

LABOR AND EMPLOYMENT LAW

INFORMATION MEMO

NOVEMBER 15, 2022

Albany County Salary Transparency Law

Changes are on the horizon for Albany County after the county Legislature passed several laws in October, including legislation meant to provide greater salary transparency for job seekers. Local Law “E,” sponsored by Albany Democrat Carolyn McLaughlin, requires county employers to post the minimum and maximum salary range when advertising an open position, promotion or transfer. Adopted on October 11, 2022, this law amends Local Law No. 1 for 2013, “An Omnibus Human Rights Law for Albany County” and is set to go into effect 90 days after being signed by the Albany County executive.

Local Law “E” states that the purpose of the law is to prevent discrimination in employment by requiring the disclosure of the minimum and maximum salary or wage at the time any position for hire in Albany County is solicited. Premised on the belief that certain employment practices lead to employee discrimination and disadvantage, this law builds on a 2017 Albany County Local Law that prohibits employers from requiring job applicants to provide prior or current salary information before an offer of employment is made. The Legislature stated that the county continues to be dedicated to protecting the rights of its residents and eliminating discrimination and bias in the workplace.

Local Law “E” adds new subdivision 4 to Local Law No. 1 for 2013, “An Omnibus Human Rights Law for Albany County,” which prohibits employers from engaging in the following: “advertise a job, promotion or transfer opportunity without stating the minimum and maximum salary or hourly wage for such position in such advertisement.” The Local Law goes on further to explain that in stating the minimum or maximum salary or hourly wage for 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.

Though “good faith” is not defined in Local Law “E” or Local Law No. 1 for 2013, employers may consider looking to other laws in the state for guidance. For instance, in New York City’s Salary Transparency Law, guidance for which is available [here](#), good faith is defined as the salary the employer believes at the time of the listing that they are willing to pay the successful applicant(s).

Notably, this new requirement does not apply to job advertisements for temporary employment at a temporary help firm as such term is defined by subdivision 5 of section 916 of article 31 of the New York State Labor Law.

For more information on the information presented in this information memo, please contact [Catherine A. Graziose](#), any attorney in Bond’s [labor and employment practice](#) or the Bond attorney with whom you are regularly in contact.

