



Human Resources  
UNIVERSITY OF COLORADO **BOULDER**

# Colorado Equal Pay Act Progress

CIRES Information Session

12/3/2020

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# Today's Topics



How we are addressing CO EPA requirements

What our EPA work is NOT

Communication plan & timeline

Next steps for research areas

Questions/Discussion

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# Colorado's Equal Pay for Equal Work Act Senate Bill 19-085

Signed into law May 22, 2019

Effective **January 1, 2021**

“...to implement measures  
to **prevent pay disparities.**”



**T r a n s p a r e n c y**



## PRIME SPONSORS



Senator  
Jessie Danielson



Senator  
Brittany Pettersen



Representative  
Janet Buckner



Representative  
Serena Gonzales-  
Gutierrez

# What does the law **require**?

**Prohibits:** Pay disparity for substantially similar work  
(based on skill, effort, & responsibility)

**Prohibits:** Using wage history to set pay

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**Requires:** Posting all jobs with the hiring rate or range

**Requires:** Announcing promotional opportunities

**Requires:** Maintaining job descriptions & salary history records

# Addressing the Law

As of January 1, 2021, employers:

- CANNOT request pay history
  - CANNOT rely on pay history
  - CANNOT retaliate for discussing pay
  - MUST internally post promotional opportunities
  - MUST post salary ranges in job listings
  - MUST keep records on job descriptions and wage rates
- 1) Communication
  - 2) Standard pay setting guidelines
  - 1) Avature internal job board
  - 2) Defining “promotional opportunity”

Reg Faculty, Research, Staff, Temp Staff = Avature.

Temp Faculty, Student Hourly = other public site; dept records.

Avature,  
OnBase & HCM



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# New Posting Requirements

## “Promotional Opportunity”

- ❑ An **unoccupied**, new or soon to be vacated position providing a transfer or advancement opportunity for a current qualified CU Boulder employee
- ❑ Promotional opportunities are **required to be posted** like all other jobs
- ❑ We will utilize an **Internal Job Board** through Avature

## Exceptions:

- ❑ **Career track changes** (*Under Review*) where a current employee’s position or appointment change is part of their career progression
  - Except for **classified staff** as required by state personnel rules
- ❑ **Interim & temporary promotions** up to 6 months; permanent appointment requires posting

# Pay Equity Requirements

**Prohibits: Pay disparity for substantially similar work**  
(based on skill, effort, & responsibility)

Ex: Professor of Anthropology  
Ex: PostDocs with same role on same project

## Allowable reasons for pay differences:

- Seniority system
- Merit system
- Education, training, experience
- Geographic location
- Travel
- Quantity/quality of production

**NOT** wage history

# CU Direction

Employment group approaches for pay equity:

- **Faculty** - discipline based
- **Research Faculty** – discipline/grant based
- **Staff** - new compensation framework
- **Student Hourly** - guidelines for dept hiring mgrs
- **Graduate Students** – follow academic policies



# What is **NOT** required by EPA?

→ **External Focus:** CO EPA is not about market comparisons

→ The law does not address:

How to pay employees

Market factors & pay ranges

What to pay employees

Minimum wage levels

→ **Internal Focus:** CO EPA is about ensuring that any pay differences for substantially similar work are due to defensible reasons and not systemic or other biases

→ **Transparency:** The law is about removing barriers to indentifying inequities

# Change Management Impacts

Currently we **do not**:

- Post all jobs
- Post all open promotions
- Post all temporary jobs
- Always post with a pay range
- Centrally track employees' education/experience for role

\$500-\$10,000 fine per posting

**We will need to work together to help our campus make these changes**

# Timeline

## Nov-Dec, 2020:

- Outreach Meetings
- HR Website Content
  - Tools, Resources, FAQs
- CUBT / RIO Newsletters
- Aon Deliverables
  - Pay equity analysis & comp practice recommendations
- Campus Budget Planning

## Jan. 1, 2021:

- Job postings must be compliant
- Temp staff postings in Avature
- Pay setting cannot rely on wage history
- Equity alignment work is ongoing

# Next Steps for Research Areas

- 1) Confirm method for **categorizing** each area's jobs performing similar work (same level, same project, same grant, etc.)
  - Use **working titles** in HCM (or **internal tracking**)
- 2) Apply consistent **pay setting standards** for similar work such as seniority, time in role, education, experience, merit, etc.
  - Ensure **wage history** is not used as a factor
- 3) Ensure **ALL jobs are posted** in Avature with **pay rate or range**
  - Allowable **exceptions** will be outlined in updated guidelines coming from Research Faculty HR and RIO
  - For student assistants, use dept website or student employment site

# Our work is NOT expected to...

- Cause wide-spread salary or range changes
  - We've been using good pay practices already
  - We're using similar market data and methods as today
- Reduce Pay or Eliminate jobs
  - Decreasing pay is not an option to mitigate pay inequity
- Replace or change current job code titles or working titles
  - Except where a dept leader wants to make updates

# Contacts & Resources

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- ❖ **CU Boulder Human Resources Website:**
  - ❖ Feedback form, FAQs, tools/resources
  - ❖ **EPA:** <https://www.colorado.edu/hr/colorado-equal-pay-act>
  - ❖ **UCB HR:** <https://www.colorado.edu/hr/positions-compensation>