

Subject Human Rights Act; review of past pay prohibited

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Summary

This bill prevents employers, including labor unions and employment agencies, from requesting a job applicant's pay history. This provision does not prevent a job applicant from volunteering their past pay if the employer does not prompt them or require them to provide it.

The use of the job applicant or prospective employees pay history to determine their pay or benefits creates a rebuttable presumption that the employer has committed an unfair discrimination in violation of the Minnesota Human Rights Act, section 363A.08. This provision does not prohibit an employer from providing a job applicant with wage and benefit information for a position or discussing pay expectations with an applicant.

This section does not apply to existing collective bargaining agreements, but applies to new agreements executed after January 1, 2022.