

District of Columbia Council Puts Pay Transparency on Path to Application to Employers

By Matthew F. Nieman & Mary Mullen

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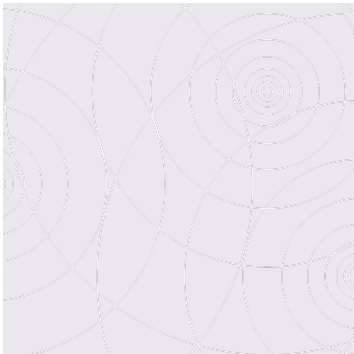


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Seeking to join the growing list of jurisdictions with pay transparency obligations for employers, on December 19, 2023, the District of Columbia Council passed the [Wage Transparency Omnibus Amendment Act of 2023](#). The bill would expand the District's efforts to address concerns and perceptions regarding income disparities.

While the bill must withstand mayoral and congressional review, as well as be budgeted for by the Council, the targeted effective date is June 30, 2024.

Bill Highlights

Under the Act, an employer must:

- Provide the minimum and maximum projected salary or hourly rate in all job listings and position descriptions; and
- Disclose to applicants before the first interview the "schedule of benefits, including bonuses, healthcare and other wellness benefits, stocks, bonds, options, equity, and nonmonetary remunerations" an employee may receive.

An employer cannot:

- Screen prospective employees based on their wage history; or
- Seek a prospective employee's wage history.

Looking Ahead

Many employers may have locations already covered by other state and local pay transparency laws (*e.g.*, California, Colorado, Massachusetts, New York, and Washington), and the proliferation of remote work makes the chances of that even higher. The Council's actions make the direct application of such obligations even more immediate.

Employers will want to revisit their recruiting and hiring policies and practices. Jackson Lewis attorneys are happy to help navigate the changes required to remain compliant with the District of Columbia's directives.

(Law clerk Holly Fredericksen contributed to this article.)

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