
Town of Wellesley
Personnel Policy

MASSACHUSETTS PAY EQUITY ACT POLICY



Date HR Board approved:
Effective Date:

PURPOSE

The purpose of this policy is to promote wage transparency and ensure that employees performing comparable work are paid equally, regardless of gender. This policy is adopted to eliminate unlawful wage disparities, encourage fair compensation practices, and support a culture of equity and inclusion.

APPLICABILITY

This policy applies to all positions of the Town of Wellesley, including full-time, part-time, seasonal, and temporary positions. This policy does not override or diminish any rights provided under state or federal law or any collective bargaining agreement.

DEFINITIONS

- **Job Posting** – any public or internal posting or advertisement of an available position that includes key elements of the role (such as duties, qualifications, and compensation), including those for full-time, part-time, temporary, remote, promotions, transfers, and new hires.
- **Comparable Work:** Work that requires substantially similar skills, effort, and responsibility, and is performed under similar working conditions. Job titles and job descriptions alone do not determine comparability.
- **Skill:** The experience, training, education, and ability required to perform the job.
- **Effort:** The amount of physical or mental exertion needed to perform the job.
- **Responsibility:** The degree of accountability and decision-making involved in the performance of the job.
- **Working Conditions:** The environmental and other similar circumstances customarily taken into consideration in setting salary or wages, including reasonable shift differentials and the physical surroundings and hazards encountered by employees performing a job.
- **Gender:** A broad term that includes a person's gender identity or gender expression, as well as the sex assigned at birth.
- **Pay Range:** the annual salary range or hourly wage range that the employer reasonably and in good faith expects to pay for a position at the time of posting.
- **Posting:** any advertisement or job posting intended to recruit job applicants for a particular position, whether posted by the Town or a third party.
- **Bona Fide Pay Differentials:** Legitimate wage differences permitted under the law when based on specific factors such as:
 - Seniority (excluding time on leave due to pregnancy or protected family/medical leave);
 - Merit System;
 - Geographic location of the jobs;
 - Differences in travel required by the jobs;
 - Production, sales, or revenue-based systems of pay;
 - Education, training, or experience that reasonably related to the job.

- **Salary History:** An applicant's current or prior compensation, including wages, benefits, and other forms of remuneration.

POLICY DESCRIPTION

It is the policy of the Town to comply fully with the Massachusetts Equal Pay Act (M.G.L. c. 149, § 105A) and all related amendments and regulations. Under the law:

- Employees performing comparable work must receive equal pay, regardless of gender.
- Employers may not:
 - Pay employees of different genders differently for comparable work unless the difference is based on a bona fide factor.
 - Request or rely on salary history before making a job offer with compensation.
 - Retaliate against employees for discussing wages or exercising their rights under the law.

PROCEDURE

1. Job Classification and Review

- Human Resources shall maintain a job classification system that evaluates the skill, effort, responsibility, and working conditions of each role.
- HR will periodically review compensation structures and conduct self-evaluations to ensure compliance with MEPA.

2. Recruitment and Hiring

- Salary history may not be requested from job applicants during any part of the interview or hiring process.
- HR and hiring managers must establish salary offers based on internal equity and market data, not prior wages.
- Effective October 29, 2025, all job postings and offers shall include a salary range and provide pay range information to any internal employees who are offered a promotion or transfer to a new position with different job responsibilities, even if that position is not publicly posted or advertised.

3. Internal Pay Equity Analysis

- The Town will regularly conduct a good-faith, self-evaluation of pay practices, including:
 - Reviewing compensation by gender across comparable positions.
 - Addressing any identified disparities not explained by legal factors.
- Documentation of the evaluation and resulting adjustments will be maintained by HR and updated at least every three (3) years.

4. Employee Rights

- Employees may discuss their wages and inquire about wage practices without fear of retaliation.
- Employees who believe they are being paid unfairly under this policy may bring concerns to Human Resources or file a complaint with the Massachusetts Attorney General's Office.
- HR will investigate all complaints confidentially, fairly, and promptly.

RESOURCES:

For details on the Massachusetts Equal Pay Act M.G.L. c. 149, § 105A employees are referred to:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter149/Section105A>