

Oregon State Equal Pay FAQs

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Contents

Equal Pay Program	1
Equal Pay Analysis	2
Employee Pay Assessments (EPA).....	3
Completing the Oregon State Step Calculator	6
Temporary Work Out of Class (WOC).....	8
Underfill	9
Appeals	9
Additional Info & Resources	10

Equal Pay Program

The DAS Equal Pay Program helps ensure fair pay and supports agencies in following Oregon’s Equal Pay Law. We work with agencies to use consistent tools, shared processes, and clear data to guide decisions and improve over time.

For more information on Oregon Equal Pay requirements, see [Oregon Equal Pay Act \(ORS 652.220\)](#) and the Bureau of Labor and Industries (BOLI) Equal Pay webpage [BOLI : Equal pay : For Workers : State of Oregon](#).

Q: What is the Oregon Equal Pay Law?

Oregon’s Equal Pay Act, signed in 2017, makes it unlawful for employers to pay employees differently for work of comparable character based on protected classes such as race, gender, age, or disability. The law states that pay differences are only allowed if they are based entirely on bona fide factors like seniority, merit, education, experience, or workplace location.

Q: What is ‘work of a comparable character’?

ORS 652.210 states, “Work of comparable character’ means work that requires substantially similar knowledge, skill, effort, responsibility and working conditions in the performance of work, regardless of job description or job title.”

OAR 839-008-0010 further defines, “work of comparable character” as two positions sharing substantially similar levels across all of the following dimensions. No single factor alone defines comparability—it’s about the combined weight of all considerations:

- **Knowledge**
 - Includes certifications, licenses, education, experience, and training required for the role.
- **Skill**
 - Encompasses abilities such as agility, coordination, creativity, efficiency, precision, and level of expertise or experience.
- **Effort**
 - Covers physical or mental exertion, sustained work activity, and task complexity.
- **Responsibility**
 - Considers accountability, decision-making authority, task significance, autonomy, supervisory duties, and potential exposure to risk or liability.
- **Working Conditions**
 - Relates to the environment, working hours and schedule types, time of day, physical surroundings (e.g., lighting, noise, temperature), and potential hazards like exposure to chemicals or physical injury.

“Work of a comparable character” is a holistic evaluation of how work of similar job duties within a classification family align.

Q: Who is covered by the DAS Equal Pay Program?

The DAS Equal Pay Program applies to classified, unclassified, management and unrepresented employees. Represented employees are also covered by Equal Pay processes as outlined in their CBA.

Equal Pay Analysis

Q. What is an Equal Pay Analysis?

The Equal Pay Analysis is an evaluation process administered by DAS to assess Executive Branch statewide pay practices, close wage gaps, and ensure pay differences within work of a comparable character are based on bona fide factors.

Q: What is considered “work of a comparable character” in the Equal Pay Analysis?

“Work of comparable character” refers to roles that require substantially similar knowledge, skill, effort, responsibility, and working conditions, regardless of job title or

description. These five factors must all be considered, and no one factor alone determines comparability. This definition is based on ORS 652.210 and is further clarified by Oregon Administrative Rule 839-008-0010

In practice, “work of comparable character” guides the establishment of how work is classified, ensuring comparable duties are aligned. This approach ensures consistency in compensation and maintains fairness across comparable roles.

Q: How often does DAS conduct Equal Pay Analysis?

DAS conducts Equal Pay Analyses on a three-year cycle, with the last analysis completed in 2024.

Q: What changed in the last Equal Pay Analysis?

In 2024, DAS updated its Equal Pay Methodology to better account for experience and education, remove outdated pay caps, and applied consistent data-driven standards across all classifications.

Q: Does the Equal Pay Analysis show whether employees are placed in the proper job classification?

No, the purpose of the Equal Pay Analysis is to ensure individuals are compensated equitably compared to others in the same job classification based on the bona fide factors provided by the law.

Q: Which positions are included in the Equal Pay Analysis?

All classifications within the Executive Branch are included in Equal Pay Analysis.

Employee Pay Assessments (EPA)

Q: What is an Employee Pay Assessment (EPA)?

An EPA is an assessment conducted by an agency to determine pay for individual employees based on their classification, seniority, education, and prior relevant experience. Agencies complete the EPA using the [Oregon State Step Calculator](#).

Q: What is DAS Equal Pay Methodology?

The DAS Equal Pay Methodology is the standardized approach agencies use when completing EPAs. It ensures pay decisions comply with Oregon’s Equal Pay law by applying consistent, data-driven criteria. Specifically, the methodology for an EPA considers the following factors to promote fairness, transparency, and equity when setting pay for individual employees:

- **Seniority** – Time in the employee’s current job. Employees receive 1:1 credit (1 year experience = 1 year credit) for time spent in the classification.
- **Education** – An experience equivalent is given for the highest degree the employee has received (associate, bachelor, master, educational specialist, or doctoral).
- **Relevant Prior Experience** – Past experience, tasks, and duties relevant to a job in terms of skills or knowledge required. It does not necessarily mean the employee must have worked in the exact role or had the same job title before. Volunteer experience, internships, practicums, and residency may also be relevant experience used to determine compensation. Employees receive 2:1 credit (two years of experience = 1 year of credit) for relevant prior experience.

Q: When is an EPA conducted?

An EPA is conducted when an employee is hired, when they experience certain types of job changes (such as a promotion), when the employee requests a review, or when the agency identifies a potential discrepancy. For more information on which job changes require an EPA, see Pay Practice Policy 20.005.10 or the applicable CBA.

Q: How is an EPA conducted?

When an EPA is requested or required, the agency uses the DAS Equal Pay Methodology to review the employee’s seniority, education, and relevant prior experience. These factors are entered into the Oregon State Step Calculator to determine the appropriate pay step for the employee.

Q: Where does the agency get the information to complete the EPA?

For current employees, agencies rely on the employee’s Workday Job History to identify relevant experience and education. For new hires, the resume is used to gather this information. Agencies should work proactively with employees and candidates to ensure their resumes and Workday profiles are updated to include any degrees received and all relevant prior experience before beginning an EPA for new hires and job changes.

Q: When may an employee request an EPA?

Employees may request an assessment when new, substantive information is available that was not considered in the most recent EPA. Eligible reasons include:

- New education earned after the last assessment.
- Relevant experience that existed at the time of the last assessment but was unintentionally omitted.
- Documented errors in the prior assessment.

Q: What is the timeline for completing an employee-requested EPA?

The timeline for completing an employee-requested EPA is generally 60 days after the employee submits the request. Agencies aim to complete EPAs as promptly as possible while ensuring accuracy and compliance with the DAS Equal Pay Methodology.

Q: What is prior relevant experience and how is it credited in an EPA?

Prior relevant experience is past experience, tasks, and duties relevant to a job in terms of skills or knowledge required. It does not necessarily mean the employee must have worked in the exact role or had the same job title before. Volunteer experience, internships, practicums, and residency may also be relevant experience used to determine compensation.

In an EPA, prior relevant experience is weighted at 50%, meaning employees receive one year of credit for every two years worked.

Q. How does prior relevant experience differ from ‘work of comparable character’?

Under ORS 652.220, *experience* is a bona fide factor that can justify pay differences. It refers to the knowledge, skills, and abilities gained through prior roles. In the DAS Equal Pay Methodology, prior relevant experience is defined as past experience, tasks, and duties relevant to a job in terms of skills or knowledge required.

Work of comparable character is a separate concept used in Equal Pay Analysis to compare the overall nature of jobs—not the individual’s background.

They are distinct concepts: experience relates to the person; comparable character relates to the job.

Q: Is qualifying experience considered prior relevant experience for an EPA?

Not necessarily. Minimum Qualifications (MQs) establish whether an applicant is eligible to be considered for a job, but they do not ensure that the applicant’s experience is relevant in terms of the specific skills or knowledge required. MQs are based on general factors such as number of years of experience or education, not on the actual comparability of duties.

For an EPA, past experience must be reviewed to understand the skills and knowledge of previous experience and how it aligns with the new position. This evaluation helps determine the appropriate compensation for the employee.

Q. Does entry- or mid-level work count when assessing relevant experience for a senior role?

Yes. In the State’s classification plan, there are job series with career progression, and knowledge and skills built across the job levels. Experience at lower levels is considered

relevant because it contributes to the competencies required at higher levels. The same is considered for jobs outside of the State's classification system.

Q. Can internships, residencies, or volunteer roles count?

Yes, if the activity involves tasks that demonstrate the requisite job-related knowledge, skills, and abilities, it can qualify as prior relevant experience.

Q. Is the EPA always used to determine an employee's salary?

Agencies will complete the EPA and review the applicable pay policies and CBAs to ensure the employee receives the salary that offers the best benefit to the employee.

Q: Is an EPA required when an employee experiences a lateral move?

For lateral movement, an EPA is required when the new work assignment involves a different classification than the employee's current classification.

Q: Is an EPA required when an employee on a limited duration (LD) appointment transitions to a permanent position in the same classification without a break in service?

An EPA is not generally required in this situation. However, human resources analysts should always review the applicable Pay Policy or CBA in case there are special provisions that apply.

Q: Is an EPA required following a classification study or review?

It depends on what changes come out of the class study and how those changes are rolled out. Agencies should check their applicable CBA and Pay Policy for guidance.

For complex cases or interpretation questions, contact chro.equalpay@DAS.oregon.gov.

Completing the Oregon State Step Calculator

Q: What is the difference between the “*Calculation Date*” and the “*Completed Date*” in the calculator?

The calculator shows the employee's seniority, education, and relevant prior experience during a 'snapshot in time. The *Calculation Date* reflects the date the calculation begins:

- For new hires, the *Calculation Date* is the employee's hire date.
- For current employees, the *Calculation Date* is when the employee asked for the EPA, when the agency decided an EPA was needed, or the date of the job change that required an EPA.

The *Completed Date* is the date the EPA was completed by the human resources analyst.

For more information on how to complete the calculator, please refer to the “Instructions” tab in the [Oregon State Step Calculator](#).

Q: What is a required experience deduction?

Each classification includes a required experience deduction in the calculator. This deduction represents the amount of experience expected to perform the basic duties of that classification.

Q. How is recurring seasonal experience counted?

Recurring seasonal experience with the State is generally treated as a continuous block of service in the EPA calculation. However, if the seasonal employment ended due to resignation or termination, it is considered a break in service.

As always, check the applicable CBA for any exceptions or special considerations.

Q: How is seniority credit applied in the calculator?

Seniority credit is based on your “current classification hire date.” You earn seniority on a one-to-one basis, meaning each year you work in your current classification counts as one year of seniority.

Q: What type of education is credited in the calculator?

Credit is applied as an experience equivalent for the highest degree the employee has earned (associate, bachelor, master, educational specialist, or doctoral). For current employees, the “Degree Received” field in their Workday profile must be marked “Yes” to receive credit.

Professional certifications are not considered as part of the current Equal Pay Methodology.

Q. How is overlapping experience treated?

The calculator automatically removes any overlapping dates. If two jobs cover the same time period, it only gives credit for one of them.

Q: Why doesn't the calculator 'round up' experience?

The Oregon State Compensation system does not allow partial steps. Because of this, the calculator cannot round up experience, since doing so would award credit for experience the employee has not fully earned. Instead, it always rounds down to the nearest whole year of experience.

Q: What date should be used for the “current classification hire date” when completing an employee-requested EPA for an employee who transitioned from an LD appointment to a permanent position in the same classification without a break in service?

If the employee transitioned directly to a permanent position in the same classification, the “current classification hire date” should be the date the LD appointment began. As always, check the applicable CBA for any exceptions or special considerations.

Temporary Work Out of Class (WOC)

For detailed instructions on how to calculate the temporary WOC differential, refer to the WOC Differential EPA Desk Guide in the HR Equal Pay Toolkit on the [Equal Pay Webpage](#).

Q: How are EPAs used to determine temporary WOC pay differentials?

EPAs help make sure temporary WOC assignments are paid fairly. Agencies compare the EPA rate with the standard 5% WOC pay increase, and employees receive whichever amount is higher.

Q: Are new EPAs required to reassess temporary WOC differentials when an employee’s base pay changes (e.g. COLA, merit increases)?

Agencies only need to reassess the differential amount if the temporary WOC differential is a dollar amount. A new calculator is not required, but the dollar amount must be reassessed to ensure accuracy.

Q: Is a new EPA required when a temporary WOC assignment is extended?

A new EPA is not required when a WOC assignment is extended.

Q: Would the temporary WOC differential ever be reduced when there is an increase on the base salary?

When an employee receives a merit increase in their regular (base) position, their base salary goes up. However, this does **not** change their step in the higher-level classification they are WOC for. Because of this, the pay difference between the two classifications becomes smaller, which reduces the dollar-amount WOC differential.

If the difference between the employee’s new base salary and the higher-level salary becomes less than 5% of their base pay, the WOC differential will switch to a 5% differential so the employee continues to receive the highest possible benefit.

Q: Can employees ask for a review of their agency’s temporary WOC differential determination?

Yes, employees may submit a request for an EPA to their agency requesting reassessment of a temporary WOC differential determination. Equal Pay Appeal procedures also apply.

Underfill

Q: How are EPAs used to calculate underfill pay?

Refer to the Pay Policy, or applicable CBA, and the Underfill EPA Desk Guide in the HR Equal Pay Toolkit on the [Equal Pay Webpage](#) for detailed instructions on how to calculate Underfill differentials.

Appeals

Q: Can employees appeal to their agency's EPA determination?

Yes. If an employee disagrees with the agency's EPA determination, they may submit an appeal to the DAS Chief Human Resources Office (CHRO) through the [Equal Pay Appeal Portal](#). Appeals must be filed within 30 calendar days of when the employee receives the agency's determination.

An employee may appeal based on the following bona-fide factors:

- **Education:** Highest level of degree received is incorrect.
- **Seniority:** Current classification hire date is incorrect.
- **Experience:** Previous experience that should be considered relevant to the current position was not included.

DAS CHRO will review the appeal and issue a written response within 30 days of receiving the request. See the [Equal Pay Webpage](#) Employee Pay Assessment Resources page for more information on the appeal process.

Represented employees should refer to their CBA for any specific timelines or procedural requirements related to appeals, as their contract may outline additional steps or deadlines.

Q: Can an employee appeal DAS CHRO EPA determinations?

Employees are welcome to ask questions about DAS CHRO EPA determinations, but the decision itself is final.

Nothing in the appeal procedure precludes the employee from submitting a claim to the Bureau of Labor and Industries (BOLI) in accordance with BOLI's administrative rules or pursuing other legal recourse.

Additional Info & Resources

Q: Who should employees contact with Equal Pay questions?

Employees should reach out to their agency human resources office with Equal Pay questions.

Q: Are there resources available for human resources analysts to assist in completing EPAs?

Agency human resources analysts who conduct EPAs should complete the [Equal Pay Training](#) in Workday. Additional desk guides are also available in Tools, Training & Support section of the [Equal Pay Webpage](#).

Q: Where should human resources analysts go if they have additional questions about Equal Pay processes?

Agency human resources analysts should refer to the resources and policy and training information available on the Equal Pay webpage. They may also send questions to chro.equalpay@DAS.oregon.gov.