

THE “CAN’T ASK” SALARY LAWS

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LEADERS IN EXECUTIVE SEARCH

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WHAT ARE CAN'T ASK SALARY LAWS?

Several states and municipalities have recently passed legislation outlawing questioning candidates about their salary and benefits history. These prohibitions are generally a part of more expansive Pay Equity laws **primarily intended to prohibit pay discrimination between men and women**. The theory behind such laws is that females have historically been paid less than their male counterparts for similar work, and the use of salary information can perpetuate the disparity in pay between men and women over the course of their careers.

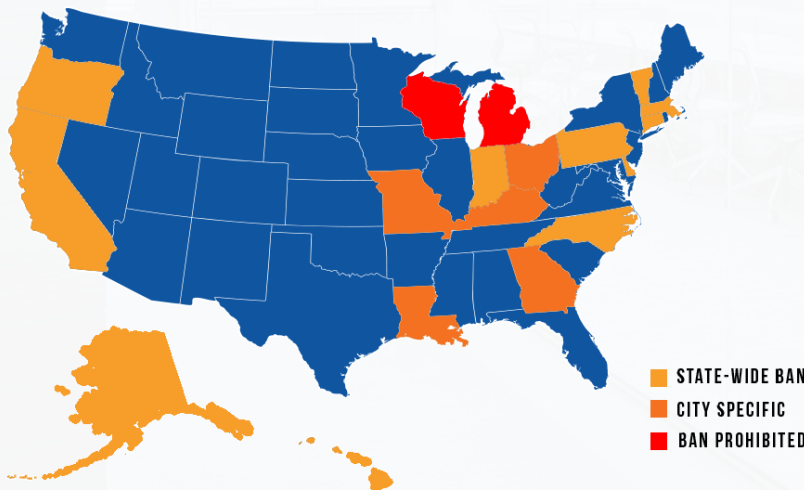
THE GENERAL RULE

As your recruiter....

We cannot request or provide to clients information which clients are precluded from requesting from candidates (i.e. compensation).

In addition to prohibiting questioning candidates about their current and past salaries and benefits, these laws also prohibit requesting that information from current or former employers, or obtaining it from other sources.

CURRENT STATES



City Specific:

Atlanta, Georgia
Louisville, Kentucky
New Orleans, Louisiana
Kansas City, Missouri
Cincinnati, Ohio

BEST PRACTICES

As your recruiter...

- 1. We may discuss expectations of salary, benefits, or other compensation with our candidates.***
- 2. We may verify an applicant's salary history where the candidate has voluntarily and without prompting disclosed to us their salary history.***
- 3. We may conduct lawful background/reference checks, but may not solicit or use any compensation information we obtain.***