

COMPLIANCE OVERVIEW



Overview of State Pay Transparency Laws

There is currently no federal law that requires employers to disclose salary information to job applicants or employees. However, a growing number of states have enacted legislation that requires employers to disclose wage or other compensation information to applicants or employees under pay transparency laws. Colorado's pay transparency law, which took effect in 2021, was the first such law. Since then, 14 additional states (including the District of Columbia) have passed pay transparency laws. Currently, pay transparency laws have been enacted in the following states:

- California;
- Colorado;
- Connecticut;
- District of Columbia;
- Hawaii;
- Illinois;
- Maryland;
- Massachusetts (*effective Oct. 29, 2025*);
- Minnesota;
- Nevada;
- New Jersey (*effective June 1, 2025*);
- New York;
- Rhode Island;
- Vermont (*effective July 1, 2025*); and
- Washington.

These pay transparency laws contain similar requirements. They frequently require employers to include a salary or hourly wage range in job postings or provide such information at a specified stage of the hiring process or upon an applicant's or employee's request. However, they may also vary in key ways. For example, some state laws require employers to provide more detailed compensation and benefits information or vary in which positions or applicants are covered by such laws. Failure to comply with pay transparency requirements can expose employers to costly legal claims and reputational harm. Therefore, it is important that employers carefully review the pay transparency laws both in the state in which the employer is located and in any state in which an employer may be recruiting applicants.

This Compliance Overview provides a high-level overview of each state's pay transparency law. However, this Compliance Overview does not address any applicable local pay transparency laws or other state pay equity requirements, including but not limited to equal pay laws or salary history bans.

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OVERVIEW OF STATE PAY TRANSPARENCY LAWS

CALIFORNIA

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| Covered Employers | For job posting requirements, employers with 15 or more employees (at least one of whom is located in California). For other required disclosures, all employers in California. |
| Job Posting Pay Transparency Requirements | Employers with 15 or more employees must include in job postings (whether posted directly or through a third party) that may ever be filled in California (either in-person or remotely): <ul style="list-style-type: none">• The pay scale; and• The piece rate or commission range the employer reasonably expects to pay if the position’s hourly or salary wage is based on a piece or commission basis. |
| Other Required Disclosures | All employers must also provide applicants or employees with the pay scale for a position upon request. |
| Key Definitions | “ Pay scale ” is the salary or hourly wage range the employer reasonably expects to pay for the position. |

COLORADO

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| Covered Employers | All employers with one or more employees in Colorado. |
| Job Posting Pay Transparency Requirements | Employers must include in each job posting distributed in Colorado or related to any position that may be performed in Colorado (either in-person or remotely): <ul style="list-style-type: none">• The hourly or salary compensation (or range thereof);• A general description of the benefits and other compensation;• The date the application is anticipated to close; and• The requirements for career progression for positions with career progression. EXCEPTIONS The job posting requirements do not apply to: <ul style="list-style-type: none">• Jobs to be performed entirely outside of Colorado; or• Postings distributed entirely outside of Colorado. |

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Other Required Disclosures

Employers must provide notice of a job opportunity to all employees on the same calendar day and prior to the date on which the employer selects a candidate for a position.

Within **30 calendar days** after a candidate who is selected to fill a job opportunity begins working in the position, employers must provide the following information to, at a minimum, the employees with whom the employer intends the selected candidate to work regularly:

- The name of the selected candidate;
- The selected candidate's former job title, if selected while already employed by the employer;
- The selected candidate's new job title; and
- Information on how employees may demonstrate interest in similar job opportunities in the future.

EXCEPTIONS

Through **July 1, 2029**, employers physically located outside of Colorado with fewer than 15 employees working in Colorado, all of whom work remotely, only need to provide notice of remote job opportunities.

Employers are not required to identify a selected candidate for a job opportunity in a way that violates the candidate's legal privacy rights or in a manner that would risk the candidate's health or safety.

Employers are not required to provide notice of a job opportunity to all employees:

- When an employer has a compelling need to keep a particular opening confidential because the incumbent is not aware that they will be separated from employment;
- For an automatic promotion that occurs after a specified trial period of no more than one year; or
- For acting, interim or temporary hires.

Key Definitions

"Career progression" means a regular or automatic movement from one position to another based on time in a specific role or other objective metrics.

"Wage rate" means:

- For an employee paid on an hourly basis, the hourly compensation paid to the employee plus the value per hour of all other compensation and benefits received; and
- For an employee paid on a salary basis, the total of all compensation and benefits received.

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CONNECTICUT

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| Covered Employers | Employers in Connecticut with one or more employees (regardless of where the employees are located). |
| Job Posting Pay Transparency Requirements | Not applicable. |
| Other Required Disclosures | <p>Employers must provide the wage range for a position (including in-person and remote positions):</p> <ul style="list-style-type: none">• To an applicant upon the earliest of the applicant’s request or prior to or at the time the employer makes a job offer with compensation; or• To an employee upon the hiring of the employee, a change in the employee’s position or upon the employee’s request. <p>EXCEPTIONS</p> <p>The disclosure requirements do not apply to employees who work in Connecticut for out-of-state employers.</p> |
| Key Definitions | <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 wage range, actual wage range of employees in comparable positions or the employer’s budgeted amount.</p> |

DISTRICT OF COLUMBIA

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| Covered Employers | Employers with one or more employees in the District of Columbia. |
| Job Posting Pay Transparency Requirements | Employers must include the minimum and maximum projected salary or hourly pay in all job postings. |
| Other Required Disclosures | <p>Prior to the first interview, employers must disclose to prospective employees the existence of health care benefits that they may receive.</p> <p>Employers must also post a notice of employee rights in a conspicuous location where employees congregate.</p> |

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Key Definitions

“Minimum and maximum salary or hourly pay” means the lowest to the highest salary or hourly pay that the employer, in good faith, believes at the time of the posting that it would pay for the advertised job, promotion or transfer opportunity.

HAWAII

Covered Employers

Employers with **50 or more employees**.

Job Posting Pay Transparency Requirements

Employers must disclose in job postings an hourly rate or salary range that reasonably reflects the actual expected compensation.

EXCEPTIONS

The pay transparency requirements do not apply to:

- Internal transfers or promotions; or
- Public employment subject to collective bargaining.

Other Required Disclosures

Not applicable.

Key Definitions

Not applicable.

ILLINOIS

Covered Employers

Employers with **15 or more employees** (regardless of where the employees are located).

Job Posting Pay Transparency Requirements

Employers must include in all job postings for positions physically performed at least in part in Illinois or outside Illinois (including remotely), but the employee reports to a supervisor, office or other worksite in the state (or provide such information to a third party to post):

- The pay scale and benefits; or
- A hyperlink to a publicly viewable webpage that includes the pay scale or benefits.

EXCEPTIONS

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| | The pay disclosure requirements do not apply to help-wanted signs and other communications posted on the employer's premises or website stating that the employer is accepting applications or hiring without reference to a particular position. |
| Other Required Disclosures | Employers must also notify all current employees no later than 14 calendar days after the employer makes an external job posting for the position. If a public or internal posting for the position has not been made available to the applicant, employers must disclose the pay scale and benefits to such applicant before any offer or discussion of compensation is made and upon the applicant's request. |
| Key Definitions | <p>"Pay scale and benefits" means the wage, salary or wage or salary range, and a general description of the benefits and other compensation, including:</p> <ul style="list-style-type: none">• Bonuses;• Stock options; and• 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 pay range, the actual pay range of others currently in equivalent positions or the budgeted amount. |

MARYLAND

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| Covered Employers | All employers in Maryland. |
| Job Posting Pay Transparency Requirements | Employers must include in all job postings for positions that will be physically performed, at least in part, in Maryland (including postings for remote workers based in Maryland): <ul style="list-style-type: none">• The wage range; and• A general description of benefits and any other compensation for the position. |
| Other Required Disclosures | If a public or internal posting for a position was not made available to an applicant, employers must disclose the information required to be included in such job posting: <ul style="list-style-type: none">• Before a discussion of compensation is held with the applicant; and• At any other time upon the applicant's request. |
| Key Definitions | "Wage range" means the minimum and maximum hourly rate or salary for a position, set in good faith by reference to any applicable pay scale; any previously determined range for the position; the range of individuals holding a comparable position at the time of posting; or the budgeted amount for the position. |

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MASSACHUSETTS (effective Oct. 29, 2025)

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| Covered Employers | Employers with 25 or more employees in Massachusetts. |
| Job Posting Pay Transparency Requirements | Employers must include the pay range in any job posting for a position where the primary place of work is Massachusetts, including positions that can be performed remotely in Massachusetts or for remote workers whose primary place of work is Massachusetts. |
| Other Required Disclosures | Employers must also provide the pay range to: <ul style="list-style-type: none">• Employees offered a promotion or transfer to a new position with different job responsibilities;• An employee holding the position or an applicant for the position upon request. |
| Key Definitions | <p>“Pay range” means the annual salary or hourly wage range that the employer reasonably and in good faith expects to pay for such position at that time.</p> <p>“Posting” means any advertisement or job posting intended to recruit job applicants for a particular and specific employment position, including but not limited to recruitment by a third party.</p> |

MINNESOTA

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| Covered Employers | Employers with 30 or more employees in one or more sites in Minnesota. |
| Job Posting Pay Transparency Requirements | Employers must disclose in each job posting: <ul style="list-style-type: none">• The starting salary range (or, if the employer does not offer a salary range, a fixed pay rate); and• A general description of all benefits and other compensation, including health or retirement benefits. |
| Other Required Disclosures | Not applicable. |
| Key Definitions | <p>“Salary range” is the minimum and maximum annual salary or hourly range of compensation based on the employer’s good-faith estimate at the time of posting.</p> |

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“Posting” means any electronic or physical solicitation (done directly or through a third party) intended to recruit applicants for a specific available position that includes qualifications for desired applicants.

NEVADA

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| Covered Employers | All employers in Nevada. |
| Job Posting Pay Transparency Requirements | Not applicable. |
| Other Required Disclosures | Employers must provide the wage or salary range or rate for a position to: <ul style="list-style-type: none">• An applicant who has completed an interview for a position; and• An employee who has:<ul style="list-style-type: none">○ Applied for a promotion or transfer to such position;○ Completed an interview for the promotion or transfer or been offered the promotion or transfer; and○ Requested the wage or salary range or rate for the promotion or transfer. |
| Key Definitions | “Wage or salary history” means the wages or salary paid to an applicant by their current or former employer (including, without limitation, any compensation and benefits received by the applicant from their current or former employer). |

NEW JERSEY (effective June 1, 2025)

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| Covered Employers | Employers with 10 or more employees over 20 calendar weeks that do business, employ persons or take applicants from within New Jersey. |
| Job Posting Pay Transparency Requirements | Employers must disclose in each posting for new jobs or transfer opportunities: <ul style="list-style-type: none">• The hourly wage or salary or a range of the hourly wage or salary; and• A general description of benefits and other compensation programs for which the employee would be eligible. |

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| Other Required Disclosures | Employers must also notify current employees in the affected department of known opportunities prior to making a promotion decision unless the promotion is based on seniority or emergent needs. |
| Key Definitions | “Promotion” means a change in job title and an increase in compensation. |

NEW YORK

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| Covered Employers | Employers with four or more employees . |
| Job Posting Pay Transparency Requirements | Employers must include in all job postings for any positions that will be physically performed, in whole or in part, in New York or outside of New York (including remotely) but which will report to a supervisor, office or other worksite in New York: <ul style="list-style-type: none">• The compensation or range of compensation for such position;• The job description, if such description exists; and• If the position is paid solely on commission, a statement that compensation shall be based on commission. |
| Other Required Disclosures | Not applicable. |
| Key Definitions | “Range of compensation” means the minimum and maximum annual salary or hourly range of compensation for a job, promotion or transfer opportunity that the employer, in good faith, believes is accurate at the time of posting. “Advertise” means making a written description of an employment opportunity available (including electronically and internally or externally) to a potential applicant pool. |

RHODE ISLAND

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| Covered Employers | Employers with one or more employees in Rhode Island. |
| Job Posting Pay Transparency Requirements | Not applicable. |

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| Other Required Disclosures | Employers must provide the wage range for a position: <ul style="list-style-type: none">To an applicant upon request (in addition, employers should provide a wage range to an applicant prior to discussing compensation); andTo employees at the time of hire, when the employee moves to a new position or upon request. |
| Key Definitions | “Wage range” means: <ul style="list-style-type: none">For an applicant, the range the employer anticipates relying on when setting wages for the position and may include reference to any applicable pay scale, previously determined wage range, actual wage range for those in equivalent positions or the budgeted amount; andFor an employee, the range may include reference to any applicable pay scale, previously determined wage range or the wage range for incumbents in equivalent positions. |

VERMONT (effective July 1, 2025)

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| Covered Employers | Employers with five or more employees (at least one of whom works in Vermont). |
| Job Posting Pay Transparency Requirements | Employers must disclose in each job posting for positions that are physically performed in Vermont or remote positions that will predominantly perform work for an office or work location physically located in Vermont: <ul style="list-style-type: none">The compensation or range of compensation for the position; andWhether the position is paid in whole or in part on a commission basis or on a tipped basis. |
| Other Required Disclosures | Not applicable. |
| Key Definitions | “Range of compensation” means the minimum and maximum annual or salary or hourly wage the employer expects in good faith to pay for the advertised position at the time the advertisement is created. |

WASHINGTON

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| Covered Employers | Employers with 15 or more employees (at least one of whom is located in Washington). |
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| Job Posting Pay Transparency Requirements | <p>Employers must disclose in each job posting for a position that has a physical presence in Washington or is remote but could be performed by a Washington-based employee:</p> <ul style="list-style-type: none">• The wage scale or salary range;• A general description of all benefits and other compensation or a link to such information;• The rate or range of such commission if the job is compensated by commission rates; and• The agreed piece rate if the job is compensated by piece rate. <p>EXCEPTIONS</p> <p>The following postings are not subject to the pay transparency requirements:</p> <ul style="list-style-type: none">• Postings for positions that would be performed entirely outside of Washington, even if the job posting reaches applicants who would fill the position as a Washington-based employee;• Postings that do not include qualifications or refer to a specific position (e.g., “help wanted” signs); or• Hard copy postings made and distributed entirely outside of Washington. |
| Other Required Disclosures | <p>Employers must also provide the wage scale or salary range to an employee offered an internal transfer or new position or promotion upon the employee’s request.</p> |
| Key Definitions | <p>“Posting” means any solicitation intended to recruit job applicants for a specific available position (directly or through a third party), including electronic or physical postings that include qualifications.</p> <p>“Benefits” include but are not limited to health care benefits, retirement benefits, any benefits permitting paid days off and any other benefits that must be reported for federal tax purposes.</p> <p>“Other compensation” includes but is not limited to bonuses, commissions, profit-sharing and stock options.</p> |

Potential Penalties

The potential penalties for violating state pay transparency laws vary. However, most state laws provide for the assessment of civil penalties or fines against employers who violate the pay transparency requirements. A few of these states provide employers with the opportunity to cure a violation during a specified time frame to avoid penalties. In addition, some states permit aggrieved individuals to file a lawsuit against noncompliant employers to seek remedies such as injunctive relief, statutory damages and attorney fees.

Next Steps for Employers

Employers should confirm whether they or any of their job postings, are subject to one or more state pay transparency laws. Employers who are subject to any such laws may take steps to ensure compliance, such as establishing a methodology for determining compensation ranges, reviewing and updating job postings,

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conducting a pay audit to identify and remedy any pay disparities, and ensuring the appropriate parties (such as HR and recruiting personnel) are trained on the relevant pay transparency requirements. Employers not currently subject to such laws may still consider monitoring for updates, as such laws are becoming increasingly common.