Talking Points for FAS Managers on MEPA as it relates to FY19 Performance Management

1. What is MEPA?
   - MEPA is short for the Massachusetts Equal Pay Act. On July 1, 2018, an updated equal pay law went into effect in Massachusetts, stating that employers cannot pay workers a salary or wage less than what they pay employees of a different gender for comparable work.

   - MEPA defines “comparable work” as work that requires substantially similar skill, effort, and responsibility, and is performed under similar working conditions.

2. Does that mean all employees need to be paid the same?
   - No, MEPA allows employees to be paid differently for comparable work based on one or more of the following six factors:
     1. a system that rewards seniority with the employer;
     2. a merit system;
     3. a system which measures earnings by quantity or quality of production, sales, or revenue;
     4. the geographic location of the jobs;
     5. education, training, or experience that are reasonably related to the job;
     6. travel, if the travel is a regular and necessary condition of the job.

3. How will MEPA affect performance management for FY19?
   - Because MEPA explicitly allows for pay differences based on a merit system, the University has made the decision to return to University-wide performance ratings.

   - This way, Harvard has a system in place that allows for different annual salary merit increases based on strength of performance. As a result, starting in FY19, you will be asked to assign an overall rating to the performance of your direct reports.

4. What should I tell my employees?
   - For the past two years, the FAS has participated in a simplified, performance management pilot that did not include a final performance rating.

   - Starting in FY19, while we’ll continue to use a version of this simplified performance review form, due to MEPA, this form will now include a final performance rating.

   - Starting in FY19, in addition to our ongoing performance conversations throughout the year, I will be assigning you a performance rating at the end of the performance cycle based on your performance throughout the year.