





EY Payroll NewsFlash

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New York City issues guidance on new salary transparency law

The New York City Commission on Human Rights (NYCHRL) has issued guidance to employers for compliance with its new salary transparency law enacted on January 15, 2022 under [Local Law 32](#).

Effective May 15, 2022 (**November 1, 2022 under Int. No. 134-A**), covered employers advertising jobs that would be performed in New York City must disclose information concerning the minimum and maximum salary they honestly believe they are willing to pay to successful applicants at the time of posting the advertised job, promotion, or transfer opportunity.

Covered job advertisements include postings on internal bulletin boards, internet advertisements, printed flyers distributed at job fairs, and newspaper advertisements. Note that under the law, employers may hire without using an advertisement and are not required to create an advertisement to hire, promote or transfer employees.

Salary includes the base wage or rate of pay, regardless of the frequency of payment, but need not include other forms of compensation or benefits offered in connection with the advertised job, promotion or transfer opportunity, such as:

- Health, life or other employer-provided insurance
- Paid or unpaid time off work, such as paid sick or vacation days, leaves of absence or sabbaticals
- The availability of or contributions towards retirement or savings funds, such as 401(k) plans or employer-funded pension plans
- Severance or overtime pay
- Other forms of compensation, such as commissions, tips, bonuses, stock or the value of employer-provided meals or lodging

Covered employers

The law applies to employers that have four or more employees or one or more domestic workers. If one of the employees works in New York City, the workplace is covered. Owners and individual employers count towards the four employees.

Employment agencies are also covered by the new law, regardless of their size, but the law does not apply to temporary-help firms seeking applicants to join their pool of available workers. Temporary-help firms are businesses that recruit, hire and assign their own employees to perform work or services for other organizations, to support or supplement the other organization's workforce, or provide support in special work situations. However, employers that work with temporary-help firms must follow the new salary transparency law.

Contact us for more information

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