

## Women Employed Work on No Salary History, 2019

Women Employed, alongside the Shriver Center on Poverty Law, has led the efforts to pass the No Salary History law until its passage in Spring 2019.

In 2016, Representative Anna Moeller approached Women Employed (WE) about pursuing the No Salary History legislation. WE used bill language developed by the National Women's Law Center as a starting point and also sought out colleagues in other municipalities and states working on similar legislation to ensure the strongest bill possible.

Representative Moeller first introduced the bill in 2017, and WE began working with her to secure sponsors and champions, to help them better understand the legislation, and to address any opposition to the bill. WE amended the bill to include language preventing employers from seeking out salary or wage history from an applicant's former employers, strengthening the bill once more by addressing that loophole. WE also addressed business opposition to the bill by including exceptions for publicly available salary data or applicants within the same company.

The bill passed both chambers with bipartisan support, but was vetoed by Governor Rauner, who suggested he would support a bill that had no employer penalties. WE sought to override the governor's veto and while the House did vote to override, the override failed in the Senate.

In 2018, WE again sought the bill's introduction. The legislation sailed through the House but took longer to pass in the Senate due to a similar bill that was introduced by another senator which closely mirrored then-Governor Rauner's veto suggestion regarding striking employer penalties. Ultimately, the bill WE supported did pass, but was once again vetoed by the governor. WE's attempts to override were unsuccessful.

This year (2019), WE once again pushed for the introduction of a No Salary History bill, with another senator introducing another version again. This alternative version introduced did not include the level of protections we were seeking for employees and provided softer penalties for employers. Much of Women Employed's focus this year was on educating policymakers about the differences between the two bills and to work with the Senate sponsors of the bills to come to consensus on bill language. After our advocacy and that of the bill sponsors, our language advanced with the alternative bill's sponsor signing on as a chief co-sponsor; she also helped push for its passage.

This time, WE was successful in ensuring the support of the governor as well as the General Assembly. [Governor Pritzker signed the bill on July 31<sup>st</sup>, with Women Employed and the bill sponsors in attendance.](#)

The new law, which goes into effect on September 29, 2019, is a tool to fight the wage gap and to lift the entire economy up in the process. Salary history questions are a major contributing factor in both racial and gender wage gaps. And this is exacerbated for women of color, who, because of the realities of intersectionality, often face both. Black women working in the U.S. make just 61 cents to a white man's dollar. For Native American women, it's 58 cents. For

Latinas, 53 cents. And when a potential employer asks for past wages, it allows that pay inequity to continue, impacting future wages and earning potential.

“The reality is that compensation should be based a person’s skills, experience, and the requirements of the job, not their past wages,” says Cherita Ellens, CEO of Women Employed.

In the next few weeks, Women Employed will be rolling out a series of tools to inform job seekers of their new rights and to educate employers about the law and other voluntary practices that will help eliminate the gender wage gap in their companies. [You can see the first tool in the series here.](#)