

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 08-122

BY SENATOR(S) Windels, Boyd, Groff, Tochtrop, and Williams;
also REPRESENTATIVE(S) Carroll T., Carroll M., Casso, Labuda, Soper,
and Todd.

CONCERNING THE PROHIBITION OF ACTION AGAINST AN EMPLOYEE FOR
SHARING WAGE INFORMATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 24-34-402 (1), Colorado Revised Statutes, is amended
BY THE ADDITION OF A NEW PARAGRAPH to read:

24-34-402. Discriminatory or unfair employment practices.

(1) It shall be a discriminatory or unfair employment practice:

(i) UNLESS OTHERWISE PERMITTED BY FEDERAL LAW, FOR AN EMPLOYER TO DISCHARGE, DISCIPLINE, DISCRIMINATE AGAINST, COERCE, INTIMIDATE, THREATEN, OR INTERFERE WITH ANY EMPLOYEE OR OTHER PERSON BECAUSE THE EMPLOYEE INQUIRED ABOUT, DISCLOSED, COMPARED, OR OTHERWISE DISCUSSED THE EMPLOYEE'S WAGES; TO REQUIRE AS A CONDITION OF EMPLOYMENT NONDISCLOSURE BY AN EMPLOYEE OF HIS OR HER WAGES; OR TO REQUIRE AN EMPLOYEE TO SIGN A WAIVER OR OTHER DOCUMENT THAT PURPORTS TO DENY AN EMPLOYEE THE RIGHT TO DISCLOSE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

HIS OR HER WAGE INFORMATION. THIS PARAGRAPH (i) SHALL NOT APPLY TO EMPLOYERS WHO ARE EXEMPT FROM THE PROVISIONS OF THE "NATIONAL LABOR RELATIONS ACT", 29 U.S.C. SEC. 151 ET SEQ.

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.