

SB 525 Labor and Employment - Equal Pay for Equal

Uploaded by: Adrienne Breidenstine

Position: FAV



February 22, 2024

**Senate Finance Committee
TESTIMONY IN SUPPORT**

SB 525 Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

Behavioral Health System Baltimore (BHSB) is a nonprofit organization that serves as the local behavioral health authority (LBHA) for Baltimore City. BHSB works to increase access to a full range of quality behavioral health (mental health and substance use) services and advocates for innovative approaches to prevention, early intervention, treatment, crisis response, and recovery for individuals, families, and communities. Baltimore City represents nearly 35 percent of the public behavioral health system in Maryland, serving over 100,000 people with mental illness and substance use disorders (collectively referred to as “behavioral health”) annually.

Behavioral Health System Baltimore supports SB 525 Labor and Employment—Equal Pay for Equal Work—Wage Range Transparency, which is a common-sense legislation that will strengthen Maryland’s equal pay laws by requiring transparency around salary ranges in job postings.

Systemic racism, gender inequities, and other forms of oppression continue to inequitably impact economic opportunities, compensation structures, performance review practices and the culture of organizations. The impact extends beyond race, intersecting with oppression based on gender, class, sexual orientation, disability, and other identities. Pay wage transparency can also help address the persistent gender- and race-based wage gaps that disproportionately impact women and Black, Indigenous, and People of Color (BIPOC). When an employer shares the range they plan on paying for a position on job postings, it is a win-win for both employers and job seekers. SB 525 would help address this by requiring that all job listings include the salary range for the position.

Many employers in Maryland, including state and local governments and non-profit organizations, such as BHSB, already use this best practice. In 2023, BHSB began to include salaries and wages in job postings. This level of transparency has helped BHSB to attract and retain talent, and avoid the potential wasted resources from interviewing candidates who are seeking a salary outside the organization’s budget for the position. It also reduces biases by ensuring that we are paying for the requirements of the job, regardless of experience, degree, or licensure that a candidate brings to the job. Since posting salaries and wages in job descriptions, BHSB has been able to fill vacancies more quickly, which we believe gives the organization a competitive advantage.

There are still too few organizations providing salary ranges, however, evidence shows it supports employer recruitment and retention and promotes equity by being transparent about salary/wages for jobs. **As such, BHSB urges the Senate Finance Committee to pass SB 525.**

For more information, please contact: Adrienne Breidenstine, Vice President, Policy & Communications, Adrienne.Breidenstine@bhsbaltimore.org or 443-908-0503

SB0525_Equal_Pay_for_Equal_Work_-_Wage_Range_Trans

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0525

Equal Pay for Equal Work - Wage Range Transparency

Bill Sponsor: Senators Kelly and Gile

Committee: Finance

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0525 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of individuals and grassroots groups with members in every district in the state with well over 30,000 members.

MLC supports a bill that requires an employer to disclose wage and benefit information in job postings and that the wage range is set in good faith. This change to our cultural practices helps Maryland employers to attract qualified workers as the national unemployment rate reaches historic lows. Another advantage for employers--and potential employees--is a streamlined process as people apply only for jobs that meet their pay requirements.

Transparent pay practices contribute to pay equity. SB0525 addresses the disadvantages women face in establishing a fair salary due to stereotyping, socialization, discrimination, and implicit bias. Pay transparency also increases wages for low-paid workers, who are disproportionately women. These are all long-standing problems that need a variety of solutions including wage transparency.

We support this bill and recommend a **FAVORABLE** report in committee.

SB525_NWLC_FAV.pdf

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Testimony of Andrea Johnson, Director of State Policy & Strategy and Da Hae Kim, State Policy Senior Counsel
National Women's Law Center
in SUPPORT of HB 649/SB 525

February 19, 2024

Thank you for the opportunity to submit this testimony on behalf of the National Women's Law Center ("NWLC"). Since 1972, NWLC has fought for gender justice—in the courts, in public policy, and in our society—working across the issues that are central to the lives of women and girls and LGBTQI+ people. NWLC works closely with state policymakers across the country to strengthen laws for closing racial and gender wage gaps.

I. HB 649/SB 525 makes Maryland's current pay transparency law work better for businesses, workers, and the economy

Maryland took an important step towards greater pay transparency in 2020 by requiring employers to provide job applicants with the pay range for a position upon request.

Since that time, a rapidly growing chorus of states and localities have passed or enacted laws specifically requiring pay ranges be included in job postings: **Colorado; Illinois; New York; Washington; Hawaii; California;** New York City; Ithaca, NY; Westchester County, NY; and Jersey City, NJ. **Washington D.C.** and **Massachusetts** recently passed their own pay range transparency laws which are awaiting Congressional review and signature by the governor, respectively. Each chamber of the **Virginia** legislature has passed pay range transparency bills this session which are now working their way through the opposite chamber.

We are seeing pay range posting laws take off across the country not just because research suggests pay range transparency can help close gender and racial wage gaps, but because employers and lawmakers are noticing how including pay ranges in job postings helps businesses attract and retain talent and save time and costs in hiring.

Marylanders are increasingly demanding this type of transparency: recent NWLC polling shows that **nearly three in four (74%) Marylanders support** implementing pay range transparency practices at their own jobs and **68%** of Marylanders say seeing a pay range included with a job posting has a positive impact on their overall interest in applying for a posted job.ⁱ

Maryland businesses are already accustomed to having to provide job applicants with pay ranges for a position under current law. But Maryland's current law doesn't provide employers with the recruiting edge, cost savings, or other efficiency gains (described below) that come when employers must include pay ranges in job announcements. Nor does it as effectively help close gender and racial wage gaps. HB649/SB 525 will change that by specifically requiring employers to include pay ranges in job announcements and will be a win-win for employers and Maryland working people alike.

Pay range transparency can also help the state's economy. A study from Recruitonomics found that after Colorado's law went into effect in 2021, the labor force participation rate increased 1.5% relative to Utah's, a nearby state without such a law that had similar economic and demographic characteristics.ⁱⁱ Recruitonomics found that "effectively, those out of the workforce felt better about applying to jobs in a jurisdiction that mandated pay ranges."

II. Pay range transparency can help reduce gender and racial wage gaps

We all want to feel confident that we are being paid fairly. But when pay is set in a black box, discrimination can easily seep in, and women, especially women of color, lose out. Maryland women overall stand to lose over \$392,200 to the wage gap over a 40-year career; Black women specifically stand to lose nearly \$1 million to the wage gap.ⁱⁱⁱ Secrecy around pay allows the devaluation of women's work to often go unchecked and bias and wage gaps to grow.

Requiring employers to be publicly transparent about pay ranges shines a light on employer pay practices, increasing accountability on employers to set fair, non-exploitative wages and encouraging employers to proactively review and evaluate their compensation practices and address any unjustified disparities between employees.

Research also suggests that public pay range transparency may help raise wages for low-paid workers in particular—workers who are disproportionately women—as it reduces the information leverage employers have over workers and helps employers learn from the market wages about the market value of the job and adjust their pay to attract talent.^{iv} Indeed, a study of Colorado's pay range transparency law, enacted in 2019, found that posted salaries increased by about 3.6% on average following the new law, suggesting that greater transparency spurs more worker-friendly pay.^v In addition, pay range transparency can help end the pay secrecy and informality in low-paid piece rate and tipped industries that fuel exploitation by some employers, including offering wages below the minimum wage rate.

Pay range transparency also holds promise for addressing occupational gender segregation because posted ranges help workers get information on which industries pay better and encourages workers to seek jobs in higher-paying industries or positions.

Adding pay ranges to job announcements can also help level the negotiating playing field which is notoriously unfavorable to women. Women are often assumed to be less likely than men to ask for higher pay, but emerging research has shown that's not necessarily true.^{vi} However, women are likely to be treated worse in negotiations, and women who negotiate are perceived negatively and as aggressive.^{vii} Fortunately, research shows that when job applicants are clearly informed about the context for negotiations, like the range of pay, these gender differences in negotiation outcomes are reduced.^{viii}

Given these biased perceptions of women in the hiring process, a law like Maryland's current law that puts the onus on a job applicant to ask for the pay range risks allowing disparities to persist as women may be perceived more negatively when they ask for the pay range and thus may be more reluctant to ask.

A growing line of research points to a reduction in gender pay gaps and increased wages for women after states and/or employers have enacted pay transparency policies.^{ix} The much narrower wage gaps in

unionized and public sector positions where pay structures are typically transparent provide further evidence that greater pay transparency helps reduce wage disparities.^x

III. Including pay ranges in job announcements helps businesses attract and retain talent, save time and costs in hiring

The Society for Human Resource Management (“SHRM”) found that 70% of organizations that list pay ranges on job postings say that doing so has led to **more people applying to their postings**, and nearly two-thirds (66%) say that doing so has **increased the quality of applicants** they’re seeing.^{xi}

Survey after survey has shown that an overwhelming majority of job candidates prefer to work at a company that discloses pay information and one survey from Monster.com found that nearly all workers (98%) believe an employer should disclose pay ranges in job announcements.^{xii}

Pay range transparency is especially crucial for attracting Gen Z talent. While workers from all generations support pay range transparency, Adobe’s Future Workforce Study of upcoming college seniors and recent college grads revealed 85% are less likely to apply for a job if the company does not disclose the salary range in the job posting.^{xiii}

Pay transparency is also shown to promote employee trust, loyalty, and productivity, which **helps retain talent** and is good for employers’ bottom line.^{xiv}

In addition, including pay ranges in job announcements helps employers **avoid wasting time** culling through applications and interviewing candidates who would not accept the position because the pay does not align with their expectations. Research shows that it also helps **reduce online recruiting costs**.^{xv}

We’ve heard from **small businesses** that don’t have an HR team that pay range transparency helps them save costs and time in hiring, which is crucial given they have limited resources and time available to hire. Not surprisingly, research found that many small businesses in Colorado already tended to share ranges before the pay range transparency law was passed in their state.^{xvi} Smaller businesses also appreciate when pay range transparency laws, like HB 649/SB 525, require employers to provide a “general description of benefits and other compensation offered for the position” as it allows them to give a fuller picture of what they can offer beyond pay.

Pay range transparency is **easy for businesses to comply with**. Colorado, the first state to pass a pay range transparency law, saw a high rate of compliance among its 50 largest employers right after the law’s passage and nearly three years later continues to enjoy high rates of compliance. Ninety-nine percent of employers who were sent a notice of noncompliance have come into compliance just after receiving the notice.^{xvii} Employers know from their budgets and from their sense of market rates what they are able and willing to offer. Pay range transparency laws simply ask employers to be transparent about what they are willing to pay and what they are hoping to pay for the position.

Conclusion

We urge the members of this Committee to show up for Maryland businesses and working people by supporting HB 649/SB 525.

- ⁱ “New Polling Shows High Support for Pay Range Transparency in Maryland”, National Women’s Law Center (Jan. 22, 2024), available at <https://nwlc.org/resource/new-polling-shows-high-support-for-pay-range-transparency-in-maryland/>.
- ⁱⁱ Sam Kuhn, “Does Colorado’s Pay Transparency Law Help Recruiters?”, *Recruiteconomics* (Aug. 2, 2022), available at <https://recruiteconomics.com/does-colorados-pay-transparency-law-help-recruiters/>.
- ⁱⁱⁱ “Lifetime Wage Gap Losses by State for Women Overall – March 2023”, National Women’s Law Center (Mar. 2023), available at https://nwlc.org/wp-content/uploads/2023/03/lifetime_table_women_overall.pdf; “Lifetime Wage Gap Losses by State for Black Women – March 2023”, National Women’s Law Center (Mar. 2023), available at https://nwlc.org/wp-content/uploads/2023/03/lifetime_table_black_women.pdf.
- ^{iv} Zoë Cullen, “Is Pay Transparency Good?”, Harvard Business School (Jan. 2023; revised Mar. 2023), available at <https://www.hbs.edu/faculty/Pages/item.aspx?num=63443>.
- ^v David Arnold, Simon Quach, and Bledi Taska, “The Impact of Pay Transparency in Job Postings on the Labor Market”, SSRN (Aug. 9, 2022), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4186234.
- ^{vi} Benjamin Artz, Amanda H. Goodall, and Andrew J. Oswald, “Do Women Ask?”, *Industrial Relations: A Journal of Economy and Society* (May 9, 2018), available at https://onlinelibrary.wiley.com/doi/abs/10.1111/irel.12214?casa_token=ZPH84Ye4dDgAAAAA:qLp4uD0UY1NOVqfPJP7mswxBxBkQjJqX-lonhecAwZL2kDse1rq1FAj1Rq5PzVY4553mLyG4gZorB.
- ^{vii} Hannah Riley Bowles, Linda Babcock, and Lei Lai, “Social Incentives for Gender Differences in the Propensity to Initiate Negotiations: Sometimes It Does Hurt to Ask”, *Organizational Behavior and Human Decision Processes* (May 2007), available at <https://dash.harvard.edu/bitstream/handle/1/38437278/Bowles%20Babcock%20%26%20Lai%202007.pdf?sequence=1>; Kim Elssesser, “Why Women Fall Short In Negotiations (It’s Not Lack Of Skill)”, *Forbes* (Jan. 21, 2021), available at <https://www.forbes.com/sites/kimelssesser/2021/01/21/why-women-fall-short-in-negotiations-its-not-lack-of-skill/?sh=52c69fa55d02>.
- ^{viii} Da Hae Kim, “Salary Range Transparency Reduces Gender Wage Gaps”, National Women’s Law Center (Oct. 13, 2023), available at <https://nwlc.org/resource/salary-range-transparency-reduces-gender-wage-gaps/>.
- ^{ix} Sourav Sinha, “Salary History Ban: Gender Pay Gap and Spillover Effects”, SSRN (Oct. 2, 2019), available at <https://doi.org/10.2139/ssrn.3458194>; James E. Bessen, Chen Meng, and Erich Denk, “Perpetuating Inequality: What Salary History Bans Reveal About Wages”, SSRN (Jun. 24, 2020; revised Jul. 8, 2021), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3628729.
- ^x “Release: OPM Releases Proposed Regulations to Prohibit Use of Previous Salary History”, U.S. Office of Personnel Management (May 10, 2023), available at <https://www.opm.gov/news/releases/2023/04/opm-releases-proposed-regulations-to-prohibit-use-of-previous-salary-history/#:~:text=The%20gender%20pay%20gap%20for,%25%20to%20the%20current%205.6%25> (Note that the federal government wage gap is calculated using average salaries for men and women, while the national gender wage gap is calculated using median salaries, meaning the analyses are not precisely comparable); Amanda Fins, Sarah David Heydemann, and Jasmine Tucker, “Unions Are Good for Women”, National Women’s Law Center (Jul. 2021), available at <https://nwlc.org/wp-content/uploads/2021/07/Union-Factsheet-7.27.pdf>.
- ^{xi} “New SHRM Research Shows Pay Transparency Makes Organizations More Competitive, Leads to Increase in Qualified Applicants”, SHRM (Mar. 14, 2023), available at <https://www.shrm.org/about/press-room/new-shrm-research-shows-pay-transparency-makes-organizations-competitive-leads-to-increase-qualified-applicants>.
- ^{xii} “Poll Results: Salary Disclosure”, Monster (Oct. 2022), available at https://learnmore.monster.com/pay-transparency-poll?gl=1*1rvctdi*ga*MTU02ODAzODI4Ni4xNjc1OTUzOTEx*gid*MjI5NzQxNDEyLjE2NzU5NTM5MTE.*fplc*TEF2bGZmVkJzcGlwMVVtM0kzJTJGMjd2QXFs2hHWWhvYjNTTtDIRk9WScUyQlRSUkY3NUo2TENTfY3aDFZdWFOQaFhWNFJEd0Fib1BkbEhd3JJZUtwQQ09CRij5bTNDcmgwNndtQk9rcTNzUR3NFEyW5yTG1xcHBvGEFVMU00ZyUzRCUzRA.
- ^{xiii} Vaishali Sabhahit, “Adobe’s Future Workforce Study reveals what Gen Z is looking for in the workplace”, Adobe (Jan. 24, 2023), available at <https://blog.adobe.com/en/publish/2023/01/24/adobes-future-workforce-study-reveals-what-next-generation-workforce-looking-for-in-workplace>.
- ^{xiv} “Does Pay Transparency Close the Gender Wage Gap?”, PayScale, available at <https://www.payscale.com/research-and-insights/pay-transparency/>; Marcel Schwantes, “New Report: Pay Transparency May Be the Key to Keeping Your Employees in 2021”, *Inc.* (Feb. 11, 2021), available at <https://www.inc.com/marcel-schwantes/new-report-pay-transparency-may-be-key-to-keeping-your-employees-in-2021.html>; Deborah Thompson Eisenberg, “Money, Sex, and Sunshine: A Market-Based Approach to Pay Discrimination”, *Arizona State Law Journal* (2011), available at https://digitalcommons.law.umaryland.edu/fac_pubs/1094/; Kathryn Mayer, “One Benefit of Pay Transparency? More Productive Workers”, SHRM (Apr. 25, 2023), available at <https://www.shrm.org/resourcesandtools/hr-topics/compensation/pages/pay-transparency-may-result-in-more-productive-workers.aspx>.
- ^{xv} Sam Kuhn, “It Pays to Be Transparent”, *Recruiteconomics* (Nov. 14, 2022), available at <https://recruiteconomics.com/it-pays-to-be-transparent/#:~:text=Perhaps%20as%20pay%20transparency%20became,education%2C%20it's%2053%25%20lower>.

^{xvi} David Arnold, Simon Quach, Bledi Taska, The Impact of Pay Transparency on Job Postings on the Labor Market, Aug. 2022, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4186234.

^{xvii} "Equal Pay for Equal Work: What the Colorado Law Means for Employers", Colorado Department of Labor and Employment, available at https://cdle.colorado.gov/sites/cdle/files/documents/Equal_Pay_for_Equal_Work_Fact_Sheet_Web_0.pdf.

SB 525_AFSCME3_FAV.pdf

Uploaded by: Denise Gilmore

Position: FAV



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Patrick Moran – President

**SB 525 - Labor and Employment - Equal Pay for Equal Work –
Wage Range Transparency
Finance Committee
February 22, 2024**

FAVORABLE

AFSCME Council 3 supports SB 525. This legislation strengthens Maryland’s equal pay laws by requiring transparency around salary ranges in job postings. Most public sector employers in Maryland already post salary ranges, but not all. Where employers do post salary ranges already, like in state government, we see lower on average race and gender wage gaps than in the private sector where this practice is less common. The current law only requires employers to provide the pay range for positions upon request but sharing it on the job posting leads to more available candidates. Posting salary ranges truly is a win-win as neither the applicant nor employer must waste time by interviewing for a position that prospective candidates may have no desire to take for the salary range that can be offered.

Most of our members are women and people of color, and it is strong wage transparency laws and having a union to enforce these laws that has helped propel many into the middle class. We urge the committee to provide a favorable report on SB 525.

SB 525 - Labor and Employment - Equal Pay for Equa

Uploaded by: Donna Edwards

Position: FAV



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SB 525 - Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency Senate Finance Committee February 22, 2024

SUPPORT

**Donna S. Edwards
President**

Maryland State and DC AFL-CIO

Madame Chair and members of the Committee, thank you for the opportunity to submit testimony in support of SB 525. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland's 300,000 union members, I offer the following comments.

We applaud SB 525 for promoting fair and equitable practices. SB 525 requires employers to provide good-faith estimates of the wage range, benefits, and other compensation on job postings. Maryland law currently requires employers to provide this information to applicants if they request it.

Pay transparency measures have substantial impacts on decreasing the gender wage gap and decreasing pay inequality within a company. A University of Utah study found that total pay transparency, "can attribute up to 50% of an observed reduction in gender pay gap...transparency results in up to 20% reduction in differences in pay across individuals within academic departments and institutions."¹

Requiring all companies to provide salary range data is also good for businesses by leveling the playing field and meeting applicant expectations. LinkedIn recently published a study that found that 91% of job applicants said they wanted salary range data on a job posting, with 82% saying that publishing salary ranges gave them a more favorable impression of the company.²

ADP, the payroll and human resources company, wrote, "Pay transparency is not a fad – it's the new normal. While managers once may have reserved discussions about wages for performance reviews, that approach does not meet the moment." Pay transparency laws already cover 20% of workers in the country. California, Colorado, Connecticut, Nevada, New York City, Rhode Island, and Washington already have laws on their books. Current Maryland law requires employers to provide a salary range

¹ Todd Zenger, "What happens to pay allocation when pay becomes transparent?" University of Utah.

² Matt Southern. "LinkedIn Data: 91% Of Applicants Want Salary Range In Job Posting." February 13, 2023. <https://www.searchenginejournal.com/linkedin-data-91-of-applicants-want-salary-range-in-job-posting/479267/>

if requested. SB 525 does not require any additional burden on the employer except openly and honestly stating the intended wage range.

Some of the most important benefits of a collective bargaining agreement are salary transparency, predictable pay, and prohibitions on salary discrimination. A worker can read their collective bargaining agreement and see what their coworkers might earn. If a worker found out that they were being paid a different amount for the same job classification and experience, they can file a grievance to fix the issue. Unfortunately, most workers do not have these protections.

We urge a favorable report for SB 525.

SB 525 Testimony - Sen Finance on 2024 02 22.pdf

Uploaded by: Emily Woo Kee

Position: FAV



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SB 525: Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

Hearing of the Senate Finance Committee, February 22, 2024

Position: Favorable

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Workplace Justice Project works to expand and enforce the right of low-wage workers to receive an honest day's pay for an honest day's work. The PJC **supports SB 525**, a common-sense bill requiring employers to include pay ranges in job announcements.

Workers overwhelmingly support pay range or salary transparency in job postings. In fact, 98% of workers believe that employers should disclose salary ranges in job postings. Job seekers, understandably, want to know – upfront – what they can expect to be paid before they apply for a job.

Adding pay ranges to job announcements closes the wage gap for women and people of color. Women are paid less money for the same work in every single state. Census data from the most recent American Community Survey shows that this wage gap also varies significantly by race. As of March 2021, for every \$1 a white male makes in Maryland:

- A white woman makes 79 cents
- A black woman makes 68 cents
- And a Latina woman in Maryland makes 46 cents for the same exact work.

The wage gap translates into an annual median loss of approximately \$24,110 for Black women and \$29,000 for Latina women. Pay secrecy perpetuates pay disparities and keep many working women of color in poverty.

Adding pay ranges to job announcements levels the negotiating playing field for job candidates. Research has shown that when job applicants are clearly informed about the context for salary range negotiations, the actual negotiated salary outcomes are far more equal between men and women.

Salary range transparency helps employers attract and retain talent while saving everyone time and money throughout the hiring process. Currently about 30 million workers in the U.S. are now entitled to a pay range when applying to a job. Maryland workers also deserve this upfront pay range transparency.

For these reasons, the PJC requests a **FAVORABLE** report on SB 525. Should you have any questions, please call Diana Jarek at 410-625-9409 ext. 249.

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

SB 525 Written Testimony_Hannah Williams.pdf

Uploaded by: Hannah Williams

Position: FAV

Testimony in SUPPORT of SB 525

Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

Senate Finance Committee

Thank you to the committee for holding this public hearing.

I strongly support SB 525, which is a common-sense next step to strengthen Maryland's equal pay laws by requiring transparency around salary ranges in job postings.

My name is Hannah Williams, I am the founder of a social media page called Salary Transparent Street, which I began in 2022 after finding out that I was underpaid roughly \$25,000 less than my peers as a Senior Data Analyst.

Pay transparency in a job listing at the company I would ultimately end up working for helped me close my pay gap and earn my fair market rate. This experience inspired me to interview strangers on the street about their careers and pay in an effort to normalize transparency and help close pay gaps.

Since then, I've spoken to over 1,000 different workers across the nation, largely in the DMV area, which I call home. I've heard countless stories from our street interviews, and from our 2M+ strong community nationwide who've been harmed by pay secrecy, both financially and emotionally.

I'd like to highlight some of these stories that have stuck with me, and that directly demonstrate the positive impact of pay transparency.

To start, there's Max, a veteran who spent months unemployed interviewing for countless different jobs. He told us that many companies didn't share pay information until the third or fourth interview, and in most cases they weren't even paying a fair wage, but the time he invested in each interview process made him contemplate accepting offers that he knew weren't competitive because he became more desperate the longer he went unemployed.

Then there's Andrea, who suspected she was underpaid in her sales job for months but didn't want to bring it up to management and 'rock the boat'. Only after her coworker left the company did she learn that she was making \$10,000 less than them. And she learned this from her coworker's lawsuit, who was suing the company

for pay discrimination.

And lastly there's Kiersten, who has a Masters in Social Work and was offered \$48,000 to work at a hospital. It was a lot less than the pay she expected but she was told there was no room to negotiate. After some of her colleagues realized they were all being paid different rates, the hospital conducted a market rate review and increased her salary to \$65,000.

I hope these stories help demonstrate a simple concept: that workers want, and deserve, to be valued and paid fairly for their work. That the system of pay secrecy harms all workers, and lets companies get away with unethical pay practices.

And before I close, I want to also stress that this legislation doesn't only benefit workers. Businesses that practice transparency have reported multiple positive side effects, including cheaper talent acquisition, stronger team morale, enhanced productivity, and lower turnover.

SB 525 would not only empower the over 2M workers in Maryland by closing pay gaps and leveling the playing field for all job applicants, but it would also support Maryland's business owners, both big and small.

I respectfully request that the committee make a favorable report on SB 525. Thank you.

SB 525_MD Center on Economic Policy_FAV.pdf

Uploaded by: Jasmin Aramburu

Position: FAV

Greater Transparency Could Boost Wages, Close Gender and Racial Pay Gaps

Position Statement in support of Senate Bill 525


Given before the Senate Finance Committee

Marylanders generally agree that the pay you earn through employment should be based on your position and your experience, not external factors like your gender and race. In fact, recent polling in the state showed that three in four Marylanders support implementing pay transparency practices in their workplace.¹ While the legislature has enacted a series of equal pay laws in recent years, we can do more to ensure that people and businesses benefit from pay transparency laws. **The Maryland Center on Economic Policy supports Senate Bill 525 as the next step to strengthen our state's equal pay protections.**

SB 525 simply requires that employers include the possible salary range for a role when posting a job opening, both for external and internal hiring and promotion processes. This is now commonly accepted as a best practice for recruiting a diverse and talented applicant pool, and its universal use across the state can help address gender and racial pay gaps. The bill also requires employers to include a general description of benefits and other compensation offered for the position, which can help businesses demonstrate the full compensation package beyond pay.

Disclosing salary range for job positions levels the playing field in the negotiation process by providing applicants with important information that helps them make the best decision for their future. This is particularly important for women and people of color who have long faced discriminatory pay and hiring practices. **When women aren't paid fairly, they are less able to provide for their families, may struggle to make ends meet, and fall behind on achieving economic security. Practicing transparency around pay is an important step forward for racial, economic and gender justice in the workplace.**

The salary negotiation process is notoriously unfavorable to women. Women often ask for less than their equally qualified male counterparts because they are typically coming from roles where they are paid less. But research also shows women are likely to be treated worse in negotiations and perceived negatively or



as aggressive.ⁱⁱ Specifically, women of color, who experience the largest wage gaps, state dramatically lower minimum salary requirements than white men, white women, and men of color. When job applicants are clearly informed about the context for negotiations, like the range of pay, these gender differences in negotiation outcomes are reduced.

Early evidence from states that have enacted transparency laws suggests that greater pay transparency helps reduce wage disparities.ⁱⁱⁱ In Maryland, women could lose up to \$392,200 over the course of a 40-year career when compared to a man because of pay disparities. This estimate more than doubles for women of color.^{iv}


- In Maryland, women are paid 85 cents for every dollar paid to men. For women of color, the wage gap is even larger.^v
 - Asian women make 85 cents for every dollar white, non-Hispanic men make.
 - Black women make 67 cents for every dollar white, non-Hispanic men make.
 - Native American women make 57 cents for every dollar white, non-Hispanic men make.
 - Latinx women make 49 cents for every dollar white, non-Hispanic men make.

Salary range transparency also benefits employers by saving time, retaining talent, staying competitive and implements inclusive pay practices.

- When workers believe pay is transparent in their organization, the gender wage gap vanishes for women doing similar jobs to men.^{vi}
- Publishing pay ranges for open positions provides employers a chance to review their compensation practices and determine whether or not they are fair and equitable.^{vii}
- Pay transparency promotes employee trust and retention.^{viii}
 - A Glassdoor survey found nearly 2 in 3 employees prefer to work at a company that discloses pay information over one that does not.^{ix}
 - In a recent poll out of Maryland, over half (53%) of respondents refrained from applying for a job opening that did not list a pay range, or are generally less like to do so.ⁱ

Salary range transparency is a critical tool for leveling the playing field for negotiating pay and to ensuring that women are paid a fair salary based on what the job is worth. Upfront disclosures could help close wage gaps across gender, racial, and LGBTQ identities.^x

This policy would also ensure Maryland is keeping up with the protections available to working people in other states. Similar policies are already in place in New York, Colorado, California, and Washington, and other states are currently considering pay transparency bills in their legislative sessions.



Senate Bill 525 is an important step toward ensuring that everyone receives fair, equal treatment in the workplace. By strengthening the law, Maryland is making sure that women, people of color, and others who experience wage discrimination can continue providing for their families and building a stronger economy.

For these reasons, the Maryland Center on Economic Policy respectfully requests that the Senate Finance Committee give a favorable report to Senate Bill 525.

Equity Impact Analysis: Senate Bill 525

Bill summary

Senate Bill 525 would require that employers include information about the pay range for a position in job announcements, including internal and external postings, promotions, and transfer processes. It would also require employers to include basic information about benefits for the position in job announcements.

Background

In 2020, Maryland passed legislation that prohibits employers from requiring applicants to provide their salary history. This bill also stated that employers have to disclose the pay range for a position upon request.

The state's earlier Equal Pay for Equal Work law created protections for employees. Under the law, an employer may not prohibit an employee from asking about or disclosing their own wages or those of another employee. Additional protections state that the employer may not require an employee to sign a waiver or any other document that would deny the employee these rights, and they may not fire someone or take any other adverse actions against an employee for protected actions around wages.

Equity Implications

Providing more transparency around the wage ranges for a position could help close the gender and racial pay gaps over time.

- A woman working in Maryland makes only 85 cents for every dollar made by men in comparable jobs. The wage gap is worse for women of color: Black women make 67 cents, and Latinx women make only 49 cents for every dollar paid to a white man doing comparable work.
- The gap in wages gets greater with age, due to the compounding effects of lower wages early in a woman's career.
- Major factors in these pay disparities include: race and gender-based discrimination and a lack of transparency around wages.^{x1} The policies in SB 525 would help address all of these factors.

Impact

Senate Bill 525 would likely **improve racial, economic, and gender equity** in Maryland.

-
- i New Polling Shows High Support for Pay Range Transparency in Maryland, National Women’s Law Center, January 2024, <https://nwlc.org/wp-content/uploads/2024/01/PRT-MD.pdf>
- ii Bowles, H.R., Babcock, L., & Lai, L. (2007). Social incentives for gender differences in the propensity to initiate negotiations: Sometimes it does hurt to ask. *Organizational Behavior and Human Decision Processes*, 1, 84-103. <https://dash.harvard.edu/handle/1/38437278>
- iii Zoe Cullen, Is Pay Transparency Good?, Harvard Business School, 2023, https://www.hbs.edu/ris/Publication%20Files/23-039_61ccbe5a-07e0-4598-9b99-9f9946cc2e3e.pdf
- iv The Lifetime Wage Gap, National Women’s Law Center, <https://nwlc.org/resource/the-lifetime-wage-gap-state-by-state/>
- v The Wage Gap, State by State, National Women’s Law Center, October, 2023, <https://nwlc.org/resource/wage-gap-state-by-state/>
- vi PayScale, Does Pay Transparency Close the Gender Wage Gap, <https://www.payscale.com/research-and-insights/pay-transparency/>
- vii Salary Range Transparency Reduces Gender Pay Gaps, National Women’s Law Center, January 2023, <https://nwlc.org/wp-content/uploads/2022/09/Salary-Transparency-FS-1.13.23.pdf>
- viii Marcel Schwantes, “New Report: Pay Transparency May be Key to Keeping Your Employees in 2021,” Inc., <https://www.inc.com/marcel-schwantes/new-report-pay-transparency-may-be-key-to-keeping-your-employees-in-2021.html>
- ix 85% of Employed Women Believe They Deserve a Pay Raise; Pay Transparency Can Help, Glassdoor Economic Research, 2022, <https://www.glassdoor.com/research/pay-transparency-survey-2022/>
- x Jennifer Liu, Here Are All the New Salary Transparency Laws Going Into Effect in 2023, CNBC, Dec. 29, 2022, <https://www.cnbc.com/2022/12/29/new-salary-transparency-laws-going-into-effect-in-2023.html>
- xi “The Simple Truth About the Gender Pay Gap: 2019 Update,” American Association of University Women, 2016 <https://www.aauw.org/resources/article/what-you-may-not-know-about-the-gender-pay-gap/>

MLAW Testimony - SB525 - Equal Pay for Equal Work

Uploaded by: Jessica Morgan

Position: FAV



Bill No: SB525
Title: Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency
Committee: Finance
Hearing: February 22, 2024
Position: SUPPORT

The Maryland Legislative Agenda for Women (MLAW) is a statewide coalition of women's groups and individuals formed to provide a non-partisan, independent voice for Maryland women and families. MLAW's purpose is to advocate for legislation affecting women and families. To accomplish this goal, MLAW creates an annual legislative agenda with issues voted on by MLAW members and endorsed by organizations and individuals from all over Maryland. **SB525 - Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency** is a priority on the [2024 MLAW Agenda](#) and we urge your support.

SB525 attempts to address pay inequities in the workplace. Women continue to make 78 cents for every dollar a white male makes. This inequity is significantly greater for women of color, where Black women make 67 cents and Latina women make 52 cents for every dollar a white male makes. To close the wage gap and advance gender parity in the workplace, wage transparency is a tool that benefits businesses and employees, especially women.

This bill requires an employer to disclose salary wages on job postings and expands the applicability, requirements, and penalties of the State's Equal Pay for Equal Work Law. This bill requires employers to set the wage range in good faith and prohibits an employer from taking certain retaliatory action. This will better position women to be informed about the negotiation context, specifically about pay ranges. As a result, gender differences in negotiation outcomes diminish. Pay transparency also increases wages for low-paid workers, who are disproportionately women. This saves women time and resources on where to apply and how to position themselves for success. Overall, wage transparency benefits women by closing gender and racial wage gaps.

For these reasons, MLAW strongly urges the passage of SB525.

MLAW 2024 Supporting Organizations

The following organizations have signed on in support of our 2024 Legislative Agenda:

1199 SEIU United Healthcare Workers East
AAUW Anne Arundel County
AAUW Garrett Branch
AAUW Kensington-Rockville Branch
AAUW Maryland
Adolescent Single Parent Program (PGCPS)
Anne Arundel County Commission for Women
Anne Arundel County NOW
Baltimore County Commission for Women
Black Women for Positive Change, Baltimore Chapter
Bound for Better, Advocates for Domestic Violence
Bound for Better, advocates for Domestic Violence
Business & Professional Women/Maryland
Center for Infant & Child Loss
Child Justice, Inc.
Church Women United, Inc.
Climate XChange Maryland
Court Watch Montgomery
CTLDomGroup Inc
DABS Consulting, LLC
Engage Mountain Maryland
Frederick County Commission For Women
If/When/How at University of Baltimore School of Law
Lee Law, LLC
Les Etoiles in Haiti
Maryland Coalition Against Sexual Assault
Maryland Legislative Coalition
Maryland Network Against Domestic Violence
Maryland WISE Women
Miller Partnership Consultants
MomsRising
Montgomery County Alumnae Chapter, Delta Sigma Theta Sorority, Inc.
Montgomery County NOW
National Coalition of 100 Black Women, Inc., Anne Arundel County Chapter
National Organization for Women, Maryland Chapter
Rebuild, Overcome, and Rise (ROAR) Center at UMB
REHarrington Plumbing and Heating
Reproductive Justice Maryland
Stella's Girls Inc
The Federation of Jewish Women's Organizations of Maryland
The Hackerman Foundation
The Relentless Feminist
The Salvation Army Catherine's Cottage
Top Ladies of Distinction, Inc., Patuxent River
Top Ladies of Distinction, Prince George's County
TurnAround Inc.
University System of Maryland Women's Forum
Women of Action Maryland
Women's Equity Center and Action Network (WE CAN)
Women's Law Center of Maryland
Zeta Phi Beta Sorority, Incorporate - Alpha Zeta Chapter
Zonta Club of Annapolis

Maryland Legislative Agenda for Women

102 W. Pennsylvania Avenue, Suite 100 - Towson, MD 21204 - 443-519-1005 phone/fax
mdlegagenda4women@yahoo.com - www.mdlegagendaforwomen.org

MD Rise - SB 525 - Pay Range Transparency - FAV.pd

Uploaded by: Lisa Kligenmaier

Position: FAV



**Testimony in Support of Senate Bill 525
Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency**

**Senate Finance Committee
February 22, 2024**

Maryland Rise supports SB 525, which requires an employer to include pay ranges, a general description of benefits, and other compensation in job listings.

Including salary ranges in a job posting – like proposed in SB 525 – can help close persistent gender- and race-based wage gaps. Disclosing salary ranges in a job description is a best practice that levels the playing field for all candidates interested in negotiating for the position. Women of color, who experience the largest wage gap when compared to non-Hispanic white men, often start negotiating with dramatically lower salary requirements than other applicants.¹ Consequently, research shows that when applicants know a position’s salary range, it levels the negotiating playing field by giving applicants important details that can inform an opening offer that is not tied to their previous pay levels or personal identity.²

Pay transparency is being embraced by other states and is good for employers and employees. Six other states and DC have required or are in the process of requiring wage ranges to be included in job postings. Pay transparency is good for business, as it helps to attract top talent, saves time, and implements inclusive pay practices. Research shows that 82% of workers are more likely to apply for a job with salary ranges.³ Ultimately, a robust workforce with minimal wage gaps between workers means a stronger Maryland economy overall.

SB 525 is important in the effort to ensure all Marylanders receive fair and equal treatment when seeking employment. **Maryland Rise appreciates your consideration and urges the committee to issue a favorable report on SB 525.**

Submitted by: Lisa Klingenmaier, Executive Director

Maryland Rise works to promote economic opportunity for all Marylanders.

¹ Otta. 2023. *Revealed: Gender and Race pay gaps are widening at an alarming rate.* <https://employers.otta.com/blog/gender-race-salary-gaps>

² National Women’s Law Center. 2023. *Salary Range Transparency Reduces Gender Wage Gaps.* <https://nwlc.org/wp-content/uploads/2022/09/Salary-Transparency-FS-1.13.23.pdf>

³ Society for Human Resources Management. 2023. *SHRM Research: Pay Transparency Improves Business Outcomes, Could Close Wage Gap.* <https://www.shrm.org/topics-tools/news/inclusion-equity-diversity/shrm-research-pay-transparency-improves-business-outcomes-close-wage-gap#:~:text=Workers%20Want%20Pay%20Transparency&text=However%2C%20the%20SHRM%20report%20found,not%20list%20a%20pay%20range.>

SB0525 - Support.pdf

Uploaded by: Rebecca Benzer

Position: FAV

Dear Members of the Finance Committee,

I am a resident of District #31, and I am writing to urge your **support** for SB0525: Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency.

(I mean, it's frankly embarrassing that this still happens.)

The American Bar Association has a good write-up of why we need to fight against wage discrimination on the basis of sex or gender identity:

“Gender-based wage discrimination remains a pernicious problem in the workplace despite enactment over 50 years ago of the Equal Pay Act of 1963 (EPA), which made it illegal for employers to pay unequal wages to men and women in the same workplace who perform substantially equal work.....

“This wage gap cannot be dismissed entirely as the inevitable by-product of "women's choices" in education, career and family matters; recent authoritative studies show that even when all relevant career and family attributes are taken into account, there still is an unexplained gap between men's and women's earnings....”

https://www.americanbar.org/advocacy/governmental_legislative_work/priorities_policy/discrimination/the-paycheck-fairness-act/

Until and unless the federal Paycheck Fairness Act (PFA) passes, Maryland needs this legislation.

For these reasons, I urge your **support for SB0525: Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency.**

Thank you for your time, service, and consideration.

Sincerely,

Rebecca Benzer

305 Bonheur Ave.

Gambrills, MD

2024-02-22 SB525 Support.pdf

Uploaded by: Rhea Harris

Position: FAV

CANDACE McLAREN LANHAM
Chief Deputy Attorney General

CAROLYN A. QUATTROCKI
Deputy Attorney General

LEONARD HOWIE
Deputy Attorney General



ANTHONY G. BROWN
Attorney General

CHRISTIAN E. BARRERA
Chief Operating Officer

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement

PETER V. BERNS
General Counsel

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

FACSIMILE NO.
(410) 576-7036

WRITER'S DIRECT DIAL NO
(410) 576-6590

February 22, 2024

TO: The Honorable Pam Beidle
Chair, Finance Committee

FROM: Rhea Harris
Deputy Chief, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 525 –Labor and Employment - Equal Pay for Equal Work -
Wage Range Transparency - **Support**

The Office of the Attorney General requests a favorable report on **Senate Bill 525**.

Senate Bill 525 alters the requirement that an employer disclose wage information to an applicant for employment, and it requires an employer to disclose wage information in postings and to employees at certain times. SB 525 also requires an employer to set the wage range disclosed in good faith and prohibits an employer from taking any retaliatory action. Senate Bill 525 requires each employer to keep a record of compliance with the provisions of this Act for at least 3 years.

Senate Bill 525 provides the much-needed transparency in wage information. Employers have to post the salary range on job postings so that applicants will know what salary to expect prior to accepting a job offer. SB 525 requirements are not just for state employers but also employers that operate in the state. It also provides for injunctive relief for an employee or applicant for employment if the employer violates Section 3-304.2 of the Labor and Employment Article. An employer can violate this Act by not providing a salary for a job.

Senate Bill 525 applies not only to new job postings but also transfers and promotions. In addition, the employer must keep records of compliance with this Act for 3 years.

For the foregoing reasons, the Office of the Attorney General requests a favorable report on **Senate Bill 525**.

cc: Senator Ariana Kelly
Finance Committee Members

Testimony in support of SB0525.pdf

Uploaded by: Richard KAP Kaplowitz

Position: FAV

2/22/2024

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#/0525 - POSITION: FAVORABLE
Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

TO: Chair Beidle, Vice Chair Klausmeier and members of the Finance Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of SB#/0525, Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

While I hope that every employer in Maryland pays a equal amount to anyone, regardless of any of the conditions for which discrimination if forbidden, for the same job being done, when all qualifications to perform it are equal, that is not always the case. By forcing publication of wage ranges and forbidding employers to take negative actions regarding wages this bill will enforce proper conduct between employers and all current and prospective employees.

During my I.T. career I was made aware that the women seated opposite me, doing the same job title and work as me but with her having more education and degrees, was being paid almost \$6,000 less than me. We were the same age and family situations, married with children, but her work had less compensation than mine. Since many employers use the previous job's salary to determine the pay of an applicant at a new job she was likely to face continued lower compensation than I might receive if I was the applicant.

This bill levels the playing field by setting publication of salary ranges so every applicant can, regardless of factors that could constitute discrimination, receive just compensation on that job. The bill also establishes that a record of levels of pay be documented historically for three years to ensure that this new policy is both implemented and maintained. It makes the promise of equality a reality in the employment arena.

I respectfully urge this committee to return a favorable report on SB#/0525.

SB 525 - Labor and Employment - Equal Pay for Equa

Uploaded by: Robin McKinney

Position: FAV



SB 525 - Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency
Finance Committee
February 22, 2024
SUPPORT

Chair Beidle, Vice-Chair Klausmeier and members of the committee, thank you for the opportunity to submit testimony in support of Senate Bill 525. This bill is a common-sense next step to strengthen Maryland's equal pay laws by requiring transparency around salary ranges in job postings.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

When an employer shares the range they plan on paying for a position on job postings, it is a win-win for both employers and job seekers. ***The CASH Campaign of Maryland already implements transparent job listings that includes the salary range, benefits, and other compensation*** to help address the persistent gender- and race-based wage gaps that are holding back Maryland women.

Comparing all men and all women working full time, year-round, women in Maryland are typically paid 85 cents for every \$1 paid to a white, non-Hispanic man. But the wage gap is worse for many women of color compared to white, non-Hispanic men:

- Latina women: 49 cents
- Black women: 67 cents
- Native American women: 57 cents
- Asian American women: 85 cents

SB 525 would help address this by requiring that all job listings include the salary range for the position. Research shows that when job applicants are clearly informed about the context for negotiations, including the salary range, gender differences in negotiation outcomes diminish, which could help narrow gender wage gaps. Providing applicants with a salary range that the employer is willing to pay helps level the negotiating playing field by giving applicants important information that can inform an initial offer that is less tied to their previous pay levels or personal identity. Six states have passed laws specifically requiring pay ranges while legislatures in Virginia, Washington D.C., and Massachusetts recently passed their own pay range transparency laws, which are awaiting final approval.

Recent polling in Maryland showed that two-thirds of respondents have never worked for an employer that posts pay ranges for open roles, even though nearly three in four (74%) support implementing pay range transparency practices at their own workplace. Passing SB 525 would provide an opportunity to educate more businesses about this best practice and ensure a level playing field for all applicants.

Thus, we encourage you to return a favorable report for SB 525.

Creating Assets, Savings and Hope

2024 WLCM SB 525 Senate Side.pdf

Uploaded by: Robyn Elliott

Position: FAV

Committee:	Senate Finance Committee
Bill number:	SB 525 - Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency
Hearing Date:	February 22, 2024
Position:	Support

The Women's Law Center of Maryland (WLC) supports *Senate Bill 525 – Labor and Employment – Equal Pay for Equal Work – Wage Transparency Law*.

The Maryland General Assembly enacted the Equal Pay for Equal Work Act in 2016. Sponsored by a bipartisan group of 90 delegates and 31 senators, the Equal Pay for Equal Work Act was designed to close the pay gap between women and men. The legislation prohibited adverse action against an employee for disclosing their wages. Then, in 2020, the Maryland General Assembly continued to move forward with enacting House Bill 123 with bipartisan support. The legislation required employers to disclose the wage range to applicants upon request.

Senate Bill 525 would allow Maryland to take another measured step forward in continuing to close the wage gap. The legislation simply requires that the wage range of open positions be posted. Employers are already required to provide this information upon request. However, some people may be hesitant to make such requests or even know that employers are required to respond. Women are more likely than men to be hesitant, but it is important to note that this bill benefits everyone. In a 2023 study by Pew Research Center, 42% of women, as well as 33% of men, did not feel comfortable asking for higher pay. There is also a generation gap, as 46% of young adults between 18 and 29 years of age did not feel comfortable requesting for higher pay vs. 37% of the cohort in the 30-49 years of age range.¹

Maryland would not be the first state in adopting a wage transparency measure. In fact, eight other states have implemented such legislation: Connecticut, Colorado, Hawaii, Nevada, New York, Rhode Island, Washington, and California. We expect to see more states

added to this list, as bills are pending in 15 states including Maryland, according to the Society for Human Resources Management.ⁱⁱ

Wage transparency is becoming the norm, as more states adopt these laws and employers adopt this best practice. With almost 28% of jobs being remote either full or part-time, people have more choices in where to live and work.ⁱⁱⁱ Wage transparency helps employers be more competitive. According to Automatic Data Processing (ADP), the largest payroll company in the U.S., “employers operating under pay transparency requirements are quickly adopting tools and processes to enable compliance.”^{iv}

The Women’s Law Center of Maryland strongly supports this legislation, as it promotes fairness for all job applicants, especially women and younger adults. The legislation also proposes a best practice for employers if Maryland is to remain competitive.

The WLC urges a favorable report on this bill. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.

The Women’s Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland

ⁱ <https://www.pewresearch.org/short-reads/2023/04/05/when-negotiating-starting-salaries-most-us-women-and-men-dont-ask-for-higher-pay/>

ⁱⁱ <https://www.shrm.org/topics-tools/news/all-things-work/pay-transparency-equity>

ⁱⁱⁱ <https://www.bls.gov/news.release/brs1.htm>

^{iv} <https://www.adp.com/spark/articles/2023/09/implementing-pay-transparency-best-practices-how-to-prepare-and-what-comes-after.aspx>

SB 525 FAV for AAUW MD.pdf

Uploaded by: Roxann King

Position: FAV



Testimony of American Association of University Women of Maryland

to the

Maryland General Assembly
Senate Finance Committee

in support of

Senate Bill 525: Labor and Employment – Equal Pay for Work – Wage Range Transparency

February 21, 2024

Submitted by Roxann King, co-Vice President, Public Policy, AAUW Maryland
2535 Painter Court, Annapolis, MD 21401

The American Association of University Women Maryland (AAUW Maryland) strongly supports 2024 SB 525. Founded in 1881, AAUW's approximately 170,000 members and 1,000 branches nationwide are leaders in gender equity research, advocacy, and philanthropy. In Maryland, we have over 4,000 members and supporters and 24 college and university partners. Our Maryland members are strong advocates for laws that promote the well-being of women and children.

AAUW Maryland believes that women should receive the same pay as men for work of equal value. AAUW has long advocated for pay equity. In 2021 women were paid just 84 cents for every dollar paid to men when comparing full-time, year-round workers. However, when the calculation included all workers, the earnings discrepancy is substantially larger: Women took home only 77 cents for every dollar men were paid. The pay gap even follows women into retirement: As a result of lower lifetime earnings, they receive less in Social Security and pensions. In terms of overall retirement income, women have only 70% of what men do. Persistent and ongoing pay inequality means women, particularly women of color, have less money and fewer resources, resulting in devastating consequences for our families,

In Maryland, we are fortunate that employers may no longer require salary histories. Women's pay often suffered from stop gaps in salary history due to family caretaking.

This bill will go further to ensure that women's and men's salaries are near equity. It should contribute positively to employers' bottom lines and employee recruitment and retention. When

workers believe their employer is fair, their morale improves and they are more likely to contribute their best effort to the job. This bill will not solve all the problems, but it allows women a framework in which they can bargain intelligently for equitable starting salaries. It will give women a chance to have better long-term outcomes.

AAUW MD urges that you provide a favorable report on Senate Bill 525, Labor and Employment – Equal Pay for Work – Wage Range Transparency,

SB525 - MDDC Favorable.pdf

Uploaded by: Sarah Mogol

Position: FAV



To: Senate Finance Committee
From: Sarah Mogol, Executive Alliance
Date: February 21, 2024

RE: FAVORABLE SB 525

Executive Alliance focuses on creating opportunities for professional women in Maryland's boardrooms and executive leadership levels through education, advocacy and mentorship.

We are pleased to support SB 525 which would require employers to add pay ranges to their job announcements. This is a best practice that helps businesses attract and retain employees by creating more transparency in the hiring process. It also helps ensure that pay is set fairly, which is a significant problem for women and especially women of color, who have significant pay gaps as compared to men.

Forbes reported on a study from the job search platform Otta, which showed that "women of color provide dramatically lower minimum salary requirements than white men, white women and men of color...the differences emerged across the board for every role and every level of experience."

<https://www.forbes.com/sites/kimelsesser/2023/02/06/women-of-color-set-lower-salary-requirements-than-white-men-according-to-job-search-site>). In the states that have implemented this type of wage transparency legislation, growing research points to a reduction in gender pay gaps and increased wages for women after states and/or employers have enacted pay transparency policies. The National Women's Law Center says "when job applicants are clearly informed about the context for negotiations, including the types of compensation, benefits, or conditions that are negotiable, or the typical pay for the position, gender differences in negotiation outcomes diminish, which could help narrow gender wage gaps." (<https://nwlc.org/resource/salary-range-transparency-reduces-gender-wage-gaps>)

We urge a favorable report.

Executive Alliance is a Maryland 501(c)(3) organization dedicated to accessing power as women leaders in Maryland's workplace. We measure that power by representation in the c-suite, board room, and other places of power and nurture a network of women leaders that support each other in their development. Learn more at executivealliance.org.

P.O. Box 26224, Baltimore, MD 21210 | (443) 768-3281 | info@executivealliance.org | www.executivealliance.org

We stand for women's leadership.

ADVOCACY • EDUCATION • MENTORSHIP

SB525_SponsorAmendment

Uploaded by: Senator Ariana Kelly

Position: FAV



SB0525/883121/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

21 FEB 24
14:40:07

BY: Senator Kelly
(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 525
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “faith;” insert “requiring the Commissioner of Labor and Industry to develop and make available to employers a form that an employer may use to comply with certain wage disclosure requirements;”.

AMENDMENT NO. 2

On page 2, in lines 14, 19, and 20, in each instance, strike “OR” and substitute “RATE OR MINIMUM AND MAXIMUM”; in lines 15, 19, and 20, in each instance, strike “WAGE”; in line 15, strike “AS APPLICABLE;”; in line 17, after “ANY” insert “APPLICABLE”; in line 21, strike “AN EQUIVALENT” and substitute “A COMPARABLE”; in line 26, strike “JOB OR” and substitute “POSITION”; and in line 27, strike “PROMOTION, TRANSFER, OR OTHER EMPLOYMENT OPPORTUNITY”.

On page 3, strike beginning with “JOB,” in line 8 down through the second “OR” in line 9 and substitute “POSITION THE”; in line 10, after the first “AND” insert “ANY”; strike beginning with “JOB,” in line 11 down through “OPPORTUNITY” in line 12 and substitute “POSITION”; in line 13, strike “EMPLOYMENT” and substitute “THE POSITION”; after line 20, insert:

“(C) (1) THE COMMISSIONER SHALL DEVELOP AND MAKE AVAILABLE TO EMPLOYERS A FORM THAT AN EMPLOYER MAY USE TO COMPLY WITH SUBSECTION (A) OF THIS SECTION.

“(2) AN EMPLOYER MAY COMPLY WITH SUBSECTION (A) OF THIS SECTION BY:

(I) COMPLETING THE FORM DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION;

(II) INCLUDING THE COMPLETED FORM IN EACH PUBLIC OR INTERNAL POSTING FOR A POSITION; AND

(III) OTHERWISE MAKING THE COMPLETED FORM AVAILABLE TO APPLICANTS AS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.”;

and in line 21, strike “(C)” and substitute “(D)”.

On page 4, in line 17, strike “(D)” and substitute “(E)”; strike beginning with “POSTING” in line 26 down through “OPPORTUNITY” in line 27 and substitute “POSITION”; and in line 27, after “YEARS” insert “AFTER:”

(I) THE POSITION IS FILLED; OR

(II) IF THE POSITION IS NOT FILLED, THE POSITION WAS INITIALLY POSTED”.

On page 5, in line 12, after “MAY” insert “:

(I)”;

in line 14, after “RELIEF” insert a semicolon; in the same line, strike the first “TO” and substitute:

“(II)”;

SB0525/883121/01
Amendments to SB 525
Page 3 of 3

Kelly

in the same line, after “**RECOVER**” insert “**LIQUIDATED**”; and in the same line, after “**DAMAGES**” insert “**OF**”.

Senator Kelly SB525 .pdf

Uploaded by: Senator Ariana Kelly

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 22nd, 2024

Testimony in Support of SB525
Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

Dear Chair Beidle, Vice Chair Klausmeier, Members of the Committee:

I am before you today to speak about **SB525 Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency**. Maryland has taken strides in recent years by passing two bipartisan pieces of legislation aimed at increasing wage transparency. In 2016, the Maryland General Assembly passed Senator Lee’s Equal Pay for Equal Work Act, which amended our state’s equal pay law to protect against wage discrimination based on sex and gender identity. In 2020, the Maryland General Assembly passed Senator Lewis Young’s HB123 and Senator Beidle’s SB217 which requires employers to disclose the wage range to applicants upon request..

Still, Maryland has wage disparity among gender and race. SB525 would allow Maryland to take a step forward in closing the wage gap. In Maryland, women are paid 13.4% less than men, and this gap is even more drastic for women of color ([US Bureau of Labor Statistics](#)). Black women earn 68 cents and Hispanic women earn only 46 cents to every dollar a man makes ([MD Commission for Women](#)).

SB525 expands Maryland’s Equal Pay for Equal Work Law. Delegate Queen previously introduced this bill in 2023. It requires employers to disclose the wage range and general description of benefits and compensation in the public or internal posting for a job. The wage range must be set in good faith, and this legislation prohibits employers from taking retaliatory actions against employees exercising their rights. Employers must keep a record of compliance with the provisions for at least 3 years.

Employer secrecy about pay allows discrimination and pay gaps to grow and keeps women from knowing if they are being paid fairly and equally to their male coworkers. Including the pay range in a job posting helps women negotiate for higher pay and make more informed choices. This legislation also supports businesses in evaluating their hiring and compensation procedures to close wage disparity and helps them attract talented employees and save time and costs in hiring.

Maryland businesses are already familiar with sharing pay ranges because current law states that employers must give applicants a wage range upon request, but they aren’t reaping the recruiting

edge in attracting talent and the time and cost savings that comes when employers must specifically include ranges in job announcements.

A recent poll from the National Women's Law Center shows that nearly three in four (74%) of Marylanders support implementing pay range transparency practices at their own workplaces; nearly two in three (62%) prefer job postings with a pay range when applying for a job; and 46% have applied for a job opening that wouldn't have otherwise interested them as a result of the pay range listed alongside it.

Colorado, Hawaii, Illinois, New York, Washington, and California have passed pay range transparency laws. Each chamber of the Virginia legislature recently passed pay range transparency legislation, each bill has crossed over and is now working its way through the opposite chamber.

Delegate White Holland and I have had conversations with the Department of Labor and stakeholders within the business community. The Department of Labor has drafted amendments which address the fiscal note and would ensure general fund expenditures for the Maryland Department of Labor will increase by no more than \$100,000 in FY 2025. This amendment is available on the floor system and will be highlighted in the Department of Labor's testimony.

Per our conversations with the business community, we have included the following in SB525:

- New language that provides a definition and clarification of "posting";
- Further clarification with examples in setting a wage range in good faith;
- Added language to specifically define the jobs that would be applicable;
- Provides further clarification of when wage ranges are shared with applicants;
- Includes language clarifying and cabining the requirement that an employer keep a record of compliance to three years;
- and increased civil penalties were removed for the second violation and subsequent violation, respectively.
- removed the requirement that a wage range be provided to current employees annually

We are in an ongoing conversation with stakeholders to address any additional concerns.

Today you will hear from my sponsor panel, Department of Labor Secretary Portia Wu and Commissioner Devki Virk, Jasmin Aramburu with the Maryland Center on Economic Policy, and Da Hae Kim with the National Women's Law Center, Sarah Mogol, Chair of Executive Alliance, and Hannah Williams of Salary Transparent Street.

Thank you for your time. I urge a considerable report on SB525.

Testimony in SUPPORT of SB 525- Senate-Trina Ferna

Uploaded by: Trina Fernandez-Epps

Position: FAV

Testimony in SUPPORT of SB 525

Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

Senate Finance Committee

I strongly support SB 525, which is a common-sense next step to strengthen Maryland's equal pay laws by requiring transparency around salary ranges in job postings.

As a woman, I support the Wage Transparency Bill because it aligns with my core mission of advocating for gender and racial equality in our society. With a longstanding commitment to encouraging Black women and addressing systemic disparities, I recognize the critical importance of transparency in wages to combat wage discrimination. The Wage Transparency Bill provides a vital framework for promoting fairness and accountability in the workplace by requiring employers to disclose salary ranges for job openings. This legislation not only empowers employees to negotiate fair compensation but also fosters a culture of transparency that helps dismantle pervasive gender and racial wage gaps. By championing this bill, I aim to advance economic justice and create equitable opportunities for Black women in Baltimore and beyond. When an employer shares the range, they plan on paying for a position on job postings, it is a win-win for both employers and job seekers. Transparency can also help address the persistent gender- and race-based wage gaps that are holding back Maryland women.

Comparing all men and all women working full time, year-round, women in Maryland are typically paid 85 cents for every \$1 paid to a white, non-Hispanic man. But the wage gap is worse for many women of color compared to white, non-Hispanic men:

- Latina women: 49 cents
- Black women: 67 cents
- Native American women: 57 cents
- Asian American women: 85 cents

SB 525 would help address this by requiring that all job listings include the salary range for the position. Research shows that when job applicants are clearly informed about the context for negotiations, including the salary range, gender differences in negotiation outcomes diminish, which could help narrow gender wage gaps. Providing applicants with a salary range that the employer is willing to pay helps level the negotiating playing field by giving applicants important information that can inform an initial offer that is less tied to their previous pay levels or personal identity. Six states have passed laws specifically requiring pay ranges while legislatures in Virginia, Washington D.C., and Massachusetts recently passed their own pay range transparency laws, which are awaiting final approval.

Many employers in Maryland, including state and local governments and institutions like Johns Hopkins, already use this best practice. Transparency helps businesses better attract and retain talent, and it avoids the potential wasted time from interviewing candidates who are seeking a salary outside the business's budget for the position.

However, there are still too few businesses providing salary ranges. Recent polling in Maryland showed that two-thirds of respondents have never worked for an employer that posts pay ranges for open roles, even though nearly three in four (74%) support implementing pay range transparency practices at their

own workplace. Passing SB 525 would provide an opportunity to educate more businesses about this best practice and ensure a level playing field for all applicants.

We respectfully request that the committee make a favorable report on HB 649.

Sincerely,

Trina Fernandez-Epps

WDC 2024 Testimony_SB525_FINAL.pdf

Uploaded by: Virginia Macomber

Position: FAV



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

www.womensdemocraticclub.org

**Senate Bill SB525 Labor and Employment – Equal Pay for Equal Work – Wage Range
Transparency
Senate Finance Committee – February 22, 2024
SUPPORT**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2024 legislative session. WDC is one of Maryland's largest and most active Democratic clubs with hundreds of politically active members, including many elected officials.

WDC urges the passage of [SB525 Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency](#). This bill will strengthen Maryland's existing wage transparency law by requiring that employers must disclose in a public or internal posting for each job, promotion, transfer, or other employment opportunity, the hourly or salary wage or wage range, and a general description of the benefits and other compensation offered for the position. This bill clarifies that the wage transparency requirements apply to all Maryland businesses, regardless of where the employees are physically located. This bill also requires employers to maintain compliance records for at least three years and establishes damages for non-compliance.

This bill removes the burden from job applicants and employees of requesting salary information. It recognizes that employees are increasingly teleworking away from their physical offices. It also strengthens record keeping requirements and provides remedies for non-compliance. Studies^{1,2} have shown that women often ask for less than men when they negotiate for salaries, even when the women applicants are otherwise equally qualified. Because of historical inequities, women's salary history may not reflect the true value of their knowledge, skills, and experience. Basing pay offerings on prior wages compounds this inequity. [Women continue to make 78 cents for every dollar a white male makes](#). This inequity is significantly greater for women of color, where [Black women make 67 cents and Latina women make 52 cents for every dollar a white male makes](#). Wage transparency is an important tool to close these wage gaps and ensure equal pay for equal work.

**We ask for your support for SB525 and strongly urge a favorable Committee report.
Passage of this legislation will help close existing pay gaps caused by wage inequities.**

Tazeen Ahmad
WDC President

Ginger Macomber
WDC Working Families Committee

Cynthia Rubenstein
Co-Chair, WDC Advocacy

¹ Why do women ask for less? <https://www.sciencedirect.com/science/article/pii/S0927537122000951#sec0008>

² Women Don't Ask: Negotiation and the Gender Divide <https://ucd-advance.ucdavis.edu/post/women-dont-ask-negotiation-and-gender-divide#:~:text=Women%20are%20more%20pessimistic%20about.30%20percent%20less%20than%20men.>

SB 525 - UNF - MHLA.pdf

Uploaded by: Amy Rohrer

Position: UNF

MHLA

Maryland Hotel Lodging Association

Testimony in Opposition to SB 525

Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency
February 22, 2024 - Senate Finance Committee

The Maryland Hotel Lodging Association (MHLA) serves as the sole statewide trade association dedicated to advocacy for Maryland's 750+ hotels. Our industry employs more than 25,000 individuals and provides the state with \$1 billion in state and local taxes, \$5 billion in total wages and salaries, and \$9 billion in total gross domestic product.

MHLA supports transparency as well as gender pay equity, but we have concerns that this legislation is unnecessarily broad and written in such a way that it will expose many Maryland employers to costly litigation.

While the goal of this legislation is to ensure that all job postings disclose the salary or wage range associated with the position, various provisions within the bill go far beyond that objective. The bill attempts to extend this requirement to postings for positions that are physically located outside of the state, which would result in an extraterritorial application of the law. Aside from questions about the constitutionality of this provision, it is also particularly unmanageable since employers do not classify or categorize job postings based on where the supervisor for the position sits.

Under the law today, employers must disclose certain information at the request of an employee or applicant. This bill changes that requirement in a way that places additional burdens on employers to proactively disclose certain information during the interview process. This is problematic since employers in competitive markets need flexibility to adjust to the market and lure talented employees, without disclosing pay scales and other benefits to competitors. Additionally, employers will feel compelled to enlarge the pay scale in order to create sufficient room to adjust wages depending on varied candidates and factors such as skill, education, prior experience, and funding available for the job. Such a broad pay scale will not assist an applicant in negotiations and is unnecessarily redundant since an individual already has the legal right to view that information upon request.

Last but not least, the bill establishes a private right of action for all "applicants," even though that term is undefined. Broadly permitting applicants to bring class action suits is unnecessary and overly punitive towards employers. The law already provides for statutory penalties and fines to punish those who intentionally violate the law. As currently written, this bill would give rise to serial plaintiffs who have no intention of sincerely seeking a position and simply shop for flawed job postings that can be used to extort settlements from employers.

In totality, we fear that this legislation would create burdensome headwinds that will ultimately deter Maryland employers from hiring.

For these reasons, the Maryland Hotel Lodging Association respectfully requests an Unfavorable Report on SB 525.

2024 GBCC SB 525 Oppose.pdf

Uploaded by: Ashlie Bagwell

Position: UNF



Testimony on behalf of the Greater Bethesda Chamber of Commerce

*In Opposition to
Senate Bill 525—Labor And Employment—Equal Pay for Equal Work—Wage Range
Transparency
February 21, 2024
Senate Finance Committee*

The Greater Bethesda Chamber of Commerce (GBCC) was founded in 1926. Since then, the organization has grown to more than 570 businesses located throughout the Greater Bethesda area and beyond. On behalf of these members, we appreciate the opportunity to provide written comments in opposition to Senate Bill 525— Labor and Employment—Equal Pay for Equal Work—Work Range Transparency.

Senate Bill 525 expands the applicability, requirements, and penalties of the State’s Equal Pay for Equal Work Law. Because several of the bill’s requirements make it challenging for employers from a compliance perspective, the Greater Bethesda Chamber of Commerce must oppose the bill. First, the bill does not include a definition of “good faith.” This has been an issue in other jurisdictions, including New York, as lack of clarity and definition have made complying with ‘good faith’ provisions challenging. Also, this bill applies to third parties, including recruiters. Other states have ended up removing third parties/recruiters from bills like this because of potential liability. The right of private action included in this proposed legislation is also problematic for employers, especially smaller employers.

For these reasons and others, we urge an unfavorable vote on Senate Bill 525.

SB 0525 – Equal Pay for Equal Work - Wage Range Tr

Uploaded by: Danna Blum

Position: UNF



February 8, 2024

Senate Finance Committee
Senator Pamela Beidle
3 East
Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB 0525 – Equal Pay for Equal Work - Wage Range Transparency - **Oppose**

Dear Senator Beidle:

SB 0525 would amend the existing law enacted in 2020 to require job postings to include the applicable wage range for that job in real time. The existing law requires an employer to provide the wage range upon request of the employee. This bill would also add injunctive relief/damages, in addition to existing fines/penalties of up to \$10,000 or actual damages, whichever is greater, plus attorney's fees.

The significant change in requiring the wage range in job postings and the punitive penalties assessed, will remove an employer's discretion and limit timing in changing wage ranges (during budgeting processes, or when economic circumstances require).

The Carroll County Chamber of Commerce, a business advocacy organization of nearly 700 members, opposes this bill. We therefore request that you give this bill an unfavorable report.

Sincerely,

A handwritten signature in black ink that reads "Mike McMullin".

Mike McMullin
President
Carroll County Chamber of Commerce

CC: Delegate April Rose
Senator Justin Ready

SB 525_MDCC_Labor and Employment - Equal Pay for E

Uploaded by: Hannah Allen

Position: UNF



LEGISLATIVE POSITION:

Unfavorable

Senate Bill 525 – Labor and Employment - Equal Pay for Equal Work - Wage Range

Transparency

Senate Finance Committee

Thursday, February 22, 2024

Dear Chairwoman Beidle and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 6,800 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

SB 525 would place new requirements on employers to publish certain wage information when posting for a new job, promotion, transfer, or other employment opportunity. If an employer knowingly violates provisions of the bill the affected employee or applicant can bring an action against the employer for damages up to \$10,000.

As introduced, SB 525 raises compliance questions and generates additional burden for employers. The bill does not address the simple fact that online job postings are seen by others outside of Maryland or consider postings for work that may be done remotely. It is common practice for Maryland employers to set wage ranges under the assumption the job will be performed locally here in Maryland or for a specified region. Would a Maryland wage range viewed by someone in another state meet the “good faith” standard outlined in SB 525? The Maryland Chamber would suggest looking toward Connecticut’s law which applies only to employers within the state and does not apply to national employers located outside Connecticut. However, their law does consider companies that have a subsidiary located within the physical confines of the state. Adopting language to this effect would help clarify a major concern regarding remote workers but could also address the compounding burden of complying with the laws of other states. Without language limiting the scope, complying would require a business to post the wage range for Maryland, Colorado, California, New York City, etc. to an online job posting to account for all areas an applicant may view the posting from.

The record keeping requirements for an employer to retain all “compliance” records for each job, promotion, transfer, or other employment opportunity is overly burdensome. Employers would need to keep track of every disclosure, things as simple as conversations with potential applicants, for at least three years. At a minimum, this provision should be limited to apply only to job postings as a more reasonable approach.

While the Chamber believes the simplest explanation would be to retain Maryland's current law that an employer **must** provide a wage range to an applicant when asked, addressing the concerns on the treatment of postings that may be viewed outside of Maryland, or for positions that may be done remotely, and the onerous record keeping requirements are critical since the bill allows for employees or applicants to bring a private right of action against an employer for violating any part of the bill.

Given the far-reaching and negative impacts of this legislation, the Maryland Chamber of Commerce respectfully requests an **Unfavorable Report on SB 525**.

MDCHAMBER.ORG

60 West Street, Suite 100, Annapolis 21401 | 410-269-0642



SB525 testimony.pdf

Uploaded by: Kirk McCauley

Position: UNF



WMDA/CAR Service Station
and Automotive Repair Association

Chair: Pamela Beidle and Vice Chair Katherine Klausmeier, Member of Finance Committee

RE: SB525 Labor and Employment – Equal Pay for Equal Work – Wage range Transparency

Position: Unfavorable

My name is Kirk McCauley, my employer is WMDA/CAR, we represent service stations convenience stores and repair facilities across the state as a non- profit trade group.

Small businesses do not have Human Resources personnel in their employment. SB525 will create additional expenses for record keeping and labor at a time when small businesses are already under pressure from regulation and labor costs.

The additional penalties this bill brings are extreme and would almost assure that an owner would have to turn to professional help.

Please give SB 525 an unfavorable report.

Any questions can be addressed to Kirk McCauley, 301-775-0221 or kmccauley@wmda.net

ABC_UNFAV_SB0525.pdf

Uploaded by: Martin Kraska

Position: UNF



The Voice of Merit Construction

February 22, 2024

Mike Henderson

*President
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Chris Garvey

*President & CEO
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Marcus Jackson

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Martin "MJ" Kraska

*Government Affairs Director
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Additional representation by:
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6901 Muirkirk Meadows Drive
Suite F
Beltsville, MD 20705
(T) (301) 595-9711
(F) (301) 595-9718

To: Senate Finance Committee
From: Associated Builders & Contractors
RE: SB 525 - Labor and Employment - Equal Pay for Equal Work – Wage Range Transparency
Position: Unfavorable

Associated Builders and Contractors (ABC) represent more than 1500 construction and construction-related companies through its four Maryland chapters. Our members believe in the tenets of free enterprise, investing in their workforce and giving back to the communities in which they live, work and play.

Senate Bill 525 expands the applicability, requirements, and penalties of the State's Equal Pay for Equal Work Law. An employer must disclose specified wage, benefit, and other compensation information in public or internal job postings and to applicants to which the job posting was not made available. The proactive disclosures have additional specified requirements and replace the existing requirement to disclose wage history to an applicant on request. The wage range must be set by the employer in good faith. Existing retaliation provisions are updated to incorporate employee promotions or transfers. Employers must keep records of compliance with the updated requirements for at least three years.

ABC opposes SB 525, while we fully support the principle of fair compensation practices, the bill's extensive disclosure requirements burden employers, lack clarity on setting wage ranges, and increase administrative overhead. The updated retaliation provisions and enforcement measures disproportionately favor litigious approaches over constructive resolution. We urge the committee to reconsider for a more balanced approach.

ABC appreciates your consideration and, for these reasons, respectfully requests a **unfavorable** report on Senate Bill 525.

*Martin "MJ" Kraska
Government Affairs Director
Chesapeake Shores Chapter*

SB525_RestaurantAssoc_Thompson_UNFAVORABLE.pdf

Uploaded by: Melvin Thompson

Position: UNF



Senate Bill 525

Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

February 22, 2024

Position: **OPPOSE**

Madame Chair and Members of the Senate Finance Committee:

The Restaurant Association of Maryland opposes Senate Bill 525, 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 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 with 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 employee lacking the qualifications/experience to justify the advertised compensation. We have been in touch with the bill sponsors regarding amendment language to address this concern.

The private right of action in this legislation is also a significant concern. This bill language would prompt numerous lawsuits, including frivolous lawsuits by those who have no genuine interest in the advertised jobs. Our fears are justified by the attached list of civil action claims we obtained from Washington State where the wage/salary range law allows private right of action. Quite a few restaurants/foodservice businesses are among the defendants targeted by serial plaintiffs. If the committee intends to pass this legislation, the private right of action should be removed, and complaints should be handled by the Department with a letter compelling compliance for a first violation. We have also shared this concern with the bill sponsors.

For these reasons, we oppose this legislation as currently drafted.

Sincerely,

A handwritten signature in black ink that reads "Melvin R. Thompson".

Melvin R. Thompson
Senior Vice President

attachments

Plaintiff	Defendant	Case number
ATKINSON, JACOB	AJP Enterprises LLC, a Delaware limited liability company; NHG Enterprises LLC, a Delaware limited liability company; FNS Food Service Group LLC; Does	KCSC 23-2-10313-1
ATKINSON, JACOB	Jacobs Solutions Inc., a Delaware corporation; Jacobs Engineering Group Inc., a Delaware corporation; Does	KCSC 23-2-18734-2
ATKINSON, JACOB	Washington Fine Wine & Spirits LLC dba Total Wine & More	KCSC 23-2-19212-5
ATKINSON, JACOB	Adidas America Inc.	KCSC 23-2-19326-1
ATKINSON, JACOB	Albertson's LLC dba Albertsons dba Safeway	KCSC 23-2-19383-1
ATKINSON, JACOB	Simon Property Group Inc. dba JCPenney; Simon Property Group LP dba JCPenney	KCSC 23-2-19391-1
ATKINSON, JACOB	Office Depot LLC, a Delaware co dba Office Depot; The Office Club LLC, a Delaware co dba Office Depot	KCSC 23-2-19449-7
ATKINSON, JACOB	Herc Rentals Inc; Herc Rental Employee Services LLC	KCSC 23-2-19533-7
ATKINSON, JACOB	Burberry Limited dba Burberry	KCSC 23-2-19460-8
ATKINSON, JACOB	Aaron's, LLC DBA Aaron's Sales & Lease Ownership, LLC; Does	KCSC 23-2-19649-0
ATKINSON, JACOB	Awashington LLC dba Denny's aka Denny's Restaurant; Does	KCSC 23-2-19739-9
ATKINSON, JACOB	Sonesta International Hotels Corporation; Sonesta RL Hotels Franchising Inc.; Sonesta RL Hotels Canada Franchising Inc.; HPT TRS IHG-2 Inc.; Kimpton Hotel & Restaurant Group LLC; Avia PDX Northeast Parkway LLC; Does	KCSC 23-2-19802-6
ATKINSON, JACOB	AMF Bowling Centers Inc. dba AMF Bowlero; Lucky Strike Lanes; Bowlero Broadway Seattle LLC dba Garage; Bowlero Tukwila LLC dba Bowlero South Seattle; Bowlero Tacoma LLC dba Paradise Lanes; Bowlero Sports and Entertainment Holdings dba PBA; Leiserv LLC dba Bowlero Lynnwood; Henry Family Enterprises LLC dba Bowlero Lanes of Lakewood; Does	KCSC 23-2-19816-6
ATKINSON, JACOB	Intercontinental Hotels Group PLC, a U.K. for-profit corporation; Six Continent Hotels Inc., a Delaware for-profit corporation dba Holiday Hospitality Corporation; IHG Management (Maryland) LLC dba IHG Management (Maryland); IHG Franchising LLC; Intercontinental Hotels Group Resources LLC dba Staybridge Suites by Holiday Inn; Staybridge Suites Vancouver-Portland Metro; Does	KCSC 23-2-20028-4
ATKINSON, JACOB	BP Products North America Inc.; KRH Enterprises Inc.; Does	KCSC 23-2-20048-9
ATKINSON, JACOB	Williams-Sonoma Stores Inc. dba Williams Sonoma; Pottery Barn; Pottery Barn Kids; West Elm; Does	KCSC 23-2-20029-2
FLOYD, ALEXANDER	Insight Global LLC, a Delaware co.	KCSC 23-2-19335-1
FLOYD, ALEXANDER	Robert Half Inc. dba Robert Half	KCSC 23-2-19432-2
FLOYD, ALEXANDER	Doordash Inc. dba Doordash; Doordash Express Delivery LLC; Doordash Essentials LLC dba Dashmart; Doordash G&C LLC	KCSC 23-2-19559-1
FLOYD, ALEXANDER	Ashley Furniture Industries LLC dba Ashley Furniture Industries Inc.; Ashley Global Retail LLC dba Ashley; Ashley Pacific Northwest LLC; Does	KCSC 23-2-19765-8
HEROLD, VANESSA	Pep Boys - Manny, Moe & Jack LLC dba Pep Boys; PB acquisition Company Washington LLC dba Pep Boys Auto Service & Tires; Does	KCSC 23-2-19795-0
HEROLD, VANESSA	Cognizant Business Services Corporation; Cognizant Healthcare Services LLC; Cognizant Technology Solutions Services LLC; Cognizant Technologies Solutions U.S. Corporation; Does	KCSC 23-2-19796-8
HEROLD, VANESSA	Thrifty Payless Inc. dba Rite Aid	KCSC 23-2-19321-1

HEROLD, VANESSA	Orchard Foods Corporation dba Taco Bell	KCSC 23-2-19448-9
HEROLD, VANESSA	Smart Foodservice Stores LLC dba US Chef's Store; US Foods Inc.	KCSC 23-2-19555-8
LIU, DONGQI	Veeva Systems Inc.; Does	KCSC 23-2-20173-6
LOWE, RORY	The Cheesecake Factory Restaurants Inc. dba The Cheesecake Factory; Does	KCSC 23-2-20277-5
LOWE, RORY	M.C. Shuh LLC dba Chic-Fil-A	KCSC 23-2-19436-5
LOWE, RORY	Decca Enterprise Inc. dba Denny's Restaurant; Does	KCSC 23-2-19706-2
	Marriott International Inc.; Courtyard Management LLC dba Courtyard by Marriott; W Operating Company LLC dba W Seattle dba W Bellevue; Starwood Hotels & Resorts Worldwide LLC dba W Seattle dba The Westin Seattle dba Starwood Galaxy Hotel Systems dba Days Inn Town Center; Seattle Union Street Associates LLP dba Seattle Sheraton dba Sheraton Grand Seattle dba Alder & Ash; Sheraton Operating LLC dba Seattle Sheraton dba Sheraton Seattle Hotel & Towers dba Sheraton Grand Seattle	KCSC 23-2-19493-4
MOLIGA, DESTINEE	Ginseng LLC dba Wild Ginger; The Triple Door; Ginseng II LLC dba Wild Ginger at Lincoln Square South; Ginseng III LLC dba Wild Ginger	KCSC 23-2-19291-5
MOLIGA, DESTINEE	Home Depot USA Inc., a Delaware corp; Home Depot Management Company LLC, a Delaware co; Home Depot Store Support Inc., a Delaware corp.	KCSC 23-2-19486-1
MOLIGA, DESTINEE	Carpe Diem Pizza Inc. dba Domino's Pizza; King Beast Pizza alnc. dba Domino's Pizza; Does	KCSC 23-2-20218-0
MOLINGA, DESTINEE	Qdoba Restaurant Corporation dba Qdoba Mexican Eats Corporation; Does	KCSC 23-2-11540-6
MOREY, MAYA G	Suburban Propane LP, A Delaware LP dba Suburban Propane	KCSC 23-2-19553-1
SPENCER, SHANNON	Conifer Revenue Cycle Solutions LLC, a Texas co. dba Conifer Health Solutions LLC; Conifer Health	KCSC 23-2-19345-8
SPENCER, SHANNON	Walmart Inc.	KCSC 23-2-19402-1
SPENCER, SHANNON	Jeld-Wen Inc. dba Jeld-Wen	KCSC 23-2-19581-7
SPENCER, SHANNON	Washington Federal Bank dba WAFD Bank; WAFD Inc. dba Washington Federal	KCSC 23-2-19395-4
	Mastercard International Inc.; Mastercard Technologies LLC; Mastercard Transactions Services (US) LLC dba New York Bay Remittance; Applied Predictive Technologies Inc. dba Mastercard International Inc.; Ekata Inc.	KCSC 23-2-19564-7
SPENCER, SHANNON	BNY Mellon Securities Corporation; Bank of New York Mellon; Does	KCSC 23-2-19946-4
SPENCER, SHANNON	RXO Inc.; RXO Last Mile Inc.; RXO Corporate Solutions LLC; RXO Freight Forwarding Inc.; RXO Managed Transport LLC; Does	KCSC 23-2-20256-2
SPENCER, SHANNON	Northwest Restaurants Inc. dba Taco Bell	KCSC 23-2-19399-7
YOUNT, NICOLE	Sharp Electronics Corporation, a New York corp.	KCSC 23-2-19425-0
YOUNT, NICOLE	Dealer Tire LLC, a Delaware limited liability company; Does	KCSC 23-2-17697-9
YOUNT, NICOLE	Vera Whole Health Inc. dba Vera Whole Health and Apree Health; Vera Whole WA PC; Castlight Health Inc. dba Castlight Health and Apree Health; Does	KCSC 23-2-19284-2
YOUNT, NICOLE	Cintas Corporation; Cintas Corporation No. 2; Cintas Corporation No. 3	KCSC 23-2-19408-0
	Little Caesar Enterprises Inc.; Acast LLC dba Little Caesars; Seven Figures Inc. dba Little Caesars; Target Markt Enterprises Inc. dba Little Caesars	KCSC 23-2-19417-9
YOUNT, NICOLE	Ultra Salon, Cosmetics & Fragrance Inc. dba Ultra Beauty; Does	KCSC 23-2-20149-3

SB 525_MTBMA_UNF.pdf

Uploaded by: Michael Sakata

Position: UNF



February 22, 2024

Senator Pam Beidle, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401

RE: SB 525 – UNFAVORABLE – Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency

Dear Chair Beidle and Members of the Committee:

The Maryland Transportation Builders and Materials Association (“MTBMA”) has been and continues to serve as the voice for Maryland’s construction transportation industry since 1932. Our association is comprised of 200 members. MTBMA encourages, develops, and protects the prestige of the transportation construction and materials industry in Maryland by establishing and maintaining respected relationships with federal, state, and local public officials. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry and advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

Senate Bill 525 requires employers to disclose wage ranges in job postings and to employees upon request. Employers are prohibited from retaliating against applicants or employees who request wage range information, and employers must maintain records of compliance for at least three years. SB 525 empowers the Commissioner to take action against employers that violate the disclosure requirements, which may include issuing orders for compliance, assessing civil penalties, and conducting hearings.

This bill is overreaching and onerous, yet again on Maryland’s employers. It is particularly problematic as it relates to authorizing an applicant for employment to bring an action for not properly disclosing the wage range. The current budget deficit to Maryland’s transportation sector is causing a significant administrative burden in our industry, and the provisions of this bill would only exacerbate such effects. The intent of this legislation may be to punish bad actors, but by enacting this law, all Maryland employers will be punished.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on Senate Bill 525.

Thank you,

Michael Sakata
President and CEO
Maryland Transportation Builders and Materials Association

SB525_NFIB_unf (2024).pdf

Uploaded by: Mike O'Halloran

Position: UNF



NFIB-Maryland – 60 West St., Suite 101 – Annapolis, MD 21401 – www.NFIB.com/Maryland

TO: Senate Finance Committee

FROM: NFIB – Maryland

DATE: February 21, 2024

RE: **OPPOSE SENATE BILL 525** – Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency

Founded in 1943, NFIB is the voice of small business, advocating on behalf of America’s small and independent business owners, both in Washington, D.C., and in all 50 state capitals. With more than 250,000 members nationwide, and nearly 4,000 here in Maryland, we work to protect and promote the ability of our members to grow and operate their business.

On behalf of Maryland’s small businesses, NFIB-Maryland opposes Senate Bill 525 – legislation expanding the state’s wage posting law.

NFIB believes firmly an equal day’s work is worth an equal day’s pay. The legislature passed HB 123 in 2020 which requires an employer, if requested by an applicant, to provide the salary range of a position. The Department of Labor and Industry’s 2021 Annual Report does not indicate any complaints received*.

SB 525 would require employers to publish in “good faith” the wage range (as defined in the bill). Small businesses are largely doing this in their postings already without the threat of litigation. However, the legislation also requires each job posting to include information on benefits and other compensation. Does this mean the small business owner who hangs the traditional “HELP WANTED” sign with the hourly rate in their window could now be subject to the enforcement provisions in this bill?

Additionally, a small business owner would be required to hold onto each of these job postings adding more recordkeeping requirements.

Lastly, violations of the wage posting law are dramatically expanded to include not just employees but an “applicant for employment” to the class of individuals who can bring an action. These are *not* violations for employee pay discrepancies. Instead, they are

*<https://www.dlir.state.md.us/labor/2021dliannualreport.pdf> (accessed 2/20/2024)

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violations for what can easily amount to forgetting to include job benefits (or lack thereof) on a “HELP WANTED” sign.

For these reasons **NFIB opposes SB525** and requests an unfavorable committee report.

SB 525_MAA_UNF.pdf

Uploaded by: Tim Smith

Position: UNF

CHAIRMAN:
Jeff Graf
VICE CHAIRMAN
David Slaughter

MARYLAND ASPHALT ASSOCIATION



TREASURER:
Paul Bramble
SECRETARY:
Curtis Hall
PRESIDENT:
Tim Smith

February 22, 2024

Senator Pam Beidle, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401

RE: SB 525 – UNFAVORABLE – Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency

Dear Chair Beidle and Members of the Committee:

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms, and 41 other associate members. MAA works proactively with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 525 requires employers to disclose wage ranges in job postings and to employees upon request. Employers are prohibited from retaliating against applicants or employees who request wage range information, and employers must maintain records of compliance for at least three years. SB 525 empowers the Commissioner to take action against employers found in violation of the disclosure requirements, which may include issuing orders for compliance, assessing civil penalties, and conducting hearings.

This bill is overreaching and onerous, yet again on Maryland's employers. It is particularly problematic as it relates to authorizing an applicant for employment to bring an action for not properly disclosing the wage range. The current budget deficit to Maryland's transportation sector is causing a significant administrative burden in our industry, and the provisions of this bill would only exacerbate such effects. The intent of this legislation may be to punish bad actors, but by enacting this law, all Maryland employers will be punished.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on Senate Bill 525.

Sincerely,

A handwritten signature in black ink that reads "Tim Smith".

Tim E. Smith, P.E.
President
Maryland Asphalt Association