

Article - Labor and Employment

§3-304.

(a) An employer may not discriminate between employees in any occupation by paying a wage to employees of one sex at a rate less than the rate paid to employees of the opposite sex if both employees work in the same establishment and perform work of comparable character or work on the same operation, in the same business, or of the same type.

(b) Subsection (a) of this section does not prohibit a variation in a wage that is based on:

- (1) a seniority system that does not discriminate on the basis of sex;
- (2) a merit increase system that does not discriminate on the basis of sex;
- (3) jobs that require different abilities or skills;
- (4) jobs that require the regular performance of different duties or services; or
- (5) work that is performed on different shifts or at different times of day.

(c) An employer who is paying a wage in violation of this subtitle may not reduce another wage to comply with this subtitle.