

Pay Transparency Law Requires Employers to Include Salary Ranges in NYC Job Postings

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Source: Saiber Employment Law Alert

Employers have until November 1, 2022, to plan for and comply with New York City's recently amended Pay Transparency Law that requires employers to include salary ranges in all listings for job openings in New York City.

The law covers any advertisement for a job, promotion, or transfer opportunity that will or may be performed in New York City, whether from an office, in the field, or remotely from the employee's home. An advertisement is defined as "a written description of an available job, promotion, or transfer opportunity that is publicized to a pool of potential applicants." Advertisements are covered regardless of the medium in which they are disseminated and include postings on internal bulletin boards, internet advertisements, printed flyers distributed at job fairs, and newspaper advertisements. Postings are covered regardless of whether they are seeking full- or part-time employees, interns, domestic workers, independent contractors, or any other category of worker protected by the New York City Human Rights Law.

The listing must include either the actual wage rate or both the minimum and maximum salary the employer in good faith believes, at the time of the job listing, it will pay for the advertised job, promotion, or transfer opportunity.

The law will apply to employers with four or more employees or one or more domestic workers. Owners and individual employers count towards the four employees and an employer is covered as long as one of the four employees works in New York City. All listings for positions promoted or filled by employment agencies are covered by the new law, regardless of the size of the employment agency. However, staffing agencies that seek applicants to join their available pool of workers are not covered by the law.

Saiber's Employment and Labor Law attorneys are available for guidance in complying with pay transparency laws. For questions regarding this alert, you may contact DanaLynn Colao, Paola Hemsley, and Catherine Soliman.