

SIDE-BY-SIDE OF H.294 AS PASSED THE HOUSE AND AS PASSED SENATE ECONOMIC DEVELOPMENT

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Office of Legislative Council

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Subsection	As passed the House	As passed Senate Economic Development	Comments
(a)	<p><u>(a) An employer shall not:</u></p> <p>(1) <u>screen a prospective employee based on his or her wages, benefits, compensation, or salary history;</u></p> <p>(2) <u>require that a prospective employee’s prior wages, benefits, compensation, or salary history satisfy minimum or maximum criteria;</u></p> <p>(3) <u>request or require as a condition of being interviewed or being considered for an offer of employment that a prospective employee disclose prior wages, benefits, compensation, or salary history; or</u></p> <p>(4) <u>seek the salary history of a prospective employee from his or her current or former employer.</u></p>	<p><u>(a) An employer shall not:</u></p> <p>(1) <u>inquire about or seek information regarding a prospective employee’s current or past compensation from either the prospective employee or a current or former employer of the prospective employee;</u></p> <p>(2) <u>require that a prospective employee’s current or past compensation satisfy minimum or maximum criteria; or</u></p> <p>(3) <u>determine whether to interview a prospective employee based on the prospective employee’s current or past compensation.</u></p>	<ul style="list-style-type: none"> <li>• Combines H.294 with S.275, condenses language from House version.</li> </ul>
(b)	<p><u>(b) Notwithstanding subdivision (a)(4) of this section, after an employer has made an offer of employment with compensation to a prospective employee, it may confirm the prior or current wages, benefits, compensation, or salary history of the prospective employee if he or she provides written authorization for the employer to do so.</u></p>	<p><u>(b) Notwithstanding subdivision (a)(1) of this section, if a prospective employee voluntarily discloses information about his or her current or past compensation, an employer may, after making an offer of employment with compensation to the prospective employee, seek to confirm or request that the prospective employee confirm that information.</u></p>	<ul style="list-style-type: none"> <li>• Senate version is conditioned on prospective employee disclosing current or past compensation.</li> <li>• Senate version does not require written authorization from prospective employee.</li> </ul>
(c)	<p><u>(c) Nothing in this section shall be construed to prevent an employer from:</u></p> <p>(1) <u>inquiring about a prospective employee’s salary expectations or requirements; or</u></p> <p>(2) <u>providing information about the wages, benefits, compensation, or salary offered in relation to a position.</u></p>	<p><u>(c) Nothing in this section shall be construed to prevent an employer from:</u></p> <p>(1) <u>inquiring about a prospective employee’s salary expectations or requirements; or</u></p> <p>(2) <u>providing information about the wages, benefits, compensation, or salary offered in relation to a position.</u></p>	<ul style="list-style-type: none"> <li>• Same</li> </ul>
(d)	N/A	<p><u>(d) As used in this section, “compensation” includes wages, salary, bonuses, benefits, fringe benefits, and equity-based compensation.</u></p>	<ul style="list-style-type: none"> <li>• Provision from S.275, in Senate version only.</li> </ul>