

HB 2037 -- EMPLOYMENT PRACTICES RELATING TO GENDER

SPONSOR: Weber

This bill prohibits an employer from discriminating based on gender in providing compensation for the same work performed under similar working conditions. Wage disparities are not prohibited if based on bona fide factors other than gender.

This bill prohibits employers from taking any adverse action against an employee who utilizes the protections of this bill and prohibits an employer from reducing wages to comply with the provisions of this bill.

The bill allows recovery of actual damages and for an additional amount in compensatory damages, where the additional amount does not exceed twice the wages awarded, for any unlawful gender-based compensation practice. An employer who shows deliberate patterns of violations of the provisions of this bill may be ordered to pay punitive damages in addition to any other compensation or injunctive relief ordered by a court.

The bill further allows any employee who prevails in a civil action brought under the provisions of this bill to recover reasonable attorney's fees. Any action brought under the sections of this bill must be commenced within two years after the alleged violation occurs or the date of the reasonable discovery of such violation.

This bill is similar to HB 214 (2023) and HB 1869 (2022).