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Senate

State of Minnesota

S.F. No. 1885 – Human rights act; pay history inquiry prohibited

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S.F. 1885 amends the Minnesota Human Rights Act by prohibiting employers from inquiring into an applicant’s pay history from any source to determine the applicant’s compensation. This bill establishes a rebuttable presumption that use of pay history to determine compensation is an unfair discriminatory employment practice.

The general prohibition does not apply if the applicant’s pay history is publicly available unless the employer sought access to those records with the intent of obtaining pay history to determine compensation.

This bill does not prevent applicants from voluntarily disclosing pay history and does not prohibit employers from acting on that information to support a higher wage or salary than initially offered by the employer.

Effective date. This bill is effective January 1, 2024.