

Insights, News & Events

SALARY HISTORY CAN'T SHIELD EQUAL PAY CLAIMS, 9TH CIRC. SAYS

News

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Megan Winter in the San Diego office is quoted in the *Law360* article "*Salary History Can't Shield Equal Pay Claims, 9th Circ. Says.*" This article discusses the current divide within the circuit courts after the 9th Circuit ruled employers can no longer rely on salary history to justify gender pay disparity. The ruling will likely be appealed to the U.S. Supreme Court.

This ruling puts the 9th Circuit directly at odds with the 7th Circuit, which has said salary history is always a "factor other than sex." Several other appeals courts have come down in the middle.

"You've got quite a circuit split now," said Megan.

Regardless of whether and how the Supreme Court ultimately rules on the issue, the decision means 9th Circuit employers need to quickly audit their workforces for gaps based on salary history, Megan said.

To read the full article, visit [Law360](#). (subscription required)

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