

New York City Lawmakers Vote to Delay Pay-Range Disclosure on Job Listings -- Update

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FULL TEXT

By Chip Cutter

The New York City Council voted to postpone a sweeping law requiring employers across the city to begin listing salary ranges on job posts.

The council on Thursday approved a bill that, if enacted, would revise and delay the city's existing salary disclosure law until Nov. 1, giving employers more than five additional months to prepare to include pay information on job listings.

The law is currently set to go into effect May 15. A bill becomes law if the mayor signs or takes no action within 30 days of passage.

A spokeswoman for Mayor Eric Adams didn't immediately respond to a request for comment.

The law calls for employers to disclose the expected salary range that an employer in good faith believes it would pay for each advertised job, promotion or transfer opportunity.

Business groups in New York have voiced opposition to the existing salary law, calling it the wrong solution in a tight labor market and saying it would add an undue burden for hiring managers.

The bill to revise the law would make changes likely to alleviate some of employers' concerns, including exempting companies from some lawsuits related to the salary-disclosure rule. It adds that employers, generally, won't be subject to civil penalties on their first violation of the rule. The revised bill also cut language included in an earlier version that critics said would make it easier for employers to avoid disclosing pay.

The original salary law, enacted earlier this year, caught some employers off guard, executives and lawyers said. It is aimed at addressing gender-pay gaps and providing more transparency on pay, part of a broadening of pay-disclosure requirements rippling across the U.S.

Nearly every big employer hiring in New York would be covered by it; only those with fewer than four employees or staffing firms hiring for temporary workers are excluded.

Advisers to companies on pay-equity matters said a delay to the law would likely be welcomed by employers, but could end up providing more helpful information to workers, too.

"More time means greater compliance," said Christine Hendrickson, vice president of strategic initiatives at Syndio, an analytics platform that helps employers identify and fix pay discrepancies. "I always find that giving employers a little bit of time to come into compliance means that they are much more planful about what ultimately happens. So the delay -- a move to November -- to me is a net plus for both employers and employees."

Ms. Hendrickson, an employment attorney, has been counseling human-resources executives and others on how to prepare for salary-transparency rules in places including New York, Washington state and California, where a similar bill is under consideration.

"For employees, they want real data, they want accurate data. They want the actual ranges," she said. "They want their employers to have a process in place so it's not just pulling together incorrect data points and putting those out."

Kathryn Wylde, chief executive of the Partnership for New York City, a business group whose members include large companies such as JPMorgan Chase & Co., said the revisions to the salary law reflected concerns expressed by employers.

"This legislation gives businesses and nonprofit organizations a more realistic time frame for compliance and some forbearance on penalties and exposure to litigation," she said.

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