



FEDERAL EQUAL PAY ACT

29 USC sec 201 et seq.

By EEOC and Federal Court System

2 years; 3 years if willful, prior to complaint; double wages for willful violation. *§16b; Manual**

Damages: right of action; attorney's fees and costs; termination of right of action. Fine of not more than 10,000, or imprisonment for not more than 6 months, or both. *§16[a] et seq.*

Proscribed against employee *EEOC Regs. & Compliance Manual issued 5/20/98 §8*

1. Seniority system; 2. Merit system; 3. System that measures earnings by quantity or quality; 4. Factors other than sex such as: Job-related experience, training, ability, market factors. *§13[a] et seq.*

*EEOC Compliance Manual www.eeoc.gov

NEW MEXICO FAIR PAY FOR WOMEN ACT

§ 28.23.1 et seq.

By State Human Rights Bureau and State Court System

Limited to 6 years *§28.23.6*

Damages: up to treble amount and actual damages; retaliatory damages; potentially attorney's fees. Punitive damages may be reduced at Judge's discretion if unintended violation *§28.23.6*

Proscribed against employee or any one who "assists" *§28.23.5*

1. Seniority system; 2. Merit system; 3. System that measures earnings by quantity or quality. *§28.23.3A*

Enforcement

Employer Liability for Unpaid wages

Employer Penalty

Retaliation

Employer Exceptions