
OLR Bill Analysis

sHB 6273

AN ACT CONCERNING DISCLOSURE OF SALARY RANGES ON PUBLIC AND INTERNAL JOB POSTINGS.

SUMMARY

The state's current wage disclosure law generally (1) requires employers, including the state and municipalities, to give job applicants and employees the wage range for their positions upon request and (2) prohibits employers from taking certain steps to limit their employees' ability to share information about their wages.

This bill expands the wage disclosure law to require an employer to include a position's wage or wage range, and a general description of any applicable benefits, in its public and internal postings for jobs, promotions, transfers, or other employment opportunities.

The bill also:

1. requires employers to give their employees this information annually;
2. prohibits employers from taking certain actions against a job applicant or employee for exercising their rights under the wage disclosure law;
3. requires a court to award statutory damages between \$1,000 and \$10,000, if it is greater than the compensatory damages the court would otherwise award, for violations of the wage disclosure law; and
4. makes conforming changes.

EFFECTIVE DATE: October 1, 2023

WAGE RANGE POSTINGS

The bill prohibits employers from failing or refusing to disclose the following information in each public and internal posting for a job, promotion, transfer, or other employment opportunity (i.e., position): (1) the wage or wage range and (2) a general description of the benefits offered for the position, including health benefits and retirement benefits, paid days off, tax reportable benefits, and other compensation. The bill specifies that this does not require an employer to use a public or internal posting to advertise a position if the employer uses another method to do it.

Current law requires employers to give a job applicant the wage range for a position upon request, or when the applicant is offered the job, whichever is earlier. Under the bill, employers must do this only if they did not post the position on a public or internal posting. In this case, employers must also give applicants the general description of benefits described above at the applicant's request or before any offer or compensation discussion, whichever is earlier.

Current law similarly requires employers to give employees their position's wage range when they are hired, change positions with the employer, or first request it. The bill instead requires employers to give employees this wage range, and the general description of benefits, (1) annually, instead of upon request, and (2) when they are hired or change positions with the employer.

Wage Range Defined

Under current law, a "wage range" is the range of wages an employer anticipates relying on when setting wages for a position, such as an applicable pay scale, previously set wage ranges for the position, actual wage ranges for current employees, or the employer's budgeted amount for the position. The bill instead makes a "wage range" the range of wages for a position set in good faith by reference to an applicable pay scale, previously determined wage range for the position, actual wages for the employee currently holding the position, actual wage range for employees currently holding comparable positions, or the employer's budgeted amount for the position. It also requires the breadth of the

wage range listed in the job posting to be a relevant factor in analyzing whether the wage range was set in good faith.

CHANGES TO WAGE DISCLOSURE LAW

The bill also makes changes that apply to the broader wage disclosure law, including the law's provisions prohibiting employers from limiting their employees' ability to share information about their wages. It specifies that the wage disclosure law applies to any position that (1) will be performed in the state or (2) will be performed remotely outside of the state, but requires the employee to report to a supervisor, office, or other work site in the state.

The bill also prohibits employers from taking certain actions against a job applicant or employee for exercising their rights under the wage disclosure law. These include (1) failing or refusing to interview, hire, promote, or employ the applicant or employee and (2) disciplining, punishing, or otherwise retaliating against the applicant or employee.

The current wage disclosure law allows an employee or prospective employee to sue to address a violation and a court may award compensatory damages in these suits. The bill requires a court to award statutory damages between \$1,000 and \$10,000, if that amount is greater than the compensatory damages the court would otherwise award for a violation of the wage disclosure law.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 8 Nay 4 (03/23/2023)