



**DirectEmployers  
Association**

# Legal Roundtable Masterclass

September 22, 2022

**No Longer A Secret:  
State Salary Transparency Laws  
for Private Employers**

# Today's Presenters



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## ❑ **Are Employers Ready to Be Transparent About Pay?**

## ❑ **The Different Types of State Salary Transparency Laws**

- Pay Reporting (“Compensation Data”) Laws
- Anti-Retaliation (“Pay Discussion”) Laws
- Anti-Salary Reporting (“Salary History”) Laws
- State Laws Requiring Disclosure in Job Listings and Postings
  - Coming Down the Pike: California and New York

# ARE EMPLOYERS READY TO BE TRANSPARENT ABOUT PAY?

- ❑ Legislative interest in salary transparency laws are driven by the “pay gap” between men and women which many believe reveals unlawful pay discrimination
  - BLS [reports](#) in 2021 median earnings for women were 83.1% of the median earnings for men

# ARE EMPLOYERS READY TO BE TRANSPARENT ABOUT PAY?

- ❑ Employers are coming around to posting pay data
  - Willis Towers Watson PLC [survey](#) released last week notes appetite for salary transparency growing:
    - 62% of employers considering disclosing pay and salary ranges to prospective employees
    - 17% already do so even when not required by law
    - 16% of companies disclosing pay data **saw increased number of candidates applying**

# THE DIFFERENT TYPES OF STATE SALARY TRANSPARENCY LAWS

## ☐ Salary Range Disclosure Laws

- Laws requiring employers provide wage rates or ranges to applicants and/or employees applying for a position
- BE AWARE of municipalities and counties requiring transparency in wage rates for employers in their locale
  - Cities like New York City, Cincinnati, Ithaca, Toledo
  - Counties like Albany County, Westchester County

# QUESTIONS?