

HOUSE BILL NO. HB0178

Prospective employees-salary history.

Sponsored by: Representative(s) Connolly, Obermueller and
Paxton and Senator(s) Gierau

A BILL

for

1 AN ACT relating to labor and employment; prohibiting an
2 employer from seeking or relying on salary history
3 information of a prospective employee as specified;
4 specifying employer actions which constitute an unfair
5 employment practice; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 27-9-105(a) by creating a new paragraph
10 (v) and (d) is amended to read:

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12 **27-9-105. Discriminatory and unfair employment**
13 **practices enumerated; limitations.**

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1 (a) It is a discriminatory or unfair employment
2 practice:

3
4 (v) For an employer to:

5
6 (A) Seek, orally or in writing, personally or
7 through an agent, the salary history information of a
8 prospective employee;

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10 (B) Rely on the salary history information of
11 a prospective employee as a factor in determining whether to
12 offer employment to the prospective employee or what salary
13 to offer the prospective employee;

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15 (C) Nothing in this paragraph shall prohibit
16 a prospective employee from voluntarily and without prompting
17 disclosing salary history information to an employer, in
18 which case this paragraph shall not prohibit the employer
19 from considering or relying on that salary history
20 information in determining whether to offer employment to the
21 prospective employee or what salary to offer the prospective
22 employee.

23

1 (d) As used in this section:

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3 (i) "Qualified disabled person" means a disabled
4 person who is capable of performing a particular job, or who
5 would be capable of performing a particular job with
6 reasonable accommodation to his disability;

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8 (ii) "Salary history information" includes
9 compensation and benefits but shall not include information
10 disclosable to the public pursuant to federal or state law,
11 including the federal Freedom of Information Act, 5 U.S.C. §
12 552, as amended, or W.S. 16-4-201 through 16-4-205.

13

14 **Section 2.** This act is effective July 1, 2019.

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(END)