



# Ohio Pay Equity

## **Statute**

- Wage Discrimination, Ohio Rev. Code § 4111.17
- City of Cleveland, Ordinance 104-2025.

## **Classes protected**

- Race, color, religion, sex, age, national origin, ancestry

## **Key language on pay discrimination**

- “No employer . . . shall discriminate in the payment of wages on the basis of race, color, religion, sex, age, national origin, or ancestry by paying wages to any employee at a rate less than the rate at which the employer pays wages to another employee for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar conditions.”

## **Exceptions for pay disparities (including affirmative defenses)**

- Seniority system
- Merit system
- System which measures earnings by the quantity or quality of production
- Any factor other than race, color, religion, sex, age, national origin, or ancestry

## **Prohibition on salary history inquiry.**

- Employers in Cincinnati who employ at least 15 employees within Cincinnati are prohibited from asking about a job applicant’s salary history.
- Employers located within Toledo who employ 15 or more employees for pay within Toledo cannot ask for or screen job applicants based on pay history.
- Employers in Columbus who employ at least 15 employees within the city may not ask applicants about their salary history, screen applicants based on their current or prior compensation, or require that an applicant’s prior compensation satisfy minimum or maximum criteria. Employers also may not rely solely on salary history in deciding whether to offer employment or set pay, benefits, or other compensation, except under specific circumstances, which include internal transfers/promotions.
- Employers in Cleveland who employ at least 15 employees within the city may not ask applicants about their salary history, screen applicants based on their current or prior compensation or rely

solely on an applicant's salary history in deciding whether to offer employment or in determining salary .

- These requirements and prohibitions do not apply to actions taken by an employer pursuant to any federal, state or local law that specifically authorizes reliance on salary history to determine an employee's compensation, applicants for internal transfer or promotion with their current employer, a voluntary and unprompted disclosure of salary history information by an applicant, salary history inadvertently received as part of a background check (though the employer may still not solely rely upon it) or applicants who are re-hired by an employer who has access to the employee's salary history.

### **Anti-Retaliation**

- Employers in Cleveland who employ at least 15 employees within the city may not refuse to hire or otherwise retaliate against an applicant for not disclosing salary history.

### **Wage Disclosure Requirements**

- Employers in Cincinnati who employ at least 15 employees within Cincinnati are required to provide an applicant, upon reasonable request, the pay scale for a position after the applicant has been given a conditional offer of employment.
- Employers located within Toledo who employ at least 15 employees for pay within Toledo must, upon reasonable request from an applicant and after the applicant has been given a conditional offer of employment, provide the applicant a pay scale for the position sought.
- Employers in Cleveland who employ at least 15 employees within the city must provide the salary range or scale within each job notification, advertisement or other formal posting that offers the opportunity to apply for employment.

### ***Key Contacts***

- [Kathleen McLeod Caminiti](#)
- [Lonnie Giamela](#)
- [Sheila M. Abron](#)
- [Jacklyn Rad](#)
- [Sarah Wieselthier](#)
- [Monica Snyder Perl](#)

### ***Pay Equity Team***

Learn more about our services and team.

### ***Related Insights***

[View our related Pay Equity Insights for Ohio](#)