

New York City Pay Transparency Law to Take Effect in November 2022

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The New York City Council has pushed back implementation of the salary transparency law from May 15, 2022, to November 1, 2022.

On January 15, 2022, New York City enacted legislation requiring all covered employers to include a minimum and maximum salary for the position advertised. The new law was set to go into effect on May 15, 2022. However, following the City Council's passage of an amendment to the law, assuming the mayor signs it, *the effective date will be November 1, 2022.*

The other changes to the legislation include:

- The law has been revised for clarity, from requiring “minimum and maximum salary” to requiring “minimum and maximum annual salary or hourly wage” for the advertised position.
- The amendment reinforces a limited exception to the requirements for positions that cannot or will not be performed, at least in part, in New York City (job advertisements for temporary employment at temporary help firms remain excluded).
- The amendment creates a limited private right of action, stating: “[E]mployee may bring such an action against their current employer for an alleged violation of this subdivision in relation to an advertisement by their employer for a job, promotion or transfer opportunity with such employer.”
- The amendment provides a civil penalty of \$0 for a first violation *if* the violation is cured within 30 days of service of complaint (requires electronic or in-person proof of curing of the violation, but proof also constitutes an admission of liability).

We expect the City to issue revised compliance guidance.

Please contact a Jackson Lewis attorney with any questions on the new law.

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