division of
Human Resource Management

HB 180 - Employee Compensation Amendments Presentation

House Government Operations Committee
2025 General Session

February 14, 2025

What Does HB 180 Do?

- Prohibits a *state employer (executive branch agencies)* from asking an employee or prospective employee to disclose compensation/salary history

- Includes: Tax Commission, National Guard, Board of Pardons & Parole

- Excludes: Higher Ed, State School Board or Local Education Agencies, AG's Office, Legislature, Auditor, Treasurer, Public Service Commission or other independent entities

Benefits of Prohibiting Salary Inquiries

- Focus is on:
    - The *hiring manager's* assessment of the value of that applicant's skills and experience as they relate to the particular job, team, and business needs, not someone else's assessment
    - Consistency with the agency's and the state's overall compensation approach and valuing of the specific job

What Are Other States Doing?

- Approximately 22 states have law restricting inquiries about compensation/salary history. Here is information regarding several western states:
  - **Arizona:**
    - No law
  - **California:**
    - Effective: Jan 2018
    - Covers: All employers, including state and local government employers and the legislature
    - Cannot seek a candidate's pay history

What Are Other States Doing? cont'd.

- **Colorado:**
  - Effective Jan 2021
  - Covers: All employers, including the state and any political subdivision, commission, department, institution or school districts
  - Can't ask about an applicant's pay history, can't rely on pay history info to determine wages
- **Idaho:**
  - No law

- **Nevada:**
  - Effective: Oct 2021
  - Covers: All employers
  - Can't seek pay history, cannot refuse to hire, interview, promote or employ applicants who do not provide pay history

Best HR Practices

(if you can't ask about compensation/salary, or even if you can)

- Focus on the *skill set* of the applicant as it applies to the specific job and market salary data
- Assess the applicant based on the *value* of their skill set to *your team and business objectives*
- Ask the applicant what rate of compensation/salary they need/want
- Does the requested amount fit within your budget?
  - If not, *negotiate* with the applicant within your budgeted amount. Can you meet in the middle?

Resource Information

For more information:

- State salary history bans
- Rep. Gay Lynn Bennion
  - glbennion@le.utah.gov
  - 385-224-9197
- Jean Mills-Barber, Div. of Human Resource Management
  - jeanmills@utah.gov
  - 801-638-7721



division of

Human Resource Management

Thank You