**Section 5210.50 Discrimination in Compensation**

It is a violation of the Act for an employer and/or labor organization to discriminate based upon the sex of an employee, or the predominant sex of a group of employees, in negotiating or establishing the wages, benefits or other compensation to be made to such employee(s). An employer may not differentiate based on sex among employees performing the same or substantially the same work under like working conditions in fixing the employees' wages and benefits. The preceeding language shall not be construed to be an expression of the position of the Department or the Commission on whether it is a violation of the Act for an employer and/or labor organization to fail to accord comparable wages to positions which are comparable in worth or contribution to the enterprise, where the positions do not entail the same or substantially similar work, and where there is no evidence that considerations of sex influenced establishment of the wage levels.