

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 2716

(SENATE AUTHORS: PAPPAS, Torres Ray, Wiklund, Kent and Franzen)

DATE
02/26/2018

D-PG

OFFICIAL STATUS
Introduction and first reading
Referred to Jobs and Economic Growth Finance and Policy

1.1 A bill for an act
1.2 relating to wages; prohibiting employers from requiring disclosure of past wages;
1.3 imposing civil penalties; amending Minnesota Statutes 2016, section 181.171,
1.4 subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 181.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 181.171, subdivision 1, is amended to read:

1.7 Subdivision 1. **Civil action; damages.** A person may bring a civil action seeking redress
1.8 for violations of sections 181.02, 181.03, 181.031, 181.032, 181.08, 181.09, 181.10, 181.101,
1.9 181.11, 181.13, 181.14, 181.145, ~~and~~ 181.15, and 181.173 directly to district court. An
1.10 employer who is found to have violated the above sections is liable to the aggrieved party
1.11 for the civil penalties or damages provided for in the section violated. An employer who is
1.12 found to have violated the above sections shall also be liable for compensatory damages
1.13 and other appropriate relief including but not limited to injunctive relief.

1.14 Sec. 2. **[181.173] WAGE DISCLOSURE REQUIREMENTS PROHIBITED.**

1.15 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have
1.16 the meanings given.

1.17 (a) "Employer" means a person or entity having one or more employees in Minnesota
1.18 and includes the state and any political subdivision of the state.

1.19 (b) "Wage" or "wages" means any and all forms of remuneration for employment.

1.20 Subd. 2. Seeking wage disclosure prohibited. An employer must not:

2.1 (1) seek the wage history or information about past wages of an employee or prospective
2.2 employee; or

2.3 (2) require that a prospective employee's prior wage or salary history meet certain criteria.

2.4 Subd. 3. **Civil action; civil penalties.** (a) In addition to other relief allowed in section
2.5 181.171, an employer held in violation of this section must pay a civil penalty of \$1,000
2.6 per violation.

2.7 (b) In addition to other rights described in section 181.171, an individual aggrieved by
2.8 a violation of this section may bring a collective or class action on behalf of others similarly
2.9 situated.

2.10 (c) In addition to any damages or costs described in section 181.171, a person aggrieved
2.11 by a violation of this section is entitled to compensatory damages, including lost wages or
2.12 the difference in wages had the violation not occurred, plus an equal amount as exemplary
2.13 damages.