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Rhode Island law expands the state's equal pay law effective January 1, 2023

Summary

- Rhode Island expanded its equal pay law in 2022 to place, effective January 1, 2023, additional requirements on employers to prevent wage discrimination.
- Employers are required to provide wage information to certain job applicants and employees seeking a job transfer.
- Employers are prohibited from asking applicants about their salary history and/or relying on that wage history in the hiring decision.
- Employers are required to post a notice in the workplace about the new requirements under the law.

On July 6, 2022, Rhode Island Governor Daniel J. McKee signed into law [S0270A](#), which effective January 1 2023, seeks to expand employee protections from wage discrimination by requiring employers to provide wage information to certain job applicants and employees seeking a job transfer and prohibiting employers from asking applicants about their salary history and/or relying on that wage history in the hiring decision. Employers will also be required to post a notice (once available) in the workplace about the additional rights established under S0270A.

Pay transparency requirements

The law imposes the following requirements for the employer's disclosure of wage information to employees:

1. At the applicant's request, and prior to discussing compensation, an employer must provide the wage range for the position the applicant is applying for
2. An employer must provide an employee with the wage range for the employee's position both at the time of hire and when the employee moves into a new position

3. During the course of employment, and at the employee's request, an employer must provide the wage range for the employee's position

Wage history requirements

Under the law, and prior to the initial offer of employment, employers are prohibited from: (1) relying on the wage history of an applicant when deciding whether to hire the applicant; (2) requiring that an applicant's prior wages satisfy minimum or maximum criteria as a condition of being considered for employment; (3) relying on an applicant's wage history in determining the wages the applicant should be paid upon hire; and (4) seeking the wage history of an applicant.

After the employer makes an initial offer of employment with an offer of compensation to the applicant the employer may: (1) rely on wage history to support a wage higher than the wage offered by the employer, provided the applicant provides the wage history voluntarily without a request from the employer; (2) seek to confirm the applicant's wage history to support a wage higher than the wage offered by the employer; and (3) rely on the applicant's wage history under these circumstances to the extent that the higher wage does not create an unlawful pay differential.

Posting requirements

Employers are required to post in a conspicuous place at the work place a notice prepared or approved by Rhode Island Department of Labor & Training. The notice will explain the amendments to the law under S0270A.

The updated requirements under Rhode Island's equal pay law will be available [here](#).

Contact us for more information

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