

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 385

Representative West

Cosponsors: Representatives Smith, K., Howse, Ashford, Sheehy, Kent, Craig

A BILL

To enact sections 124.16 and 124.161 of the Revised Code to prohibit a state agency from preventing an employee from discussing the employee's own wages or another employee's wages, to prohibit a state agency from seeking a prospective employee's wage or salary history, to prohibit retaliation against an employee who discusses wages or opposes a prohibited act or practice, and to create the Wage Disparity Study Committee. 1

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 124.16 and 124.161 of the Revised Code be enacted to read as follows: 11

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Sec. 124.16. (A) No state agency shall do any of the following: 13

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(1) Require, as a condition of employment, that an employee refrain from inquiring about, discussing, or disclosing information about the employee's own wages or about other employee's wages; 15

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(2) Seek the wage or salary history of a prospective 19
employee from the prospective employee or a current or former 20
employer or to require that a prospective employee's prior wage 21
or salary history satisfy certain criteria; 22

(3) Discharge an employee or in any other manner retaliate 23
against any employee or prospective employee for either of the 24
following reasons: 25

(a) The employee or prospective employee opposed any act 26
or practice prohibited by this section; 27

(b) The employee disclosed the employee's wages or has 28
inquired about or discussed the wages of any other employee. 29

(B) A state agency that violates this chapter is subject 30
to a civil action for damages, injunctive relief, or any other 31
appropriate relief. 32

Sec. 124.161. (A) There is hereby created the wage 33
disparity study committee to examine the effect that the 34
prohibitions in section 124.16 of the Revised Code have on any 35
disparities in wages paid by state agencies. The committee also 36
shall examine employee attitudes toward the prohibitions. The 37
committee shall provide a report regarding the effect of the 38
prohibitions and employees' attitudes toward them to the members 39
of the general assembly, the governor, lieutenant governor, 40
attorney general, secretary of state, treasurer of state, and 41
auditor of state. 42

(B) The committee shall consist of the following five 43
members: 44

(1) Three members of the house of representatives who are 45
members of the majority party and who are appointed by the 46
speaker of the house of representatives; 47

(2) Two members of the house of representatives who are 48
members of the minority party and who are appointed by the 49
minority leader of the house of representatives. 50

(C) The members of the committee shall select a 51
chairperson and a vice-chairperson from among the members of the 52
committee. 53

Members of the committee shall serve without compensation, 54
but shall be reimbursed for their actual and necessary expenses 55
incurred in the performance of their duties. 56

Vacancies on the committee shall be filled in the same 57
manner as original appointments. 58

(D) (1) Members of the committee shall be appointed and the 59
members shall hold their first meeting not later than ninety 60
days after the effective date of this section. 61

(2) Five years after the committee's first meeting, the 62
committee shall publish its findings and submit its report to 63
the members of the general assembly, the governor, lieutenant 64
governor, attorney general, secretary of state, treasurer of 65
state, and auditor of state. The committee also shall post the 66
report on the web site maintained by the general assembly. 67

Upon submission of the report, the committee is abolished. 68