

Columbus, Ohio, Bans Pre-Employment Salary History Questions

Effective March 1, 2024, under [Ordinance 0709-2023](#) (the “Ordinance”), Columbus, Ohio, will become the third city in Ohio (following Cincinnati and Toledo) to prohibit salary history questions during the pre-employment process.

Employers Impacted: Employers with 15 or more employees performing work in Columbus, Ohio, including job placement and referral agencies, and agencies operating on behalf of an entity that is a covered employer.

Effective Date: March 1, 2024.

Suggested Actions:

- Review, and amend if necessary, your pre-employment policies and practices to ensure compliance. Your review should include, but may not be limited to, job postings and any application forms for employment.
- HR Authorizer role holders can access a compliant job application form on the [TriNet Navigator Suite](#). Click on the Navigator Onboarding tile > Create New Document > Navigator Employ.
- Train your HR contacts and any individuals involved in the interview process on this update and any changes to your policies, practices or documents.
- Consider enrolling managers and supervisors in HR 101: Best Practices in Hiring. [Click here](#) to learn more.

Summary:

The Ordinance will make it unlawful for employers to:

- Inquire about job applicants’ salary history, including current or prior wage, benefits, or other compensation (but excluding objective measures of productivity such as revenue or sales);
- Screen job applicants based on their salary history, including setting minimum and/or maximum salary history criteria that must be met;
- Rely solely on an applicant's salary history to decide whether to offer employment or to determine the salary, benefits or other compensation to offer; and
- Refuse to hire or otherwise retaliate against an applicant for not disclosing their salary history.

Employers can still inquire into salary, benefits and other compensation expectations, including but not limited to unvested equity or deferred compensation that an applicant would forfeit by resigning from their current employer.

Certain exceptions apply to the prohibitions noted above, including:

- Actions pursuant to federal, state, or local laws that specifically authorize the reliance on salary history to determine an employee's compensation;

- Applicants for internal transfer or promotion with their current employer;
- A voluntary and unprompted disclosure of salary history information by an applicant;
- Attempts to verify non-salary related disclosures, including background checks, if the employer does not solely rely upon the information when determining the salary, benefits, or other compensation of the applicant;
- Past salary history data of applicants re-hired by the employer within three years of the most recent date of termination; and
- Determinations pursuant to an established collective bargaining agreement.

If you have any questions, log in to TriNet (login.TriNet.com) and click Contact TriNet. If you are unable to log in, go to TriNet (login.TriNet.com) and select one of the following options: Forgot Password, Forgot ID, Unlock Account, Login Help.

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