

Pay Equity Appeal Procedures

1. Appeal Procedure – Agency-Level Pay Equity Decisions

- a. An employee may appeal the agency's pay equity decision. If the employee disagrees with the agency's response, the employee may submit a written appeal to the Department of Administrative Services (DAS) Classification and Compensation Unit at CHRO.PayEquity@das.oregon.gov, within thirty (30) calendar days from receipt of the agency's decision. The employee shall forward all supporting documentation as part of the appeal. The employee shall identify the factors outlined in ORS 652.220(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.
- b. Pay equity adjustments are 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.
- c. 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 pursuing other legal recourse.
- d. 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.
- e. DAS and the employee may agree to an extension 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 the outcome of the Statewide Equal Pay Analysis. The appeal must be submitted through Workday and based on one or more of the factors listed in ORS 652.220(2).
- b. An appeal of the Statewide Equal Pay Analysis may be filed by submitting a completed Equal Pay Analysis Appeal Form via Workday, no later than thirty (30) calendar days from the date the employee received notification of the outcome. DAS shall make a good faith effort to provide a written response to the employee's appeal no later than one hundred and twenty (120) calendar days following receipt of the submitted appeal. Upon notification to the employee, DAS may extend the response deadline.
- c. Pay adjustments made as a result of an appeal shall be made retroactively to January 1, 2022.
- 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 as of July 1, 2021. Employees who do not meet the eligibility requirements may pursue an 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 January 1, 2022 are not eligible to file an appeal.
- f. DAS 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 pursuing 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.