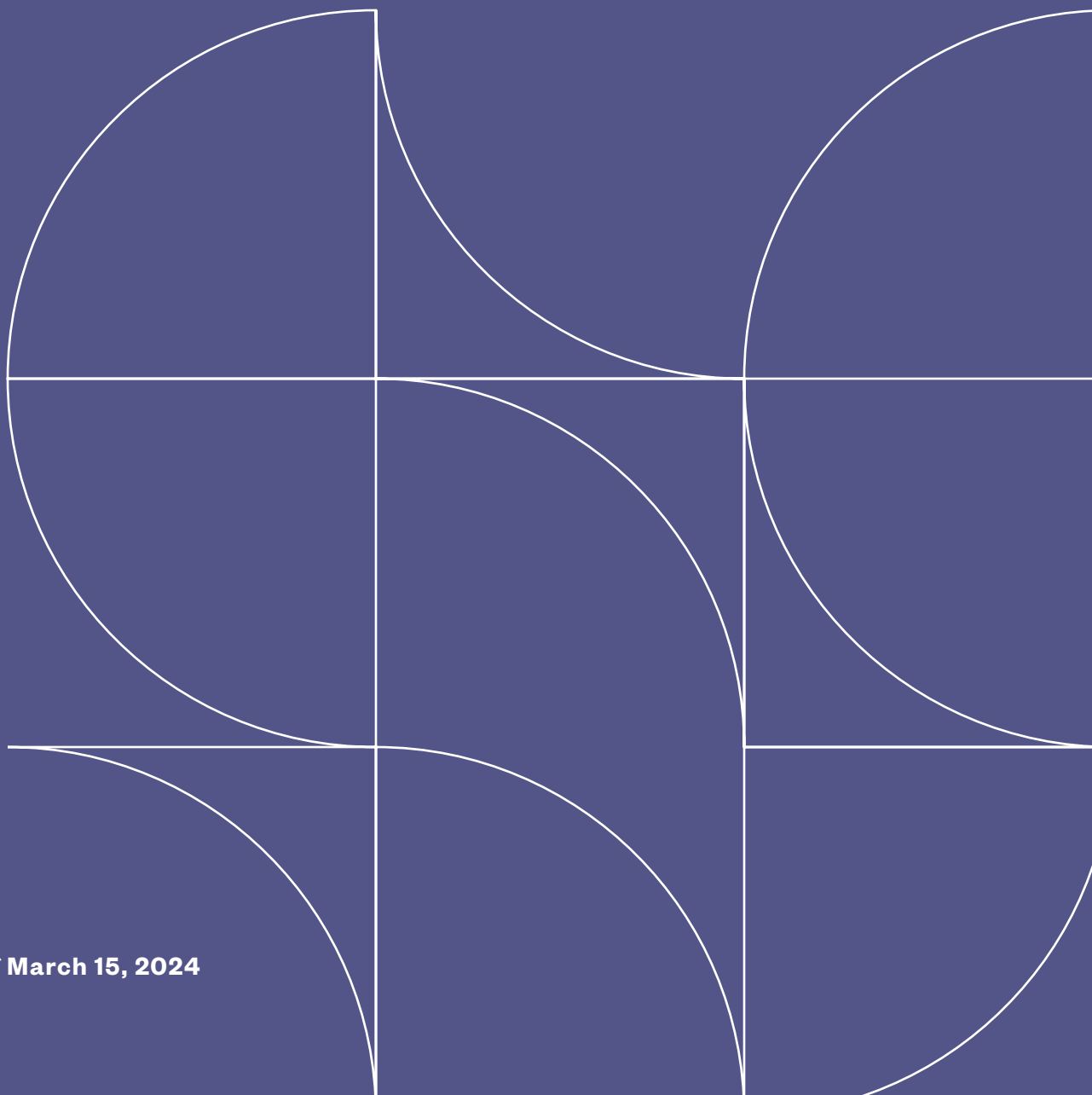
Seyfarth

Pay Transparency Wage Range Disclosure Compendium



Updated as of March 15, 2024

Pay Transparency Wage Range Disclosure Compendium

Current Laws

Jurisdiction	To Whom?	Timing	What Must be Provided	Effective Date
CA California	Applicants + Employees	On job posting and upon applicant and/or employee's request.	"Pay scale," which means the salary or hourly wage range that the employer reasonably expects to pay for the position. Record Retention Requirement: Must maintain records of a job title and wage rate history for each employee for the duration of the employment plus three years after the end of the employment in order for the Labor Commissioner to determine if there is still a pattern of wage discrepancy. These records shall be open to inspection by the Labor Commissioner.	Jan. 1, 2023
CO Colorado	Applicants + Employees	On job opportunity notification. Job Opportunity Notices: To all Colorado employees on the same calendar day and prior to the date on which the employer makes a selection decision. Post-Selection Notices: Within 30 calendar days after a candidate who is selected to fill a job opportunity begins working in the position.	Employer must in good faith disclose the following in the notification of each job opportunity: (1) the hourly or salary compensation or the range of the hourly or salary compensation; (2) a general description of the benefits and other compensation applicable to the job opportunity; (3) the date the application window is anticipated to close; and (4) how to apply for the job opportunity. Job Opportunity Notices: Employers must make reasonable efforts to announce, post, or otherwise make known each job opportunity to all Colorado employees. "Job opportunity" means "a current or anticipated vacancy for which the employer is considering a candidate or candidates or interviewing a candidate or candidates or that the employer externally posts." "Job opportunity" does not include career development or career progression. If an employer is only physically located outside of Colorado and has fewer than fifteen employees working in Colorado, all of whom work only remotely, then, through July 1, 2029, the employer is only required to provide notice of remote job opportunities. Post-Selection Notices: Employer must make reasonable efforts to announce, post, or otherwise make known the following information to, at a minimum, the Colorado employees with whom the employer intends the selected candidate to work with regularly: (1) the name of the candidate selected for the job opportunity; (2) the selected candidate's former job title if selected while already employed by the employer; (3) the selected candidate's new job title; and (4) information on how employees may demonstrate interest in similar job opportunities in the future, including identifying individuals or departments to whom the employees can express interest in similar job opportunities.	Jan. 1, 2024

Current Laws

Jurisdiction	To Whom?	Timing	What Must be Provided	Effective Date
CO Colorado (continued)			Career Progression Notices: For positions with "career progression," an employer shall disclose and make available to all eligible Colorado employees the requirements for career progression, in addition to each position's terms of compensation, benefits, full-time or part-time status, duties, and access to further advancement. "Career progression" means a regular or automatic movement from one position to another based on time in a specific role or other objective metrics.	
CT Connecticut	Applicants + Employees	Applicants: Upon earliest of (1) applicant's request; or (2) prior to or at the time of an offer of compensation. Employees: Upon (1) hire; (2) change in employee's position; or (3) employee's first request.	Wage range, which means the range of wages the employer anticipates relying on when setting wages for a position and may include reference to: (1) any applicable pay scale; (2) previously determined range of wages for the position; (3) actual range of wages for those employees currently holding comparable positions; or (4) the employer's budgeted amount for the position.	Oct. 1, 2021
DC District of Columbia	Applicants + Employees	In all job listings and position descriptions advertised. If not provided in disclosures, prospective employee may inquire about such disclosures.	In Job Listing: Minimum and maximum projected salary or hourly pay. In stating the minimum and maximum salary or hourly pay for the position, the range shall extend from the lowest to the highest salary or hourly pay that the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion, or transfer opportunity. To Prospective Employees: Disclose to prospective employees the existence of healthcare benefits that employees may receive before the first interview. The law does not define "first interview." Workplace Notice: Employer shall post a notice in its workplace notifying employees of their rights under the Act. Notice must be posted in a conspicuous place in at least one location where employees congregate.	6/30/2024
HI Hawaii	Applicants	On job listing. But not on job listings for: (1) positions that are internal transfers or promotions with a current employer; (2) public employee positions for which salary, benefits, or other compensation are determined pursuant to collective bargaining; or (3) positions with employers having fewer than fifty employees.	Hourly rate or salary range reasonably reflecting the actual expected compensation.	Jan. 1, 2024

Current Laws

Jurisdiction	To Whom?	Timing	What Must be Provided	Effective Date
IL Illinois	Applicants + Employees	In any job posting for positions that (1) will be physically performed, at least in part, in Illinois; or (2) will be physically performed outside of Illinois, but the employee reports to a supervisor, office, or other work site in Illinois. If a public or internal posting for the job, promotion, transfer, or other employment opportunity has not been made available to the applicant, must disclose (1) prior to any offer or discussion of compensation; and (2) at the applicant's request. Notice of promotional opportunities must be made no later than 14 calendar days after the employer makes an external job posting for the position.	Pay scale and benefits for a position. "Pay scale and benefits" means the wage or salary, or the wage or salary range, and a general description of the benefits and other compensation, including, but not limited to, bonuses, stock options, or other incentives the employer reasonably expects in good faith to offer for the position, set by reference to any applicable pay scale, the previously determined range for the position, the actual range of others currently holding equivalent positions, or the budgeted amount for the position, as applicable. The inclusion of a hyperlink to a publicly viewable webpage that includes the pay scale and benefits satisfies the requirements for inclusion. Posting of a relevant and up to date general benefits description in an easily accessible, central, and public location on an employer's website and referring to this posting in the job posting shall be deemed to satisfy the benefits posting requirement. Promotional Opportunity Notice Requirement: Employer must announce, post, or otherwise make known all opportunities for promotion to all current employees no later than 14 calendar days after the employer makes an external job posting for the position, except for positions in the State of Illinois workforce designated as exempt from competitive selection. Record keeping: Employer must make and preserve records that document the name, address, and occupation of each employee, the wages paid to each employee, the pay scale and benefits for each position, the job posting for each position, and any other information the Director may by rule deem necessary and appropriate for enforcement of this Act.	Jan. 1, 2025
MD Maryland	Applicants	Upon request.	Wage range (undefined).	Oct. 1, 2020
NV Nevada	Applicants + Employees	Applicants: Upon completion of an interview for a position. Employees: For promotion or transfer to a new position if the employee has (1) applied for the promotion or transfer; (2) completed an interview for the promotion or transfer or been offered the promotion or transfer; and (3) requested the wage or salary range or rate for the promotion or transfer.	Wage or salary range or rate.	Oct. 1, 2021

Jurisdiction	To Whom?	Timing	What Must be Provided	Effective Date
NJ New Jersey (Jersey City)	Applicants + Employees	On a posting or advertisement that provides notice of employment opportunities, transfers, or promotions.	Minimum and maximum annual salary or hourly wage. In stating the minimum and maximum annual salary or hourly wage for a position, the range may extend from the lowest to the highest salary the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion, or transfer opportunity.	July 6, 2022
NY New York State	Applicants + Employees	In an advertisement for a job, promotion, or transfer opportunity that will physically be performed, at least in part, in the state of New York, including a job, promotion, or transfer opportunity that will physically be performed outside of New York but reports to a supervisor, office, or other work site in New York.	Must disclose: (1) the compensation or a range of compensation for such job, promotion, or transfer opportunity; and (2) the job description for such job, promotion, or transfer opportunity, if such description exists. For jobs, promotions, or transfer opportunities paid solely on commission, must disclose in writing in a general statement that compensation shall be based on commission.	Sept. 17, 2023
NY New York (Albany County)	Applicants + Employees	On advertisement for a job, promotion or transfer opportunity.	Minimum and maximum salary or hourly wage. In stating the minimum and maximum salary or hourly wage for a position, the range may extend from the lowest to highest salary the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion, or transfer opportunity.	Mar. 9, 2023
NY New York (Ithaca)	Applicants + Employees	On advertisement for a job, promotion, or transfer opportunity.	Minimum and maximum hourly or salary compensation. In stating the minimum and maximum hourly or salary compensation for a position, the range may extend from the lowest to the highest hourly or salary compensation the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion, or transfer opportunity.	Sept. 1, 2022
NY New York (NYC)	Applicants + Employees	On advertisement for a job, promotion, or transfer opportunity.	Minimum and maximum annual salary or hourly wage. In stating the minimum and maximum annual salary or hourly wage for a position, the range may extend from the lowest to the highest annual salary or hourly wage the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion, or transfer opportunity.	Nov. 1, 2022
OH Ohio (Cincinnati)	Applicants	Upon reasonable request, after a conditional offer of employment.	Pay scale (undefined).	Mar. 12, 2020
OH Ohio (Toledo)	Applicants	Upon reasonable request, after a conditional offer of employment.	Pay scale (undefined).	Jun. 25, 2020

Jurisdiction	To Whom?	Timing	What Must be Provided	Effective Date
RI Rhode Island	Applicants + Employees	Applicants: Upon request. Employer should provide the wage range prior to discussing compensation. Employees: Upon (1) hire; (2) when employee moves into a new position; or (3) employee's request.	Wage range, which means: Applicants: The wage range the employer anticipates relying on in setting wages for the position and may include reference to any applicable pay scale, previously determined range of wages for the position, the actual range of wages for those currently holding equivalent positions, or the budgeted amount for the position, as applicable. Employees: May include reference to any applicable pay scale, previously determined range of wages for the position, or the range of wages for incumbents in equivalent positions, as applicable.	Jan. 1, 2023, but no civil penalties until Jan. 1, 2025
WA Washington	Applicants + Employees	In each posting for each job opening. Employees: Upon request after offer of internal transfer to a new position or promotion.	In posting: Wage scale or salary range, and a general description of all of the benefits and other compensation to be offered to the hired applicant. Employees: Wage scale or salary range for the employee's new position.	Jan. 1, 2023

About Seyfarth

With more than 900 lawyers across 18 offices, Seyfarth Shaw LLP provides advisory, litigation, and transactional legal services to clients worldwide.

Our unique combination of high-caliber legal representation and advanced service delivery allows us to take on our clients' unique challenges and opportunities—no matter the scale or complexity. Whether navigating complex litigation, negotiating transformational deals, or advising on cross-border projects, our attorneys achieve exceptional legal outcomes. Our drive for excellence leads us to seek out better ways to work with our clients and each other. We have been first-to-market on many legal service delivery innovations—and we continue to break new ground with our clients every day. This long history of excellence and innovation has created a culture with a sense of purpose and belonging for all. In turn, our culture drives our commitment to the growth of our clients, the diversity of our people, and the resilience of our workforce.

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We are strong in the face of uncertainty, leading our clients through a rapidly changing landscape.

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INVENTIVE
Our work makes a big impact through skill, creativity, and collaboration.

CONFIDENT
We are excellent at what we do, delivering exceptional results with purpose and determination.

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- Chambers Asia-Pacific
- Chambers USA
- Financial Times Innovative Lawyers
- Human Rights Campaign Corporate Equality Index
- The Legal 500
- The Legal 500 Asia-Pacific
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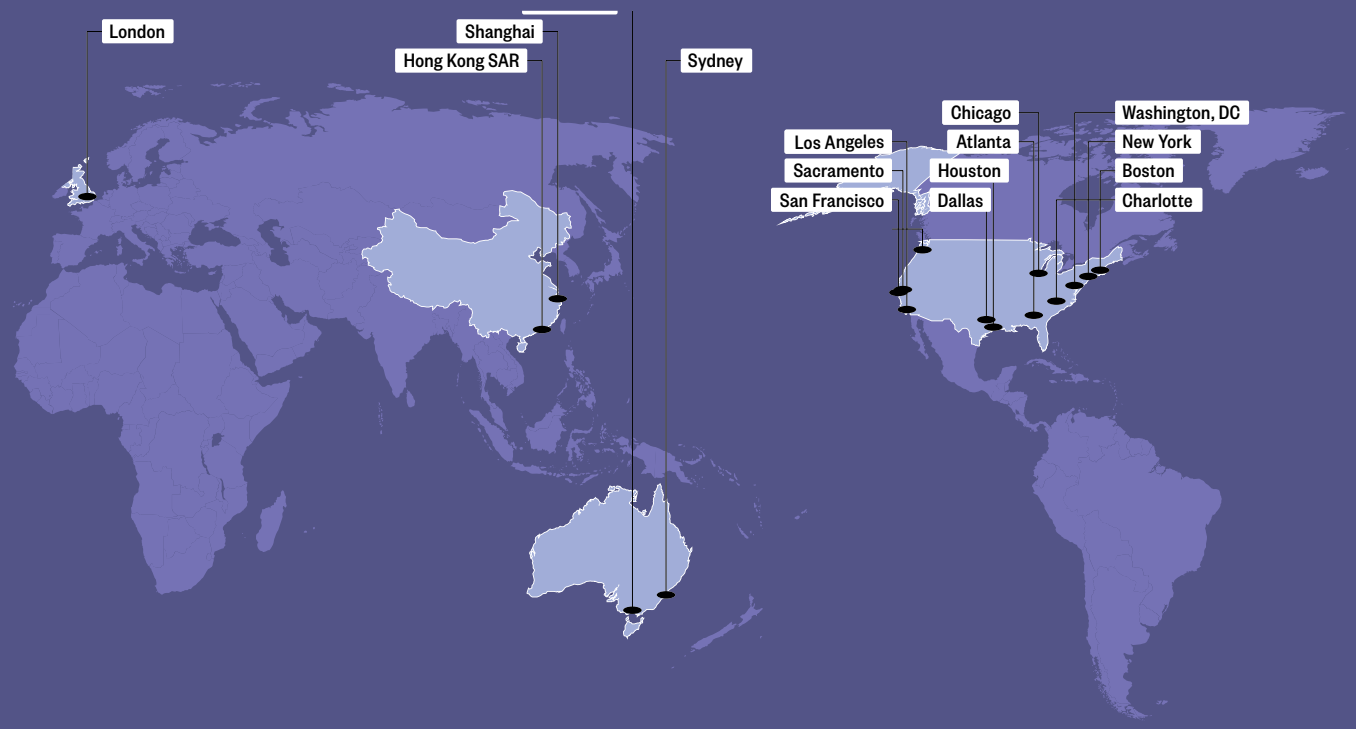
Your needs serviced through an international model.

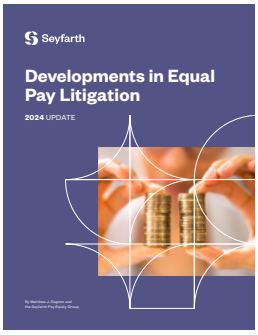
AN INTERNATIONAL FOOTPRINT



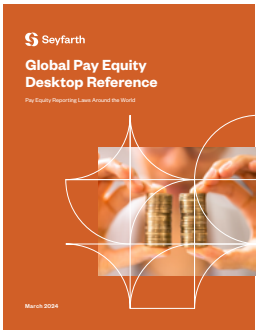
Additional Resources

Please use the below QR codes to access copies of each report on your mobile device.

Developments in Equal Pay Litigation

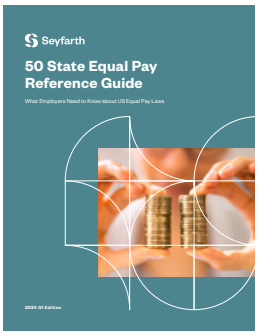


Global Pay Equity Desktop Reference



Pay Transparency Wage Range Disclosure Compendium

50 State Equal Pay Reference Guide



Pay Equity Issues & Insights Blog

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Survey Center

For access to current materials on Pay Equity and Pay Transparency, Seyfarth clients can access the topics below on our Survey Center platform. Please reach out to your Seyfarth attorney for additional details.

Compensation Disclosure

Equal Pay Protected Classes and Permissible Factors for Differentials

Salary History: Prior Wage Inquiries and/or Verification

Mandated Annual Pay Reporting

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