

Presidency of the Republic

Civil House

Special Secretariat for Legal Affairs

LAW NO. 14.611 OF JULY 3, 2023

Regulation

Provides for equal pay and remuneration criteria between women and men; and amends the Consolidation of Labor Laws, approved by Decree-Law No. 5,452 of May 1, 1943.

THE PRESIDENT OF THE REPUBLIC: I make known that the National Congress decrees and I sanction the following Law:

Art. 1 This Law provides for equal pay and remuneration criteria, under the terms of the regulations, between women and men for work of equal value or in the exercise of the same function and amends the Consolidation of Labor Laws, approved by the Decree-Law no. 5.452. of May 1st. 1943.

Art. 2 Equal pay and remuneration criteria between women and men for work of equal value or in the performance of the same function is mandatory and will be guaranteed under the terms of this Law.

Art. 3 Art. 461 of the Consolidation of Labor Laws, approved by the Decree-Law no. 5.452, of May 1st, 1943, shall take effect as follows:

“Art. 461.

.....

§ 6 In the event of discrimination on the grounds of sex, race, ethnicity, origin, or age, the payment of the salary differences due to the discriminated employee does not rule out their right to sue for moral damages, considering the specifics of the case.

§ 7 Without prejudice to the provisions of § 6, in the event of a breach of the provisions of this article, the fine referred to in art. 510 of this Consolidation shall correspond to 10 (ten) times the value of the new salary owed by the employer to the employee discriminated against, increased to double in the event of a repeat offense, without prejudice to other legal penalties." (NR)

Art. 4 Equal pay and remuneration criteria between women and men will be guaranteed through the following measures:

I - the establishment of mechanisms for wage transparency and remuneration criteria;

II - increased monitoring against discrimination in salaries and remuneration criteria between women and men;

III - providing specific channels for reporting wage discrimination;

IV - promoting and implementing diversity and inclusion programs in the workplace that include training for managers, leaders, and employees on the subject of equity between men and women in the job market, with measurement of results; and

V - encouraging the training and education of women to enter, remain, and rise in the job market on equal terms with men.

Art. 5 The biannual publication of reports on salary transparency and remuneration criteria by legal entities governed by private law with 100 (one hundred) or more employees is hereby determined, with due regard for the protection of personal data under Law No. 13,709 of August 14, 2018 (General Personal Data Protection Law).

§ 1 Transparency reports on salaries and remuneration criteria will contain anonymized data and information that allows for an objective comparison between salaries, remuneration and the proportion of management, managerial and leadership positions held by women and men, accompanied by information that can provide statistical data on other possible inequalities arising from race, ethnicity, nationality and age, in compliance with personal data protection legislation and specific regulations.

§ 2 In the event that unequal salaries or remuneration criteria are identified, regardless of non-compliance with the provisions of the [art. 461 of the Consolidation of Labor Laws, approved by Decree-Law no. 5,452, of May 1, 1943](#), the private legal entity will present and implement an action plan to mitigate inequality, with targets and deadlines, guaranteeing the participation of union representatives and employee representatives in the workplace.

§ 3 In the event of non-compliance with the provisions of the **heading** of this article, an administrative fine of up to 3% (three percent) of the employer's payroll will be imposed, limited to 100 (one hundred) minimum wages, without prejudice to the sanctions applicable to cases of wage discrimination and remuneration criteria between women and men.

§ 4 The Federal Executive Branch will make available in a unified manner, on a publicly accessible digital platform, observing the protection of personal data referred to in [Law No. 13.709, of August 14, 2018](#) (General Personal Data Protection Law), in addition to the information provided for in § 1 of this article, periodically updated indicators on the labor market and income disaggregated by sex, including indicators of violence against women, vacancies in public daycare centers, access to technical and higher education and health services, as well as other public data that impact women's access to employment and income and that can guide the development of public policies.

Art. 6 An act of the executive branch will establish a protocol for monitoring discrimination in salaries and remuneration criteria between women and men.

Art. 7 This law enters into force on the date of its publication.

Brasília, July 3, 2023; 202nd of Independence and 135th of the Republic.

LUIZ INÁCIO LULA DA SILVA

Flávio Dino de Castro e Costa

Aparecida Gonçalves

Luiz Marinho

This text does not replace the one published in the DOU of 4.7.2023