

February 25, 2025

RE: Oppose SB 5408 – Protect Washington’s Nation-Leading Pay Transparency Law

Dear Senator,

On behalf of the National Women’s Law Center and the undersigned national organizations committed to advancing gender and racial equity in the workplace, we write to strongly oppose **SB 5408**, an effort to **roll back Washington’s visionary pay range transparency law (RCW 49.58.110)**.

Washington’s leadership in pay transparency has helped **set a national precedent**—one that workers and advocates across the country look to as a model for ensuring fair pay and reducing systemic wage disparities. In 2022, Washington was only the third state to pass a pay range transparency law; pay range transparency bills have now been enacted in 14 states and the District of Columbia. Pay range transparency:

- **Empowers workers** to negotiate fair wages and advocate for their rights.
- **Is crucial for closing wage gaps** that disproportionately harm **women and workers of color**.
- Helps employers **attract strong candidates, retain employees, and save time during the hiring process**.

SB 5408 is a blatant effort to **gut the very core of this progress** by **making it easier for employers to disregard the law** and continue to keep job seekers in the dark. SB 5408 exploits the power imbalance between a job applicant and their potential employer to effectively create an **impenetrable barrier to bringing claims under the law**.

We cannot afford to let anti-worker interests undermine the law—not in Washington and not nationwide. This is especially true at a time when **enforcement of federal worker protections is uncertain**.

SB 5408 Would Create a Dangerous Loophole

Rather than holding employers accountable for wage transparency, SB 5408 would **take away applicants’ ability to assert their rights under the law**. Under this proposal:

- A **worker** would have to **file written notice** of a noncompliant job posting.
- **Employers would then have 14 calendar days to fix that specific listing**, allowing them to continue concealing wages in all their other postings.
- **Repeat offenders would face no meaningful consequences**, as they could simply correct a listing when caught, while continuing widespread violations elsewhere.
- **SB 5408 puts job seekers in an impossible position**: Either apply for a job without knowing the salary or complain to your prospective employer and **risk losing a chance of securing employment**. Washington’s pay range transparency law was intended to

help level the playing field between workers and employers, but SB 5408 would turn that on its head and help employers exploit a power imbalance to avoid liability.

SB 5408 would weaken enforcement of the existing law, make it easier for corporations to evade responsibility, and perpetuate pay disparities. If enacted, this bill will **gut Washington's law and undermine the state's national leadership.**

The Nation is Watching: Do Not Let Washington Backslide

At a time when states across the country are moving **toward** stronger wage transparency laws, Washington must not **move backward**. Passing SB 5408 would **set a dangerous precedent**, giving corporations a blueprint to weaken and dismantle similar laws in other states.

We urge you to **support workers, uphold Washington's national leadership, and reject SB 5408.**

Sincerely,

National Women's Law Center
Equal Rights Advocates
National Partnership for Women & Families