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New Illinois Law Bans Employers from Asking About Salary History

Human Resources & Employment

A new law in Illinois seeks to advance the fight for pay equity. Governor J.B. Pritzker signed legislation on July 31, 2019, banning Illinois companies from asking job applicants or their previous employers about salary history during the hiring process. The No Salary History law, designed to help close the wage gap between men and women doing the same jobs, will take effect by October 1, 2019.

Former Governor Bruce Rauner had previously vetoed two versions of the legislation, arguing more business-friendly ways could instead address the issue. This past spring, the measure signed by Governor Pritzker passed both the House and Senate with bipartisan support.

Under the new law, employers will no longer be able to use salary history to determine how much to pay a new employee. "We are declaring that one's history should not dictate one's future," Pritzker said upon signing the legislation into law. "It's no longer acceptable to wring quality work out of capable women at a discounted rate." Women have been cited as earning 78% to 82% of average salaries of working men.

If an employer violates the law, workers will be able to seek up to \$10,000 in damages. The law also ensures that employees can discuss their salary, benefits or other compensation with co-workers.

Notably, Pritzker signed the equal pay bill just steps away from the U.S. Soccer Federation on Wednesday. The U.S. Women's Soccer team joined the fight for equal pay in seeking to be compensated the same as members of the U.S. Men's Soccer team, a situation which the U.S. Soccer Federation has still not addressed to the Women's Soccer team's satisfaction.