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# Meridian Client Update

## Prevalence of Pay Transparency Laws are Increasing

Last month, New York City's pay transparency law went into effect. New York City joins a growing list of jurisdictions implementing pay transparency laws.

Generally, pay transparency laws require employers to disclose wage information for a given position for job postings. These laws are intended to provide transparency and fairness in employment negotiations and wages. In addition, many of these laws require employers to provide wage information to employees in connection with a transfer or promotion or upon request. The momentum behind the adoption of pay transparency laws appears to have increased significantly over the past several years and, as a result, we anticipate an increasing number of jurisdictions will enact such laws.

Companies should assess whether their wage scales or salary ranges are in place for every job position to comply with transparency laws when those positions are posted.

The attached table summarizes pay transparency laws for select jurisdictions.

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## Transparency Laws Adopted by Select Jurisdictions

Jurisdiction	Covered Employers	Requirements	Jurisdictional Reach	Remedies	Effective Date
California	<ul style="list-style-type: none"> <li>Employers with 15 or more employees</li> </ul>	<ul style="list-style-type: none"> <li>Disclose pay scale in job postings</li> <li>Disclose pay scale to current employees upon request</li> </ul>	<ul style="list-style-type: none"> <li>Law is silent on whether it applies to postings for remote jobs that may be performed in any state</li> </ul>	<ul style="list-style-type: none"> <li>Civil penalties ranging from \$100 to \$10,000 and injunctive relief or other relief as the court deems appropriate</li> </ul>	January 1, 2023
Colorado	<ul style="list-style-type: none"> <li>Any employer within the state</li> </ul>	<ul style="list-style-type: none"> <li>Disclose in job posting the compensation range for the position and descriptions of the forms of incentive compensation (but not a specific range or monetary value) and benefits</li> </ul>	<ul style="list-style-type: none"> <li>Law applies if the position either:                             <ul style="list-style-type: none"> <li>Will be performed in Colorado or</li> <li>Can be performed remotely from Colorado</li> </ul> </li> <li>Law does not apply to jobs with a fixed location outside of Colorado</li> </ul>	<ul style="list-style-type: none"> <li>Civil penalties ranging from between \$500 and \$10,000 for each violation</li> </ul>	January 1, 2021
Connecticut	<ul style="list-style-type: none"> <li>Employers with one or more employees</li> </ul>	<ul style="list-style-type: none"> <li>Disclose wage range for a position to an applicant upon earliest of (a) applicant's request, or (b) prior to or at time applicant is made an offer of compensation</li> <li>Disclose wage range for employee's position upon (i) hiring of employee (ii) promotion, and (iii) employee's request</li> </ul>	<ul style="list-style-type: none"> <li>Law applies to applicants or employees who apply for, or work for, a Connecticut employer, even if they work outside the state</li> </ul>	<ul style="list-style-type: none"> <li>Civil liability including compensatory damages, attorney's fees and costs, punitive damages and equitable relief</li> </ul>	October 1, 2021
Maryland	<ul style="list-style-type: none"> <li>Any employer within the state</li> </ul>	<ul style="list-style-type: none"> <li>Disclose wage range for a position upon a candidate's request</li> </ul>	<ul style="list-style-type: none"> <li>Law is silent on whether it applies to candidates for positions that could be performed in any state</li> </ul>	<ul style="list-style-type: none"> <li>Civil penalties of \$300 or \$600 or more if merited</li> </ul>	October 1, 2020

Jurisdiction	Covered Employers	Requirements	Jurisdictional Reach	Remedies	Effective Date
Nevada	<ul style="list-style-type: none"> <li>Any employer within the state</li> </ul>	<ul style="list-style-type: none"> <li>Disclose wage range to candidates</li> <li>Disclose wage range upon request of employee in connection with a transfer or promotion</li> </ul>	<ul style="list-style-type: none"> <li>Law is silent on whether it applies to positions that could be performed in any state</li> </ul>	<ul style="list-style-type: none"> <li>Civil penalties up to \$5,000 for each violation and attorney's fees and investigative costs</li> </ul>	October 1, 2021
New York City	<ul style="list-style-type: none"> <li>Employers with four or more employees or one or more employees who work in New York City</li> </ul>	<ul style="list-style-type: none"> <li>Disclose minimum and maximum salary employer (in good faith believes at time of posting) is willing to pay for advertised job, promotion, or transfer opportunity</li> </ul>	<ul style="list-style-type: none"> <li>Law applies to positions that can or will be performed, in whole or in part, in New York City, whether from an office, in the field, or remotely from the employee's home</li> </ul>	<ul style="list-style-type: none"> <li>Civil penalties of up to \$250,000 per violation</li> </ul>	November 1, 2022
Rhode Island	<ul style="list-style-type: none"> <li>Any employer within the state</li> </ul>	<ul style="list-style-type: none"> <li>Disclose wage range to candidates upon request</li> <li>Disclose wage range to an employee at time of hire and at any time upon request</li> <li>Disclose wage range in connection with a transfer or promotion</li> </ul>	<ul style="list-style-type: none"> <li>Law silent on whether it applies to applicants for remote jobs that may be performed in any state</li> <li>Law applies to employees in a position "in which all or the greater part of the work is to be performed within the state"</li> </ul>	<ul style="list-style-type: none"> <li>Civil penalties ranging from \$1,000 to \$5,000 per violation</li> <li>Civil liability including compensatory damages, special damages up to \$10,000, attorney's fees and costs, and equitable relief</li> </ul>	January 1, 2023
Washington	<ul style="list-style-type: none"> <li>Employers with 15 or more employees</li> </ul>	<ul style="list-style-type: none"> <li>Disclose in each posting for each job opening:               <ul style="list-style-type: none"> <li>The wage scale or salary range, and</li> <li>A general description of all benefits and other compensation</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Law silent on whether it applies to postings for remote jobs that may be performed in any state</li> </ul>	<ul style="list-style-type: none"> <li>Civil penalties ranging from \$500 for a first violation to \$1,000 or 10% of damages (whichever is greater) for a repeat violation</li> <li>Individual may recover actual damages (wages) and double statutory damages (or \$5,000, whichever is greater)</li> </ul>	January 1, 2023