

# New York State's Salary Transparency Law Takes Effect September 17, 2023

Article By:

Nancy Gunzenhauser Popper

---

The time has come – New York employers are reminded that a statewide salary transparency law goes into effect on September 17, 2023. While many employers in [New York City](#), [Westchester County](#), the [City of Ithaca](#) and Albany County already contend with ordinances requiring disclosure of compensation information in job advertisements, [Labor Law § 194-b](#) (the “Law”) covers virtually all employers across the state. We previously reported on the approval of the Law [here](#), and discussed details [here](#) and [here](#).

## What This Means

Employers throughout New York State must now disclose the minimum and maximum annual salary or hourly range of upcoming posted job opportunities – not just for new job postings, but for postings of promotions and transfers as well. Additionally, the statewide law requires that any job posting include a job description if one exists – something that is not required by any of the existing local laws within the state.

The Law applies to opportunities any employer is offering in New York State and also any remote positions that may be physically performed outside of New York, but report to a supervisor, office, or other work site in New York.

Of note, the onset of the statewide salary transparency law means that small employers previously exempt from local salary transparency requirements will now have to comply; ordinances in New York City, Ithaca and Westchester County apply only to employers with four or more employees, but the statewide Law has no such threshold. In addition, upon the Law's taking effect, Westchester County's local provision will sunset.

## Employers Hiring in New York: What to Do Now

Employers should review all new job postings (including new job postings, promotions, and transfers) to include the minimum and maximum annual salary or hourly range. To the extent one has not already been conducted, employers should also consider conducting a pay equity audit to ensure employees are being paid fairly. With the increase in pay transparency laws, we have also seen an increase in pay equity claims. New York employers may be exposed to greater claims under [Labor](#)

[Law §194.](#)

## Employers Everywhere Else: Know the Trends

Salary transparency has been a burgeoning movement for the past two years, with more and more states and localities proposing and adopting legislation that requires disclosure of pay ranges. Outside of New York, statewide salary disclosure laws have already been enacted in [California](#), [Colorado](#), [Connecticut](#), [Hawaii](#), [Illinois](#), and [Washington](#). A handful of other states require employers to provide the salary range once an applicant or employee asks for such information. [Colorado](#) and [Illinois](#) have also taken the concept of transparency one step further, with new laws requiring employers to alert current employees whenever promotions and similar openings are available, so that all employees receive notice of opportunities that could advance their career. These laws aim to narrow the pay gap and diversify people in management positions. It is likely only a matter of time until more states follow suit.

©2024 Epstein Becker & Green, P.C. All rights reserved.

---

National Law Review, Volumess XIII, Number 251

Source URL: <https://www.natlawreview.com/article/new-york-state-s-salary-transparency-law-takes-effect-september-17-2023>