



**WLP Statement on Philadelphia's Wage Equity Ordinance**  
*New Equal Pay Law Banning Employers from Inquiring About or Relying on Salary History Goes into Effect September 1*

PHILADELPHIA AUGUST 11, 2020 -- The City of Philadelphia has announced the Philadelphia Commission on Human Relations (PCHR) will begin enforcing the Wage Equity Ordinance on September 1, 2020.

That means that, as of September 1, it is illegal for employers to ask about or require job applicants to disclose their wage history or to use that information to determine wages when applying for a job in Philadelphia. For the purposes of this law, wages are defined as all earnings, including compensation beyond salary such as benefits and bonuses.

Read the text of the ordinance [here](#).

“We have [long argued](#) that a prospective employer should not be allowed to set wages for a job based on an applicant’s prior wages because doing so can perpetuate wage discrimination throughout an entire career,” says WLP managing attorney Terry L. Fromson, who testified and filed a brief in support of the ordinance. “The research makes that clear. Without the protection Philadelphia’s new ordinance provides, gender and racial wage disparities tend to increase throughout a worker’s lifetime.”

“This ordinance is similar to many workplace anti-discrimination laws we’ve had for a long time that prohibit employers from asking questions that enable discriminatory decisions,” says WLP director of policy and advocacy Amal Bass, who [co-authored a brief](#) filed in support of the City of Philadelphia after [local business interests sought to block](#) its implementation with Fromson and Helen Norton of the University of Colorado Law School. “Wages should be based on an applicant’s qualifications and the job’s responsibilities, not other irrelevant and potentially discriminatory factors such as what they were paid at a previous job.”

From the City’s announcement:

“The goal of the Ordinance is to help close the wage gap for women and people of color. Philadelphia was one of the first jurisdictions in the country to pass such a measure. Mayor Jim Kenney signed it into law on January 23, 2017, following unanimous passage by City Council. The legislation was championed by former Councilmember William Greenlee, who introduced the measure on September 29, 2016.”

“Recent studies show that jurisdictions with salary history bans are seeing increases in salaries for women and people of color when they change jobs, proving that these laws actually work and strengthening the case for passing them,” says City Solicitor Marcel S. Pratt.

Local equal pay ordinances are especially important because the Pennsylvania Legislature has so far refused to close loopholes in the state Equal Pay Act, which has not been updated since 1967, when it was amended to apply to fewer people.

**For more information on this issue or to request to speak to a WLP attorney, contact Tara Murtha at [tmurtha@womenslawproject.org](mailto:tmurtha@womenslawproject.org).**

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