



October 18, 2023

The Honorable Karen E. Spilka, Senate President
State House, Room 332
Boston, MA 02133

Dear President Spilka:

On behalf of the Massachusetts Bankers Association's (MBA) more than 120 commercial, savings and cooperative banks and federal savings institution members with 72,000 employees located throughout the Commonwealth and New England, I am writing to express our views on S.2468 - An Act Relative to Salary Range Transparency.

Overall, the legislation is largely consistent with similar measures that have been adopted in other states. This is important for our membership, as many of our banks do operate across state lines and nationally. Other states have focused on the importance of salary transparency for those seeking positions, to ensure greater equity and fairness in the hiring process.

However, we wish to draw your attention to two specific provisions of the bill which we believe are unnecessary to advance the overarching goals of this measure, as follows:

Line 150 - (c) A covered employer, or agent of said covered employer, shall provide the pay range for a particular and specific employment position to an employee offered a promotion, or transfer, to a new position with different job responsibilities

Line 153- (d) A covered employer, or agent of said covered employer, shall provide the pay range for a particular and specific employment position to an employee holding such position, or to an applicant for such position, upon request.

In our view, these provisions are overly broad and vague, which may make compliance difficult for employers as a practical matter. In both instances, the language is directed at the information provided to current employees but fails to take into account the multitude of scenarios that may be in play in the employment context. For instance, we believe that the posting of salaries for open roles will provide significant and useful information to employees seeking promotions, transfers and new opportunities with our firms, which would eliminate the need for the separate subsection (c). Similarly, employees offered a job different in scope from their current role will have conversations regarding salary as part of that transition.

Additionally, the second provision regarding disclosure of pay range for a "particular and specific employment position" "upon request" is extremely open ended and we believe could be needlessly burdensome on employers, particularly where it may be ambiguous as to whether an employee is making a request under this provision or simply having a general discussion with a manager. Instead, in our opinion, having transparency in the job postings, particularly where it will be visible to all employees and applicants, will provide the transparency sought by this bill.

As such, we respectfully request that these provisions be stricken. We do not believe this change will have any impact on the measure's effectiveness.

In closing, we thank you for considering our views on this important piece of legislation. If you have any questions or need additional information, please contact us at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Papalardo', with a long horizontal flourish extending to the right.

[Brad S. Papalardo, Esq.](#)

Senior Vice President,

Chief of Government Affairs & Counsel