



The New York City salary transparency rule came into effect November 1

WHAT DOES IT MEAN FOR YOU?

Starting November 1, 2022, the New York City Human Rights Law requires job, transfer and promotion advertising to include a good-faith salary range. The new rule covers nearly every employer and every type of job posting.

While the law includes specific language around domestic employees and employment agencies, we'll focus on the rules that apply to companies.

Who and what are affected by the new law?

Company size and location

The rule applies to companies with four or more employees. Note that:

- Owners are included in that count
- The count is based on all employees across all locations—whether in offices, in the field or working remotely
- The rule applies even if only one employee works in New York City or everyone works from home (remote workers could, after all, live in New York City)

Types of advertising

The way you publicize doesn't matter—the rule applies to internal bulletin boards, online and print ads, job fair flyers, and any other medium.

Types of jobs

Any job, promotion or transfer opportunity that might be performed, even in part, in New York City must comply. This applies to full- or part-time openings, interns, independent contractors, and so on.

What do you need to include?

Any time you create a listing for a job, promotion, or transfer, you must include the minimum and maximum salary you are willing to pay. This has to be a good-faith estimate at the time you post the opportunity, and it can't be open-ended, such as "\$X per hour and up" or "maximum \$X per year." If there is a set rate with no range, you can say "\$X per hour."

If you're advertising multiple opportunities in one ad, be sure you include individual salary ranges for each one.

Keep in mind that the salary range should be based on hourly or annual base pay, but should not include other compensation or benefits—paid time off, insurance, employer matches, overtime pay, bonuses, etc. Of course, you can still mention these in your listings to give candidates the full picture of what you're offering.

What if you don't comply?

Complaints may be investigated by the Commission on Human Rights and the Law Enforcement Bureau, or individuals can file suits in civil court, with penalties of up to \$250,000.

How can Creative Workforce Solutions help?

Work with Creative Workforce Solutions to ensure that your job postings and salary ranges are fair, attractive, and compliant. Reach out to us any time for a full range of [HR services and solutions](#), from compliance consulting to leadership coaching and more.