



House Bill 832
Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

February 28, 2023

Position: **UNFAVORABLE**

Mr. Chairman and Members of the Economic Matters Committee:

The Restaurant Association of Maryland opposes House Bill 832, which would require employers to disclose wage/salary range and benefits information in job postings. Under current law, Maryland employers are required to provide wage/salary range to job applicants upon request.

For the restaurant industry, pay rates for servers, bartenders and other support staff are generally the same. However, when hiring for management/operational positions, the wage/salary ultimately offered is relative to the skills, experience, and talent of the job applicant.

Passage of this legislation could force employers to significantly broaden the advertised wage/salary range to comply with the law. However, such a broad range will not help applicants determine whether the actual skill/experience-based compensation meets their requirements.

Some restaurant employers have also expressed concerns that passage of this legislation would affect situations in which they ultimately decide to promote a less qualified current employee into an advertised position for which they are given the opportunity to grow into the job role and future commensurate pay. In this situation, the employer could be obligated to pay within the advertised wage/salary range despite the promoted employee lacking the experience to justify the advertised compensation. Employers need the flexibility to adjust to the job market and level of experience required.

Moreover, the record-keeping and other requirements of this bill are burdensome and time consuming. The private right of action could expose employers to frivolous lawsuits by applicants who never intended to accept such advertised positions.

We believe this legislation unnecessarily interferes with private-sector hiring processes. If other laws and equal opportunity employment protections are being violated, then those should be specifically enforced. But we do not support imposing unwarranted across-the-board restrictions and requirements on hiring processes.

For these reasons, we oppose this legislation and request an unfavorable report.

Sincerely,

Melvin R. Thompson
Senior Vice President