A bill to be entitled
An act relating to employee leave and wage and salary
history; amending s. 110.221, F.S.; authorizing
parental leave for state employees in the Career
Service System who have a stillborn child; creating s.
112.0445, F.S.; defining terms; prohibiting a public
employer or an employment agency from engaging in
certain activities relating to wages and salary;
providing applicability; authorizing a public employer
or an employment agency to confirm a prospective
employee's wage or salary history under certain
conditions; creating s. 448.111, F.S.; prohibiting an
employer from engaging in certain activities relating
to wages and salary; providing applicability;
authorizing an employer to confirm a prospective
employee's wage or salary history under certain
conditions; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:
Section 1. Subsection (4) is added to section 110.221,
Florida Statutes, to read:
110.221 Parental or family medical leave
(4) An employee is entitled to the parental leave
protections provided in subsections (2) and (3) if the birth of
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26	the employee's child resulted in a stillbirth, as that term is
27	defined in s. 382.002.
28	Section 2. Section 112.0445, Florida Statutes, is created
29	to read:
30	112.0445 Prohibited public employer activities related to
31	wages and salary
32	(1) For purposes of this section, the term:
33	(a) "Employee" has the same meaning as in s.
34	<u>112.044(2)(c).</u>
35	(b) "Employer" means the state or any county,
36	municipality, or special district or any subdivision or agency
37	thereof.
38	(c) "Employment agency" has the same meaning as in s.
39	<u>112.044(2)(b).</u>
40	(2) An employer or employment agency may not:
41	(a) Seek, request, or require the wage or salary history
42	from a current, former, or prospective employee, orally or in
43	writing, as a condition of being interviewed, as a condition of
44	continuing to be considered for an offer of employment, or as a
45	condition of employment or promotion.
46	(b) Seek, request, or require the wage or salary history
47	of a current, former, or prospective employee, orally or in
48	writing, from a current or former employer except as provided in
49	subsection (4).
50	(c) Retaliate against or refuse to interview, hire,
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51 promote, or otherwise employ a current, former, or prospective 52 employee: 53 1. Because the current, former, or prospective employee, 54 in accordance with this section, did not provide his or her wage 55 or salary history. 56 2. Because the current, former, or prospective employee 57 filed a complaint alleging a violation of this section. 58 (3) This section does not prevent a current, former, or 59 prospective employee from voluntarily disclosing his or her wage or salary history, including, but not limited to, for the 60 61 purposes of negotiating wages or salary. (4) An employer or employment agency may confirm a wage or 62 63 salary history only if, at the time an offer of employment with 64 compensation is made, the prospective employee responds to the 65 offer by providing prior wage information to support a wage 66 higher than that offered by the employer. Section 3. Section 448.111, Florida Statutes, is created 67 68 to read: 448.111 Prohibited employer activities related to wages 69 70 and salary.-71 (1) An employer may not: 72 (a) Seek, request, or require the wage or salary history 73 from a current, former, or prospective employee, orally or in 74 writing, as a condition of being interviewed, as a condition of 75 continuing to be considered for an offer of employment, or as a Page 3 of 4

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76	condition of employment or promotion.
77	(b) Seek, request, or require the wage or salary history
78	of a current, former, or prospective employee, orally or in
79	writing, from a current or former employer except as provided in
80	subsection (3).
81	(c) Retaliate against or refuse to interview, hire,
82	promote, or otherwise employ a current, former, or prospective
83	employee:
84	1. Because the current, former, or prospective employee,
85	in accordance with this section, did not provide his or her wage
86	or salary history.
87	2. Because the current, former, or prospective employee
88	filed a complaint alleging a violation of this section.
89	(2) This section does not prevent a current, former, or
90	prospective employee from voluntarily disclosing his or her wage
91	or salary history, including, but not limited to, for the
92	purposes of negotiating wages or salary.
93	(3) An employer may confirm a wage or salary history only
94	if, at the time an offer of employment with compensation is
95	made, the prospective employee responds to the offer by
96	providing prior wage information to support a wage higher than
97	that offered by the employer.
98	Section 4. This act shall take effect July 1, 2022.

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