activities	Aon	CU
Data Collection & Planning (Completed)	<ul style="list-style-type: none"> ▪ Campus orientations ▪ Develop data requests 	<ul style="list-style-type: none"> ▪ Provide data and documents
Compensation Review (Completed)	<ul style="list-style-type: none"> ▪ Interviews and review policies and practices ▪ Review findings and recommendations with CU 	<ul style="list-style-type: none"> ▪ Meetings on compensation policies ▪ Feedback on findings and recommendations
Legal Review (in process)	<ul style="list-style-type: none"> ▪ Legal assessment of current practices ▪ Provide guidance re state and federal laws 	<ul style="list-style-type: none"> ▪ Feedback on legal findings
Pay Equity Analysis (in process)	<ul style="list-style-type: none"> ▪ Finalize job groups ▪ Conduct pay equity analysis ▪ Present pay gap analysis findings 	<ul style="list-style-type: none"> ▪ Assist in identifying groups doing similar work ▪ Review modeling results and outliers
Presentations & Action Plan (pipeline)	<ul style="list-style-type: none"> ▪ Present recommendations to leadership and project sponsors 	<ul style="list-style-type: none"> ▪ Review overall recommendations and develop a plan to implement recommended changes

Bolded items are completed

Appendix

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CO Equal Pay for Equal Work Act, Effective January 1, 2021

- **Pay same rate for substantially similar work**
 - An employer shall not discriminate between employees on the basis of sex, or on the basis of sex in combination with another protected status, by paying an employee of one sex a wage rate less than the rate paid to an employee of a different sex for substantially similar work, regardless of job title.
 - A wage rate differential is permissible if at least one of the following factors accounts for the entire wage rate differential:
 - A seniority system;
 - A merit system;
 - A system that measures earnings by quantity or quality of production;
 - The geographic location where the work is performed;
 - Education, training, or experience to the extent that they are reasonably related to the work in question; or
 - Travel, if the travel is a regular and necessary condition of the work performed

CO Equal Pay for Equal Work Act, Effective January 1, 2021

- **Recordkeeping:** Required to keep records of job descriptions and wage rate history for each employee during employment and for two years after employment ends
- **Notice Requirements:**
 - Job Openings: must disclose in each posting for each job opening the hourly or salary compensation, or a range of the hourly or salary compensation, and a general description of all of the benefits and other compensation to be offered to the hired applicant.
 - Promotional Opportunities: must announce, post, or otherwise make known all opportunities for promotion to all current employees on the same calendar day and prior to making a promotion decision.
- **Pay History Prohibitions:** Impermissible to seek the wage rate history of a prospective employee or rely on the wage rate history of a prospective employee to determine a wage rate
- **Pay Transparency:** Employees are expressly permitted to disclose or discuss their pay
- **Rights of Action:** Employees may go directly to court without pursuing or exhausting an administrative remedy first