



## NYC Employers Must Soon Include Salary Information in Job Postings

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Employers advertising for jobs in New York City will soon be required to include the salary range for the position in their advertisements.

On December 15, 2021, the New York City Council passed [an amendment to the New York City Human Rights Law](#) (NYCHRL) making it an unlawful discriminatory practice for an employer, employment agency, employee or agent thereof to advertise a job without stating the position's minimum and maximum salary. These amendments apply not only to advertisements for job openings made to the public, but also to advertised internal promotion and transfer opportunities. The amendments are awaiting the mayor's signature, which is expected.

In the advertisement, employers may state a range extending from the lowest to the highest salary that the employer believes in good faith it would pay for the position at the time. The amendment does not define the term "salary," but the amendment is presumably applicable to jobs that are paid on an hourly basis. Therefore, the employer would need to post the hourly wage range for the position at issue. This amendment will not apply to advertisements for temporary employment at a temporary help firm. As a reminder, employers in New York also

may not ask job applicants about their salary history or seek that information from other sources.

The amendments do not directly address how this law will be enforced. Generally, the New York City Commission on Human Rights (the Commission") may enforce violations of the NYCHRL and issue penalties of up to \$125,000 for violations. Persons aggrieved by alleged discrimination in violation of the NYCHRL also may generally bring a private cause of action in court to seek recovery of damages, including punitive damages, and injunctive relief.

Once signed into law, the amendments will go into effect 120 days later. The Commission may issue additional rules and guidance on compliance with the amendments prior to the effective date.

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