

AMENDED IN ASSEMBLY MAY 31, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1676

Introduced by Assembly ~~Member~~ Members Campos and Gonzalez

(Principal coauthor: Senator Jackson)

**(Coauthors: Assembly Members Bonilla, Chiu, Cristina Garcia,
Eduardo Garcia, and Gonzalez and Eduardo Garcia)**

(Coauthor: Senator Liu)

January 19, 2016

An act to add Section 432.3 to the Labor Code, relating to employers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1676, as amended, Campos. Employers: salary information.

Existing law imposes various restrictions on employers with respect to applicants for employment. A violation of those restrictions is a misdemeanor.

This bill would prohibit an employer, including state and local government employers, from seeking salary history information about an applicant for employment, except as otherwise provided. The bill would require an employer, except state and local government employers, upon reasonable request, to provide the pay scale for a position to an applicant for employment. The bill would specify that a violation of its provisions would not be subject to the misdemeanor provision.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 432.3 is added to the Labor Code, to
2 read:
3 432.3. (a) An employer shall not, orally or in writing,
4 personally or through an agent, seek salary history information,
5 including, but not limited to, compensation and benefits, about an
6 applicant for employment.
7 (b) Except as provided in subdivision (e), an employer, upon
8 reasonable request, shall provide the pay scale for a position to an
9 applicant applying for employment.
10 (c) Section 433 does not apply to this section.
11 (d) This section shall not apply to salary history information
12 disclosable to the public pursuant to federal or state law, ~~including~~
13 *including*, but not limited to, the California Public Records Act
14 (Chapter 3.5 (commencing with Section 6250) of Division 7 of
15 Title 1 of the Government Code) or the federal Freedom of
16 Information Act (Section 552 of Title 5 of the United States Code).
17 (e) This section, except for subdivision (b), applies to all state
18 and local government employers, including, but not limited to, the
19 Legislature.