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STATES WITH PAY TRANSPARENCY LAWS:

- California
- Colorado
- Connecticut
- Maryland
- New York
- Nevada
- Rhode Island
- Washington

CITIES AND LOCALITIES WITH PAY TRANSPARENCY LAWS:

- Cincinnati, Ohio
- Jersey City, New Jersey
- Ithaca, New York
- New York City
- Toledo, Ohio
- Westchester County, New York

Jurisdiction	Date Effective	Applicable To	What Must Be Disclosed	What is Prohibited	Remote Work
California	Jan. 2023	Employers with 15 or more employees, at least one of whom is located in California. The Labor Commissioner has issued guidance stating that the calculation of the 15-employee threshold follows the method of calculating employees for purposes of the 2022 COVID-19 Supplemental Paid Sick Leave and phase-in for the	Pay scales for a position in any job posting, including positions posted on third-party websites like LinkedIn. “Pay scale” refers to the salary or hourly wage range that the employer reasonably expects to pay for the position. It does not include bonuses, commissions, tips, or other benefits. However, if the position’s hourly or salary wage is based on a piece rate or commission, then the job posting must include the piece rate	Asking applicants about salary history (prohibited since January 2018).	Triggered regardless of whether the work will be performed in California or is a remote position provided that the work <i>could</i> be filled in California, whether in-person or remotely.

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		<p>new minimum wage rates.</p>	<p>or commission range the employer reasonably expects to pay for the position.</p> <p>Must include the pay scale in the job posting itself. No links to the pay scale are permitted, nor are QR codes allowed.</p> <p>Pay scale to an employee for the job they currently hold, upon request.</p>		
<p>Colorado</p>	<p>Jan. 2021</p>	<p>Employers with one or more employees in Colorado</p>	<p>Hourly or salary compensation, or a range of the hourly or salary compensation, that the company would pay for the role, in each posting for a job opening. It must also include in a job posting the compensation for the job or a range of compensation; a description of any bonuses, commissions, or other compensation; and a general description of benefits offered, including healthcare, retirement benefits, paid days off, and any tax-reportable benefits.</p>		<p>Applies to all remote job openings so long as the employer has at least one worker in Colorado, unless the work is specifically tied to a non-Colorado worksite.</p>

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			<p>Must notify current employees about opportunities for promotion and to maintain job description and wage rate records.</p>		
Connecticut	Oct. 2021	Employers located in Connecticut with at least one employee in the state	<p>Must disclose to applicants and employees the wage ranges for positions for which they are applying upon request or when communicating an offer, whichever comes first.</p> <p>“Wage range” means the range of wages an employer anticipates relying on when setting wages for a position, and may include reference to any applicable pay scale, previously determined range of wages for the position, actual range of wages for those employees currently holding comparable positions or the employer’s budgeted amount for the position.</p> <p>Must provide an employee the pay range when they’re hired, if they change to a new position, or</p>	<p>Prohibits retaliation against an employee who asks another employee about his or her wages or discusses another employee’s wages.</p> <p>Cannot require employees to agree not to disclose or discuss the amount of their wages.</p>	The law covers applicants and employees who live outside of Connecticut who work remotely or who apply for remote work.

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			if they request it for their current role.		
Maryland	Oct. 2020	Employers engaged in business in the state of Maryland	Must disclose the pay range to applicants upon request.	<p>Cannot ask candidates about their salary history.</p> <p>Once an applicant is hired, the employer may ask for salary history information to support a request for higher wages.</p> <p>Cannot retaliate against applicants for requesting wage information.</p> <p>Cannot prohibit employees from inquiring about, discussing, or disclosing their own wages to another employee or prohibit an employee from, or retaliate against them for, asking about or discussing the wages of another employee.</p>	
New York	Sept. 2023	Private sector New York employers with at least four employees.	Must include the minimum and maximum annual salary or range of compensation for each advertised job, promotion, or transfer opportunity. If the position is paid on commission, the employer must only disclose that the	Cannot ask applicants about their salary history and includes an anti-retaliation provision.	<p>Covers any job, promotion, or transfer opportunity “that can or will be performed, at least in part, in the State of New York.”</p> <p>NY lawmakers amended the law</p>

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			<p>compensation is commission-based.</p> <p>Must also include the job description, if one exists.</p>		<p>to clarify that it applies only to employers who have (1) employees who are physically located in New York while performing their work and (2) employees located anywhere provided their supervisor, office, or work site is located in New York.</p>
Nevada	Oct. 2021	Employers in Nevada.	<p>Must provide the salary range to applicants after an initial interview automatically, even if the applicant hasn't asked for it.</p> <p>Must also provide this information to current employees who apply for or are offered a promotion or transfer.</p>	Cannot ask applicants about their wage or salary history in determining pay rate, but can ask about their wage or salary expectations.	
Rhode Island	Jan. 2023	Rhode Island employers.	<p>Must provide candidates wage range information upon request or at the time of hiring, whichever is earlier. Wage information must also be provided to current</p>	Cannot prohibit employees from inquiring about, discussing, or disclosing their wages with other employees. Also prohibits employers from retaliating against employees who engage in such	

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			<p>employees upon request.</p> <p>Must also provide to current employees their wage range (1) at the time of hire and (2) when the employee moves into a new position even in the absence of a request.</p>	<p>activity or requiring employees to enter into any agreement limiting their right to disclose or discuss their wages.</p>	
<p>Washington</p>	<p>Jan. 2023</p>	<p>All employers with 15 or more employees “engaging in any business, industry, profession, or activity in Washington” for any job postings “that recruit Washington based employees.”</p>	<p>Must list wage scale or salary range for a job on every job posting, including the starting range and general range, and describe all benefits and other compensation offered, including bonuses, commissions, and stock options. The benefits description must address healthcare, retirement options such as 401(k), vacation and paid time off, paid holidays, and any other benefits that are reportable under tax laws. The disclosure should also include paid sick time if the employer’s policy is more generous than what’s required by state or local laws.</p>		<p>Applies broadly to employers regardless of whether they have a physical presence in Washington if they recruit Washington-based employees or recruit for jobs that could be filled by a Washington-based employee, even if they are working remotely.</p> <p>An employer cannot avoid becoming subject to the law by indicating within a posting that the employer will not accept Washington applicants.</p>

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			Must provide the range for an internal transfer or promotion to existing employees, if the employee asks for it. If a scale or range doesn't exist, the employer must provide the employee with the minimum salary expectation, which must be determined <i>before</i> posting the position, making a position transfer, or making the promotion.		
Cincinnati, Ohio	March 2020		Must provide the pay range for a job upon an applicant's request after they've made an offer	Cannot ask applicants about salary history	
Jersey City, New Jersey	April 2022	All employers with four or more employees and with their principal place of business in Jersey City	Must post the salary range for every job posting		
Ithaca, New York	Sept. 2022	All employers with four or more employees (law does not specify <i>where</i> the employer must be located)	Must publish the salary range for each new job		
New York City	Nov. 2022	Employers with four or more employees	Must include a position's minimum and maximum annual salary, or hourly		The law applies to any position that could be filled by a candidate who resides in New

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			wage, in any job posting.		York City or any position that could be performed at least in part in New York City
Toledo, Ohio	Nov. 2022		Must provide the pay range on a job after they've made an offer and if the applicant asks for it	Cannot ask applicants about their salary history	
Westchester County, New York	Nov. 2022	Employers based in the county with four or more employees *This law will become null and void when New York State's pay transparency law goes into effect later this year	Must share the minimum and maximum salary range for a job		Applicable if the job is performed in whole or in part in the county

Contact Liskow's employment law team for help navigating the patchwork of pay transparency laws across the country.



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