

HB0512/563194/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 512
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Metzgar,”; in line 2, strike “Pay Scales and”; strike beginning with “requiring” in line 3 down through “Act;” in line 12 and substitute “prohibiting certain employers from seeking wage history information by certain methods for an employee and screening an applicant for employment based on the applicant’s wage history by taking certain actions; prohibiting an employer from violating a certain provision of law;”; in line 20, after “Act;” insert “providing for the application of certain provisions of this Act;”; in line 22, strike “pay scales and”; and after line 22, insert:

“BY repealing and reenacting, with amendments,

Article - Labor and Employment

Section 3–304.1(e) and 3–308

Annotated Code of Maryland

(2016 Replacement Volume and 2017 Supplement)”.

On page 2, strike in their entirety lines 3 through 7, inclusive.

AMENDMENT NO. 2

On page 2, after line 10, insert:

“3–304.1.

(e) Nothing in this section shall be construed to:

(1) require an employee to disclose the employee’s wages;

(Over)

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(2) diminish employees' rights to negotiate the terms and conditions of employment under federal, State, or local law;

(3) limit the rights of an employee provided under any other provision of law or collective bargaining agreement;

(4) create an obligation on any employer or employee to disclose wages;

(5) permit an employee, without the written consent of an employer, to disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege or protected by law; or

(6) permit an employee to disclose wage information:

(I) to a competitor of the employer; OR

(II) IN VIOLATION OF § 3-304.2(B) OF THIS SUBTITLE.”;

in line 12, after “(A)” insert **“THIS SECTION APPLIES ONLY TO AN EMPLOYER THAT EMPLOYS 15 OR MORE EMPLOYEES.”**; strike beginning with “AN” in line 12 down through “REQUEST.” in line 13; strike beginning with “EXCEPT” in line 14 down through “AN” in line 15 and substitute **“AN”**; and strike in their entirety lines 16 through 31, inclusive, and substitute:

“(I) SEEK ORALLY, IN WRITING, OR THROUGH AN EMPLOYEE OR AN AGENT WAGE HISTORY INFORMATION, INCLUDING COMPENSATION AND BENEFITS, FOR AN EMPLOYEE; OR

(II) SCREEN AN APPLICANT FOR EMPLOYMENT BASED ON THE APPLICANT’S WAGE HISTORY BY:

1. REQUIRING THAT THE APPLICANT'S WAGE HISTORY, INCLUDING COMPENSATION AND BENEFITS, SATISFY MINIMUM OR MAXIMUM CRITERIA; OR

2. SEEKING ORALLY, IN WRITING, OR THROUGH AN EMPLOYEE OR AN AGENT WAGE HISTORY INFORMATION, INCLUDING COMPENSATION AND BENEFITS, FOR THE APPLICANT, INCLUDING BY REQUESTING OR REQUIRING THAT THE APPLICANT PROVIDE WAGE HISTORY INFORMATION AS A CONDITION OF:

A. BEING INTERVIEWED;

B. CONTINUING TO BE CONSIDERED FOR AN OFFER OF EMPLOYMENT;

C. AN OFFER OF EMPLOYMENT; OR

D. AN OFFER OF COMPENSATION.”.

On page 3, strike in their entirety lines 1 through 7, inclusive; in line 10, strike “AND WITHOUT PROMPTING”; strike in their entirety lines 11 through 16, inclusive; and in line 32, after “subtitle;” insert “OR”.

On page 4, strike beginning with “REFUSE” in line 1 down through “(6)” in line 5; in line 5, strike “§ 3-304.2(A) OR (B)” and substitute “§ 3-304.2(B)”; in line 15, strike the brackets; in the same line, strike “, (4), (5), OR (6)” and substitute “(4)”; in line 24, strike “§ 3-304.2(A) OR (B)” and substitute “§ 3-304.2(B)”; in line 28, strike “\$1,000” and substitute “\$300”; and in line 30, strike “\$5,000” and substitute “\$600”.