

Salary History Bans as of August 11, 2019

Jurisdictions	Effective Date	Requirements/Additional Notes
Alabama Clarke-Figures Equal Pay Act	Effective September 1, 2019	Prohibits employers from refusing to interview, hire, promote, or employ an applicant for employment, or retaliate against an applicant for employment because the applicant does not provide wage history. Wage history means the wages paid to an applicant for employment by the applicant's current or former employer.
California AB168	Effective January 1, 2018	Prohibits public and private employers and agents from requesting or relying on salary history information when determining whether to offer employment or when determining the amount of compensation to offer an applicant, unless if the applicant voluntarily discloses such information. If applicant “voluntarily and without prompting” discloses their prior salary, employer can rely on the information as long as prior salary not the only factor justifying disparity in salary. Also requires that employers provide “the pay scale for a position to an applicant applying for employment.”
California San Francisco Parity in Pay Ordinance	Effective July 1, 2018	Prohibits employers from asking applicants about their salary history and from considering current or prior compensation in determining whether to hire an applicant and what salary to offer. Prohibits employers from disclosing current or former employee’s salary without their consent.
Colorado Equal Pay For Equal Work Act	Effective January 1, 2021	Prohibits employers from seeking the wage rate history of prospective employees or relying on the wage rate history of prospective employees to determine their wage rate; from discriminating or retaliating against a prospective employee for failing to disclose the prospective employee's wage rate history; for prohibiting, as a condition of employment, an employee from disclosing the employee's wage rate; or from requiring an employee to sign a waiver or other document that prohibits the employee from disclosing wage rate information
Connecticut Public Act No 18-8	Effective January 1, 2019	Prohibits employers and third parties like recruiting firms from asking about a worker’s salary history.

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Delaware Title 19 § 709B	Effective December 14, 2017	Makes it an unlawful for an employer to seek an applicant's compensation history from an applicant or a current or former employer or to screen applicants based on compensation history, including requiring applicant's prior compensation satisfy minimum or maximum criteria. However, employer may confirm compensation history after an offer of employment with terms of compensation has been accepted.
Georgia Atlanta	Effective February 18, 2019	Prohibits city agencies from asking for salary history on its employment applications, in verbal interviews or in employment screenings.
Hawaii Senate Bill 2351	Effective January 1, 2019	Prohibits employers from inquiring about applicant's "current or prior wages, benefits or other compensation" and specifically prohibits them from searching publicly available records or reports to ascertain applicant's salary history but can discuss applicant's compensation expectations. If a background check to verify non-compensation related information incidentally discloses applicant's salary history the law not violated as long as salary history is not used to set compensation. If applicant "voluntarily and without prompting" discloses salary history the information can be used to set compensation and can be verified by the employer.
Illinois	January 15, 2019	Prohibits state agencies from asking prospective employees questions about salary history.

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Illinois Amending Equal Pay Act of 2003	September 29, 2019	<p>Prohibits employers or employment agencies to request or require a wage or salary history as a condition of being considered for employment, as a condition of being interviewed, as a condition of continuing to be considered for an offer of employment, as a condition of an offer of employment or an offer of compensation, or request or require that an applicant disclose wage or salary history as a condition of employment. Also prohibits an employer from seeking the wage or salary history, including benefits or other compensation, of a job applicant from any current or former employer.</p> <p>Employers can engage in discussions with an applicant for employment about the applicant's expectations with respect to wage or salary, benefits, and other compensation. An employer is not in violation of the statute when a job applicant voluntarily and without prompting discloses his or her current or prior wage or salary history, including benefits or other compensation, on the condition that the employer does not consider or rely on the voluntary disclosures as a factor in determining whether to offer a job applicant employment, in making an offer of compensation, or in determining future wages, salary, benefits, or other compensation.</p>
Illinois Chicago Executive Order No. 2018-1	Effective April 10, 2018	Prohibits city departments from seeking wage or salary history from applicants.
Kentucky Louisville Ordinance No. 066, Series 2018	Effective May 10, 2018	City departments, agencies or offices shall not inquire about an applicant's salary history; consider or rely on applicant's salary history in determining applicant's salary or refuse to hire or otherwise retaliate against an applicant for refusing to disclose salary history. However, if applicant voluntarily and without prompting discloses salary history, city can verify applicant's salary history after offer with compensation made.
Louisiana New Orleans Executive Order MJL17-01	Effective January 25, 2017	Bans questions about salary history during the application and interview process for City positions.

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<p>Maine S.P. 90 - L.D. 278</p>	<p>Effective September 17, 2019</p>	<p>An employer may not use or inquire about the compensation history of a prospective employee from the prospective employee or a current or former employer of the prospective employee unless an offer of employment that includes all terms of compensation has been negotiated and made to the prospective employee, which the employer may inquire about or confirm the prospective employee's compensation history.</p> <p>Exception. This section does not apply to an employer who inquires about compensation history pursuant to any federal or state law that specifically requires the disclosure or verification of compensation history for employment purposes.</p>
<p>Maryland Montgomery County</p>	<p>Effective August 14, 2019</p>	<p>The County will not consider or rely on an applicant's salary history as a factor in determining whether to offer employment to an applicant or determining pay; it will not seek an applicant's salary history; it will not refuse to hire or retaliate against an applicant for refusing to disclose the applicant's salary history.</p> <p>However, it is not prohibited</p> <ul style="list-style-type: none"> • for an applicant to voluntarily, and without prompting, disclosing the applicant's salary history, provided the County does not rely on that voluntary disclosure to determine an initial offer of starting salary for the applicant • for the County to discuss an applicant's expectations with respect to salary without inquiring about salary history; • for the County to verify non-salary information disclosed by an applicant or received from a background check, provided that any salary history disclosed by a background check is not used to refuse to hire or determine an applicant's salary or • for the County from relying on salary history voluntarily provided by the applicant to pay the applicant a higher wage than initially offered, if reliance on salary history does not result in unequal pay for equal work based on gender.

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Massachusetts Equal Pay Act	Effective July 1, 2018	It is illegal to seek salary history from an applicant or an applicant's current or former employer or to screen applicants based on their wage or salary histories. However, employer can confirm prior salary if volunteered by applicant or after any offer of employment with compensation terms has been made. An employee's previous wage or salary history shall not be a defense to any action.
Michigan MCL 123.1384	Effective June 24, 2018	Prohibits local governmental authorities from regulating information an employer or potential employer must request, require or exclude on an application for employment or during the interview process from an employee or potential employee.
Mississippi Jackson	Effective June 13, 2019	Applications for employment with the city will not inquire as to the applicants' salary history
Missouri Kansas City Resolution	Effective July 26, 2018	The City Manager will revise the employment application to eliminate the field requiring disclosure of past salary history. If salary history is needed, the city will not inquire about an applicant's salary history until after an individual otherwise qualified has been hired at an agreed upon salary.
New Jersey Executive Order No. 1	Effective February 1, 2018	Prohibits state entities from inquiring about applicant's salary or from deliberately or inadvertently discovering salary history of any applicant. Entity cannot use refusal of applicant to volunteer compensation in employment decision. Entities are only allowed to verify current or prior compensation before conditional employment offer if applicant volunteered compensation or if verification is required by federal, state or local law.

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New Jersey	January 1, 2020	<p>Makes it an unlawful employment practice for any employer:</p> <ul style="list-style-type: none"> to screen a job applicant based on the applicant's salary history, including, but not limited to, the applicant's prior wages, salaries or benefits; or to require that the applicant's salary history satisfy any minimum or maximum criteria. <p>An applicant's refusal to volunteer compensation information shall not be considered in any employment decisions</p> <p>Notwithstanding, an employer may consider salary history in determining salary, benefits, and other compensation for the applicant, and may verify the applicant's salary history, if an applicant voluntarily, without employer prompting or coercion, provides the employer with salary history.</p> <p>After an offer of employment that includes an explanation of the overall compensation package has been made to the applicant employer may request that an applicant provide the employer with a written authorization to confirm salary history, including the applicant's compensation and benefits.</p>
New York	Effective January 6, 2020	<p>No employer shall require or rely on the wage or salary history of an applicant in determining whether to offer employment to such individual or in determining the wages or salary for such individual, as a condition to be interviewed, or as a condition of continuing to be considered for an offer of employment, or as a condition of employment or promotion except as provided below.</p> <p>An applicant or current employee can from voluntarily, and without prompting, disclosing or verifying wage or salary history, including but not limited to for the purposes of negotiating wages or salary. An employer may confirm wage or salary history only if at the time an offer of employment with compensation is made, the applicant or current employee responds to the offer by providing prior wage or salary information to support a wage or salary higher than offered by the employer.</p>

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New York State Executive Order 161	Effective January 9, 2017	State employers may not ask or require an applicant to provide compensation history until a conditional offer of employment is extended. If prior compensation already known, information cannot be relied on in determining applicant's salary unless required by law or collective bargaining agreement.
New York Albany County Local Law No. P	Effective December 17, 2017	Employers with 4 or more employees and employment agencies are prohibited from screening applicants based on their current or prior wages or other compensation; from requiring an applicant's prior wages satisfy minimum or maximum criteria; from requesting or requiring applicants to disclose prior salary history as a condition of being interviewed or considered for employment; and from seeking information about current or prior salary of an applicant from current or prior employers. Exception—only after extending an offer of employment with compensation to the applicant and with the written authorization of the applicant, employers or employment agencies may confirm prior wages, benefits and other compensation history of applicant.
New York New York City 1253-A	Effective October 31, 2017	It is illegal for any employer or its agents to inquire about an applicant's salary history, including wages, benefits or other compensation, or to search any publicly available records to obtain any such information; employer may verify salary information if applicant "voluntarily and without prompting" discloses salary history. Also prohibits relying upon an applicant's salary history in setting compensation.
New York Suffolk County Rise Act	Effective 30, 2019	Amends the Human Rights Law by adding provision that makes it an "unlawful discriminatory practice" for an employer or employment agency to make verbal or written inquiries about an applicant's salary history. Prohibited inquiries include requests to the applicant or his or her former employer as well as searches of publicly available information. Employers are also prohibited from relying on applicant's salary history in determining salary, benefits or other forms of compensation for that applicant. There is no exemption for using compensation volunteered by the applicant.

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New York Westchester County Wage History Anti-Discrimination Law	Effective July 9, 2018	Employers, labor organizations, employment agencies, licensing agencies are prohibited from relying on applicant's prior wages to determine wages; to request or to require disclosure of applicant's wage history as a condition of being interviewed, as a condition of being considered for an offer of employment or as a condition of employment. Exemption: Employer can consider wage history when an individual voluntarily provides the information to support a higher wage than offered by the employer. Under this circumstance employers can confirm prior wages after the employer provides written authorization for the inquiry.
North Carolina Executive Order	Effective April 2, 2019	State agencies may not request pay history from applicants and may not rely on previously obtained salary information to set pay.
Ohio Cincinnati	Effective March 2020	Employers with 15 or more employees located in the city including city of Cincinnati may not ask applicants about their salary history and may not rely on known salary histories. Upon reasonable request employers must provide a pay scale for the position for which the applicant has been provided a conditional offer of employment.
Ohio Toledo	Effective June 25, 2020	Employers within the city with 15 or more employees including the city of Toledo may not ask for nor screen job applicants based on their pay history. They may not require an applicant's pay history, benefits or other compensation satisfy minimum or maximum criteria. However, employers may discuss applicants' pay expectations with applicants.
Oregon Equal Pay Act of 2017	Effective October 6, 2017	It is an unlawful employment practice to screen applicants based on current or past compensation or determine compensation for a position based on current or past compensation of a prospective employee. Employers may not ask applicants for salary history information before an offer of employment with compensation terms is made, and must obtain prior authorization before confirming salary history information after an offer is extended.

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Pennsylvania Executive Order 2018-18-03	Effective September 4, 2018	Commonwealth agencies will not inquire about a job applicant's current compensation or compensation history but applicants can volunteer their current salary in negotiating a salary.
Pennsylvania Philadelphia Bill No. 160840	Effective date delayed due to ongoing litigation.	Makes it unlawful for an employer or employment agency to inquire about or require disclosure of an applicant's wage history, condition employment on such a disclosure, rely on prior wages in setting wages absent the applicant's "knowing and willing" disclosure, or retaliate against an applicant for refusing to provide his or her wage history. On April 30, 2018 federal district court blocked the ban on salary history inquiries as violative of the 1 st Amendment but employers are barred from relying on past salary in setting current wages.
Pennsylvania Pittsburgh	Effective January 30, 2017	Prohibits the city from asking about an applicant's salary history or from relying on wage history when hiring for city positions, unless the applicant voluntarily provides such information.
Puerto Rico Equal Pay Act	Effective March 8, 2017	Employers are prohibited from asking an applicant about his or her salary history; employer may confirm salary history if the applicant voluntarily provides such information or once an offer with salary terms has been extended.
South Carolina Richland County	Effective May 23, 2019	The county of Richland removed the salary history question from employment applications, verbal interviews and employment screenings.
Washington	Effective July 28, 2019	Employers may not seek pay history but they may confirm information if an applicant has voluntarily disclosed it or if the employer has extended an offer to the applicant. Employers with 15 or more employees upon request of the applicant and after extending an offer must provide information about the minimum salary for the position for which the applicant has applied.

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Vermont H. 294	Effective July 1, 2018	Prohibits asking prospective employee about or seeking information regarding compensation history. Employers are prohibited from requiring a prospective employee's current or past compensation satisfy minimum or maximum criteria for employment. If an employer discovers a prospective employee's salary history, employer may not determine whether to interview prospective employee based on this information. Exception: If the prospective employee voluntarily discloses his or her salary history, the employer can confirm or request applicant confirm disclosed salary after making an offer of employment. An employer may also ask a prospective employee about general salary expectations.
Wisconsin Assembly Bill 748	Effective April 18, 2018	No city, village, town or county may enact or enforce an ordinance prohibiting an employer from soliciting information regarding the salary history of prospective employees.

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