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California State Senate

SENATOR
JEFF STONE, PHARM.D.
TWENTY-EIGHTH SENATE DISTRICT



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PUBLIC SAFETY

September 19, 2017

Governor Edmund G. Brown, Jr.
State Capitol
Sacramento, CA 95814

RE: Veto Request – Assembly Bill 168

Dear Governor Brown:

I am writing today to respectfully request that you veto Assembly Bill 168.

AB 168 unnecessarily interferes with the dynamic between job applicants and employers.

Many problems would arise if an employer and job applicant are not allowed to discuss prior compensation. By requesting salary information, employers can adjust salary ranges to match the current market rate for the advertised job position. This has worked to the benefit of both the applicant and the employee. AB 168 will make these adjustments impossible in real time and likely adversely affect job applicants.

Additionally, gender based wage discrimination is already addressed in current law in a number of different ways. AB 168 would merely open up companies and government contractors that hire people to a plethora of lawsuits. Any alleged violation, whether inadvertent or intentional and irrespective of whether there is any harm done, could result in a Private Attorneys' General Act (PAGA) lawsuit, attorneys' fees and significant penalties.

If companies could currently get away with paying women less than their male counterparts, it would be entirely rational to only employ women. As that is not the case, I view this bill as merely a broadening of opportunities to sue an employer – including state and local governments.

I thank you for your time to read this letter and am available to answer any questions if they arise. I can be contacted at (916) 651-4028.

Sincerely,

A handwritten signature in cursive script that reads "Jeff Stone".

Jeff Stone
Senator, 28th District