



Senate Bill 738

Labor and Employment – Wage History and Wage Range

MACo Position: **OPPOSE**

To: Finance Committee

Date: March 7, 2019

From: Michael Sanderson

The Maryland Association of Counties (MACo) **OPPOSES** SB 738. The bill mandates employers to exclude a variety of wage and salary history when offering jobs or promotions. If applied to the public sector, counties fear this law will eliminate numerous structured promotion opportunities which allow local government employees a career path forward based on workplace success and experience gained.

SB 738 prohibits employers from relying on past wage history information to determine an applicant's salary or a current employee's salary when considering that employee for a new position, including a promotion. However, if an employer makes a job offer, an applicant or employee can volunteer his or her salary history to support a higher wage offer. This bill also requires employers to provide salary information to applicants upon request.

The county concerns regarding this legislation are merely practical. This bill would undermine many local government pay systems, which frequently rely on a standardized scale of wages when considering the internal promotion of current employees. Such scales are graduated according to duties performed, length of service, and efficiency of the officers or employees. Undermining such systems serves no practical purpose in the public sector, where benefit and pay structures are already subject to public input and scrutiny.

While counties already comply with the majority of requirements outlined in this bill, MACo is concerned that prohibiting county employers from considering current wages in the internal promotion or transfer of current employees is impractical. If the widespread and transparent structure of public sector classifications, grades and steps is not the intended target of the bill, MACo would request clarifying amendments to remove local government employers from its effect.

Efforts to promote wage equality should not intrude on public sector employee scales, which appropriately base compensation on experience and past workplace success. For these reasons, MACo urges the Committee to **OPPOSE** SB 738, or alternatively, to adopt an amendment to eliminate local governments from its reach.