



Legal Services Advocacy Project
970 Raymond Avenue, Suite G-40
St. Paul, MN 55114

February 27, 2023

The Honorable Ron Latz
Chair Judiciary & Pub. Safety Committee
Minnesota Senate
3105 Minnesota Senate Building
St. Paul, MN 55155

The Honorable Warren Limmer
Ranking Minority Member, Judiciary & Pub. Safety Committee
Minnesota Senate
2221 Minnesota Senate Building
St. Paul, MN 55155

Re: SF 1885

Dear Chair Latz, Ranking Minority Member Limmer, and Members of the Committee:

Legal Aid writes to express its support for SF 1885. Inquiring into salary history results in discriminatory treatment of women and persons of color. Passage of SF 1885 would help remedy this inequity.

As recent studies and other research attests, passage of SF 1885 would facilitate pay equity, not only gender pay equity, but also pay equity for BIPOC workers. The National Women's Law Center notes that "[e]mployers' use of this information in the hiring process has a disproportionately negative impact on women and people of color, who face conscious and unconscious discrimination in the workplace and, consequently, are paid lower wages, on average, than white, non-Hispanic men."¹ As a June 2020 Boston University Law School study found, "[a]sking about past salary indeed does result in wage gaps for women and Black and Indigenous person, and persons of color."²

Women make, on average, just 80% of what men make for similar work.³ The gap is even bigger for women of color.⁴ According to a recent article, 19 states have enacted salary history laws⁵ The Boston University Law School study found that salary history laws are working.⁶ In states where salary history laws exist, the study found that "[w]omen earned 8% to 9% more, and Black workers 13% to 16% more, than similar workers in neighboring states that did not have salary history laws."⁷ LSAP urges passage of SF 1885. Thank you for considering LSAP's views.

Sincerely,

A handwritten signature in cursive script that reads "Ron Elwood".

Ron Elwood
Supervising Attorney

¹ National Women's Law Center, *Asking for Salary History Perpetuates Pay Discrimination From Job to Job*; <https://nwlc.org/resources/asking-for-salary-history-perpetuates-pay-discrimination-from-job-to-job/>

² James Bessen, Erich Denk, and Chen Meng, , *Perpetuating Inequality: What Salary History Bans Reveal About Wages* (Boston University School of Law, Technology & Policy Research Initiative, June 2020).

³ Carino, *supra* note 1.

⁴ *Id.*

⁵ Meghan McCarty Carino, *How salary history bans can raise wages for female and Black workers*, MARKETPLACE, July 8, 2020; at <https://www.marketplace.org/2020/07/08/how-salary-history-bans-can-raise-wages-for-female-and-black-workers/>

⁶ Bessen, et al., *supra* note 2.

⁷ *Id.*