

AB2895
Employee Right to Discuss Working Conditions
Effective: Immediate

Existing law provides that an employer may not require that an employee refrain from disclosing the amount of his or her wages, require an employee to sign a waiver denying him or her the right to disclose the amount of his or her wages, or discharge, formally discipline, or otherwise discriminate against an employee, for job advancement, who discloses the amount of his or her wages.

This bill further clarifies the law. Employers are not only not permitted to terminate or discipline an employees who discloses private working conditions, the employer is prohibited from requiring employees to refrain from disclosing such working conditions. This law does not apply to proprietary information, trade secrets and other employer protected information.

If the employer has a practice of advising employees (such as at the time of hire or pay raises) to refrain from disclosing such information (or any other non-protected working condition information), the employer must abandon this practice. If employees are required to sign any waiver or agreement about non-disclosure (other than described above), this practice must also cease.

Employer violations would come under the jurisdiction of the Labor Code and relevant enforcement agencies.