



Several states and cities are now taking a hard look at the legality of asking one of the age-old questions in job interviews, "What is your salary history?" Under the auspice of addressing the continued wage gap between white males, women, and minorities, several states and cities are now prohibiting employers from asking this question as it is perceived as a benchmark for setting the salary level at the prospective new position. That is, these laws are aimed at stemming the perpetuation of the historical wage gap.

Currently, legislation in Philadelphia, New York City, and Massachusetts is on the books. Barring successful legal challenges from, among others, chamber groups, these laws will go into effect in Philadelphia and New York this year, and in Massachusetts by July 2018.

Other states are considering similar measures, including Illinois, Maine, Maryland, New Jersey, New York, Pennsylvania, Rhode Island and Vermont.

Employers need to be aware that this is a trend that is continuing and must stay abreast of the law in their particular state and/or city in this regard. It is likely time to reconsider this question as a regular staple in the interviewing process and employers are well advised to check with their labor counsel on the current state of the law in their respective jurisdiction.



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