

Employment Law Summary

Mississippi Fair Employment – Equal Pay Law



Because You're Different

On April 27, 2022, Mississippi enacted a law that requires all employers in the state to pay equal wages to employees of the opposite sex who perform equal work. The law, known as the [Mississippi Equal Pay for Equal Work Act](#), went into effect on July 1, 2022.

PROHIBITED ACTIONS

Under the law, an employer may not pay an employee less than another employee of the opposite sex in the same establishment for equal work. This rule applies if the jobs are performed under similar working conditions and require equivalent skill, education, effort and responsibility.

Employers may not reduce employees' pay to comply with the new prohibition. The law also prohibits retaliation against employees for participating in any actions to enforce the law.

EXCEPTIONS

A pay differential, as described above, is allowed if it is based on:

- A seniority or merit system;
- A system that measures earnings by quantity or quality of production; or
- Any other factor other than sex (for example, an employee's salary history or continuity of employment, as compared to that of employees of the opposite sex in the same establishment).

ENFORCEMENT

An employee may bring a private lawsuit against an employer to enforce the equal pay law.

If an employer is found to have violated the law, the employee may be awarded reasonable attorney fees, prejudgment interest, back pay and costs of the action.

Provided By Heffernan Insurance Brokers

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