

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 18-8—sHB 5386

Labor and Public Employees Committee

AN ACT CONCERNING PAY EQUITY

SUMMARY: This act generally prohibits employers, including the state and its political subdivisions, from asking or directing a third-party to ask about a prospective employee's wage and salary history. The prohibition does not apply (1) if the prospective employee voluntarily discloses his or her wage and salary history or (2) to any actions taken by an employer, employment agency, or its employees or agents under a federal or state law that specifically authorizes disclosure or verification of salary history for employment purposes. The act also specifically allows an employer to ask about other elements of a prospective employee's compensation structure (e.g., stock options), as long as the employer does not ask about their value.

The act allows prospective employees to bring a lawsuit within two years after an alleged violation of the act's prohibition on asking about wage and salary histories. Employers may be found liable for compensatory damages, attorney's fees and costs, punitive damages, and any legal and equitable relief the court deems just and proper.

EFFECTIVE DATE: January 1, 2019