

# NEW YORK

## State Requires Salary Ranges on Job Ads Starting in September

On Dec. 21, 2022, New York State (NYS) enacted a new law ([Senate Bil 9427A](#)) that requires employers seeking workers in the state to include the pay or range of pay in job advertisements. The new law is effective **Sept. 17, 2023**.

Employers seeking workers in New York City (NYC) are already subject to a [local ordinance](#) that is similar to the new state law. That ordinance went into effect on Nov. 1, 2022.

### Covered Postings

The new statewide pay transparency requirement applies when any employment agency (other than a temporary help firm) or **employer with four or more employees** advertises for any position that can or will be performed, in whole or in part, in NYS. For positions paid solely on commission, subject employers may comply with the new requirement by including a general written statement that compensation will be based on commission.

### Range of Compensation

Under the new law, range of compensation includes the minimum and maximum annual salary or hourly range of pay that the employer, in good faith, believes to be accurate at the time an advertisement for the job is posted.

### Recordkeeping Requirement

The new law requires employers to keep and maintain records necessary to ensure compliance. These records include, but are not limited to, the history of compensation ranges, along with any job descriptions, for each position.

### Enforcement

Employers that violate the new law may be ordered to pay civil penalties of up to \$1,000 for a first violation, \$2,000 for a second violation or \$3,000 for a third or subsequent violation.

### Important Information

#### Pay Transparency Law

New York State has enacted a law that requires employers with four or more employees to include good faith pay information in all job ads, starting Sept. 17, 2023.

#### Job Description

The new law also requires job ads to include a job description “if such description exists.”

***As of Sept. 17, 2023, advertisements for work to be performed in NYS must disclose the compensation or a compensation range.***

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