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Bill Introduced to Amend (and Delay Effective Date of) NYC Salary Disclosure Law

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A bill has been introduced before the NYC Council that would amend the recently enacted law requiring employers to include salary ranges in job postings.

As we previously reported, the new law will make it an unlawful discriminatory practice for a covered employer or its agent, or for an employment agency, to post or otherwise advertise a job, promotion or transfer opportunity without stating the minimum and maximum salary for the position in such posting or advertisement. As enacted, the law will take effect on May 15, 2022 and will apply to employers with four or more employees.

The recently introduced bill would amend the law in a number of significant ways, namely:

- pushing the effective date of the law to November 1, 2022;
- excluding employers with fewer than 15 employees (as opposed to the current four employee threshold) from coverage;
- changing references to the term "salary" in the law to read "hourly or salary compensation," with the stated purpose of clarifying that both hourly and salaried positions are covered by the law; and
- adding language stating that the law does not apply to: (i) general notices that an employer is hiring without reference to any particular position; and (ii) positions that are not required to be performed, at least in part, in the city of New York.

The bill will first go before the Council Committee on Civil and Human Rights for consideration. We will continue to track and report on further developments.

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