

Pay Equity Appeal Procedures

1. Appeal Procedure – Agency-Level Pay Equity Decisions

- a. An employee may appeal the agency's pay equity decision. The appeal must be in writing and submitted to the agency head or agency head's designee within fifteen (15) calendar days of receipt of the agency's decision. The agency shall provide a written response within thirty (30) calendar days of receipt of the appeal.
- b. If the employee disagrees with the agency's response, the employee may submit a written appeal to the Department of Administrative Services Classification and Compensation Unit (DAS) within fifteen (15) calendar days of receipt of the agency's response. The employee shall forward all supporting documentation as part of the appeal. The employee shall identify the factors outlined in ORS 650.220(2), the employee believes the agency did not properly consider. DAS shall provide a written response to the appeal within thirty (30) calendar days of receipt of employee's appeal.
- c. Pay equity adjustments are generally effective on the date an employee made a written request to the agency or the date the agency submitted a request to DAS Classification and Compensation, whichever is earlier.
- d. Nothing in this policy precludes the employee from submitting a claim to the Bureau of Labor and Industries (BOLI) in accordance with BOLI's administrative rules or pursue other legal recourse.
- e. For purposes of the Pay Practices policy only, this appeal procedure replaces the grievance procedure outlined in the Management Service Grievance and Appeal or Classified Unrepresented Grievance Review policies.
- f. The agency head or designee and the employee or DAS representative and the employee may agree to extensions of time, from the process as outlined above, upon written mutual agreement.

2. Appeal Procedure – DAS Statewide Equal Pay Analysis Decisions

- a. An employee may appeal DAS's decision concerning the employee's salary that resulted from a statewide equal pay analysis. The appeal must be in writing and based on one or more of the factors listed in ORS 652.220(2), and the compensation of other employees performing work of a comparable character.
- b. An appeal of DAS's equal pay analysis decision may be filed by sending a completed DAS Pay Equity Appeal Form via electronic mail to the Department of Administrative Services Classification and Compensation Unit at CHRO.CNC@Oregon.gov, no later than 11:59 PM, PST on the sixtieth (60th) calendar day following receipt of the decision. DAS shall make a good faith effort to provide a written response to the employee's appeal no later than ninety (90) calendar days following receipt of the written appeal. Upon written notice to the employee, DAS may extend the response deadline.
- c. Pay adjustments made as a result of accepted appeals shall be made retroactively to January 1, 2019.
- d. To be eligible to file an appeal of the DAS statewide equal pay analysis decision, an employee must have been employed by a state executive branch agency and completed the pay equity analysis survey. Employees who do not meet these eligibility requirements may pursue and appeal through the above appeal procedure for Agency Level Pay Equity Decisions.
- e. Employees at the top step of the salary range assigned to their job classification on or before the date the employee received the results of the pay equity analysis survey are not eligible to file an appeal.
- f. The employer shall provide a written outcome to the employee's appeal.

- g. Nothing in this policy precludes the employee from submitting a claim to the Bureau of Labor and Industries in accordance with BOLI's administrative rules or pursue other legal recourse.
- h. For purposes of the Pay Practices policy only, this appeal procedure replaces the grievance procedure outlined in the Management Service Grievance and Appeal or Classified Unrepresented Grievance Review policies.