



NEW YORK STATE SENATOR

David Carlucci

Senator Carlucci Passes Bill to End Salary History Question & Help Stop Wage Discrimination

SENATOR DAVID CARLUCCI June 19, 2019

| ISSUE: **EQUAL PAY**

(Albany, NY) – Today Senator David Carlucci (D-Rockland/Westchester) passed legislation (S.6549) in the New York State Senate to prohibit employers from asking job applicants for their salary history as a requirement for a job interview, job application, job offer, or promotion. The bill is aimed at eliminating the gender pay gap by removing one of the root causes of discrimination for women and people of color in the workplace.

According to the National Partnership for Women and Families, women in the United States are paid 80 cents for every dollar paid to men; black women are typically paid 61 cents, Native American women, 58 cents and Latinas just 53 cents.

“The salary history question nearly guarantees that the wage disparity will continue through a woman’s career,” **said Senator David Carlucci.** “This tactic is used by employers to justify lower pay rates or raises. Banning this is the first step in enforcing equal pay laws passed nearly 50 years ago by the federal government.”

The legislation will ban the salary history question in both the private and public sectors. Employers will not be allowed to seek salary history information from a job applicant’s

current or former employer, and in the event that salary history is known, an employer cannot base an offer on past wages. If a job applicant believes he or she were unfairly asked for their salary history, then they can file a complaint with the Department of Labor or bring a civil action in a court of law for compensation for any damages sustained as a result of the violation.

The corresponding legislation in the Assembly (A.5308B) can be brought to the floor at any time for a vote and is expected to pass before the end of session.

Six other states have passed similar legislation, including California, Connecticut, Delaware, Massachusetts, Oregon, and Vermont.

RELATED LEGISLATION

2019-S6549

- Introduced

- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Prohibits employers from seeking salary history from applicants

June 15, 2019

Signed by Governor

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Do you support this bill?