



People



Checklist



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Outsourcing Alert: New guidelines equal pay in the workplace

August 18, 2017

On August 10, 2017, the Puerto Rico Secretary of Labor and Human Resources issued the “Uniform Guidelines for Equal Pay in the Workplace” pursuant to the mandate of Act No. 16 of 2017, enacted on March 8, 2017, creating the Puerto Rico’s Equal Pay Act and Act No. 61 of 2017 which requires that certain government contractors are in compliance with the Equal Pay Act.



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The act prohibits pay discrimination based on sex against employees who perform work that requires equal skill, effort, and responsibility under similar work conditions unless the difference in pay is based on:

- bona fide system that rewards seniority or merit
- compensation system based on quantity or quality of production, sales or profits
- education, training, or experience, factors are reasonably related to the work in question
- any other reasonable factor not related with the gender

The act proscribes as illegal practice the following:

- asking an applicant, or his her current or past employer, about the applicant’s salary history, unless the applicant voluntarily provides such information.
- prohibiting an employee or applicant from asking, discussing, soliciting, or divulging information about his or her salary or the salary of another employee who performs a comparable job

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These guidelines provide suggestions of what an employer can do in matter of recruitment, bonuses, classification plan and other employee manual procedures in accordance with the requirements of Act 16 and Act 61 and recommend that employers should review and update their employee manuals and internal procedures to incorporate changes established by new legislation

The guidelines will be effective from the date of their approval.

For more information, visit:

<http://www.trabajo.pr.gov/pdf/Guias%20Uniformes%20Autoestudio%20Igualdad%20Salari al.pdf>

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