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New Challenges to Pay Confidentiality Policies

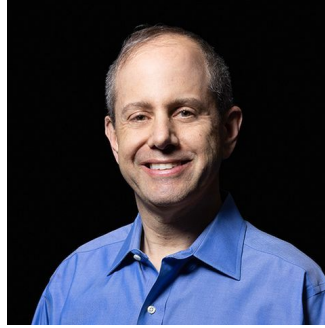
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In the interest of maintaining pay flexibility and incentivizing superior performance but without diminishing coworker morale, many employers maintain policies or practices that prohibit employees from discussing their wages, benefits or other compensation with coworkers. These policies have recently come under attack from the National Labor Relations Board and are also under challenge in efforts to combat claimed gender pay disparities. In this article, SRZ lawyers Mark E. Brossman and Scott A. Gold and former SRZ lawyers Samuel Estreicher and Mark D. Richardson discuss this relatively new regulatory environment that suggests employers may need to review, and possibly revise, their policies.

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