

## ISSUE ALERTS



### KANSAS CITY, MISSOURI IMPLEMENTS SALARY INQUIRY BAN

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If your business is located in Kansas City, Missouri, you need to know about the city's new ban on salary history inquiries.

In May 2019, the Kansas City, Missouri City Council passed Ordinance 190380, which prohibits employers with six or more employees from inquiring about a job applicant's salary history during the hiring process. In recent years, a growing number of cities and states across the country have enacted similar bans in an effort to reduce the gender pay gap.

The Pew Research Center estimates that women earned about 15% less than men nationwide. When salary offers are based on salary history, women who have been previously underpaid will likely continue to be underpaid. Bans on salary history inquiries aim to stop the cycle of underpaying women and thus reduce the wage gap. The Kansas City ordinance, effective October 31, 2019, prohibits an employer from engaging in certain hiring practices, including: (1) inquiring about a job applicant's salary history; (2) searching public records to obtain salary history; (3) relying on salary history to make hiring decisions; and (4) retaliating against an applicant for failing to disclose salary history. Importantly, these prohibitions do not apply to applicants for internal transfers or promotions with their current employer, and employers are permitted to discuss salary expectations with applicants. Other exceptions may apply.

A person (which includes individuals, corporations, and organizations) who engages in a prohibited practice may be found guilty of an ordinance violation, punishable by a fine of up to \$500.00, imprisonment for up to 180 days, or both. Thus, it is important for Kansas City employers to be aware of the new salary history inquiry ban and update their hiring policies and practices accordingly. Ordinance 190380 can be located [here](#).

#### FOR MORE INFORMATION

If you have questions or want more information regarding Kansas City's salary history inquiry ban, contact your legal counsel. If you do not have regular counsel for such matters, Foulston Siefkin LLP would welcome the

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opportunity to work with you to meet your specific business needs. Contact **Tara Eberline** at [teberline@foulston.com](mailto:teberline@foulston.com) or 913.253.2136. For more information on the firm, please visit our website at [www.foulston.com](http://www.foulston.com).

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