

HOUSE No. 1849

The Commonwealth of Massachusetts

PRESENTED BY:

Josh S. Cutler and Brandy Fluker Oakley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to salary range transparency.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/19/2023</i>
<i>Brandy Fluker Oakley</i>	<i>12th Suffolk</i>	<i>1/23/2023</i>
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/23/2023</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/23/2023</i>
<i>Smitty Pignatelli</i>	<i>3rd Berkshire</i>	<i>1/24/2023</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/24/2023</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>1/24/2023</i>
<i>Francisco E. Paulino</i>	<i>16th Essex</i>	<i>1/24/2023</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/25/2023</i>
<i>Christopher J. Worrell</i>	<i>5th Suffolk</i>	<i>1/25/2023</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/25/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/25/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/25/2023</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>1/26/2023</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>1/27/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/27/2023</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>1/28/2023</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>1/30/2023</i>

<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/30/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/1/2023</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>2/1/2023</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>2/1/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/2/2023</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>2/2/2023</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/2/2023</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>2/2/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/2/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>2/2/2023</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>2/3/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/3/2023</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/6/2023</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>2/6/2023</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>2/6/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/6/2023</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>2/8/2023</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>2/8/2023</i>
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>2/8/2023</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/8/2023</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>	<i>2/8/2023</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>2/9/2023</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>2/9/2023</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>2/10/2023</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>2/10/2023</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/13/2023</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/14/2023</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>2/14/2023</i>
<i>Samantha Montaña</i>	<i>15th Suffolk</i>	<i>2/20/2023</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>2/23/2023</i>
<i>Shirley B. Arriaga</i>	<i>8th Hampden</i>	<i>2/28/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>2/28/2023</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>3/1/2023</i>
<i>Rob Consalvo</i>	<i>14th Suffolk</i>	<i>3/1/2023</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>3/5/2023</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/6/2023</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>3/8/2023</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>3/9/2023</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>3/10/2023</i>

<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>3/11/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>3/12/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>3/13/2023</i>
<i>Marcus S. Vaughn</i>	<i>9th Norfolk</i>	<i>3/13/2023</i>
<i>Christopher Richard Flanagan</i>	<i>1st Barnstable</i>	<i>3/14/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>3/14/2023</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/14/2023</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>3/15/2023</i>
<i>Adrienne Pusateri Ramos</i>	<i>14th Essex</i>	<i>3/15/2023</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>3/16/2023</i>
<i>Judith A. Garcia</i>	<i>11th Suffolk</i>	<i>3/22/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>3/24/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>3/28/2023</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>3/29/2023</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>3/29/2023</i>
<i>Dawne Shand</i>	<i>1st Essex</i>	<i>3/30/2023</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>4/6/2023</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>5/1/2023</i>
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>5/3/2023</i>
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	<i>5/10/2023</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>9/12/2023</i>

HOUSE No. 1849

By Representatives Cutler of Pembroke and Fluker Oakley of Boston, a petition (accompanied by bill, House, No. 1849) of Josh S. Cutler, Brandy Fluker Oakley and others relative to salary range transparency by certain employers. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to salary range transparency.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 149 of the General Laws is hereby amended by inserting after
2 section 105D the following section:-

3 Section 105E. (a) As used in this section, the following words shall have the following
4 meanings:

5 “covered employer” shall mean any employer, public or private, that employs 15 or more
6 employees in Massachusetts.

7 “pay range” shall mean the annual salary range or hourly wage range or other
8 compensation that the employer reasonably and in good faith expects to pay for such position at
9 that time.

10 (b) A covered employer, or agent of said employer, shall disclose the pay range for a
11 particular employment position within the advertising or posting of the position.

12 (c) A covered employer, or agent of said employer, shall provide the pay range for a
13 particular employment position to an employee offered a promotion or a transfer to a new
14 position.

15 (d) A covered employer, or agent of said employer, shall provide the pay range for a
16 particular employment position to an employee holding such position, or to an applicant for such
17 position, upon request.

18 (e) It shall be an unlawful practice for any employer to discharge or in any other manner
19 retaliate or discriminate against any employee or applicant because such employee or applicant
20 has opposed any act or practice made unlawful by this section, or has made any complaint to his
21 employer, the attorney general, or any other person, or instituted, or caused to be instituted, any
22 proceeding under or related to this section, or has testified or is about to testify in any such
23 proceeding.

24 (f) The Attorney General shall enforce this section and may obtain injunctive or
25 declaratory relief for this purpose. Any covered employer who violates this section, including
26 failure to disclose a good-faith pay range, shall be punished by a warning for the first offense and
27 not more than \$500 for the second offense. For a third or subsequent offense, violation of this
28 section shall be subject to section 27C(b)(1) and (2) of chapter 149. No violation of this section
29 shall be construed to carry treble damages in chapter 149 section 150.

30 (g) The Attorney General shall conduct a public awareness outreach campaign, which
31 shall include, but not be limited to, making information available on its website and otherwise
32 informing employers of the provisions of this section.