

Coworker Discussion of Salaries & Bonuses in the Workplace

By Manbir S. Chowdhary, Esq.

Our firm received a recent question regarding whether an employer could discipline or terminate an employee for discussing the amount of their wages with other coworkers. The answer is, no.

California law states that an employer may not discharge, formally discipline, or discriminate against an employee who discloses the amount of his or her wages. [Cal. Lab. Code § 232].

§ 232 further provides that an employer must not, “a) Require, as a condition of employment, that an employee refrain from disclosing the amount of his or her wages, or b) Require an employee to sign a waiver or other document that purports to deny the employee the right to disclose the amount of his or her wages.”

In *Grant-Burton v. Covenant Care, Inc.*, 99 Cal. App. 4th 1361, 122 Cal. Rptr. 2d 204 (2002), the California Court of Appeals held that an employee had “a fundamental right rooted in public policy to join in discussion with other employees about whether she were being equitably compensated.”

The court went on to state that an employer could not terminate an employee for discussing the amount of their bonus with other coworkers.