

NYC Mayor Signs Bill Prohibiting Inquiries Into Salary History

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On May 4, 2017, Mayor Bill de Blasio signed [into law](#) a bill that amends the New York City Human Rights Law to prohibit all New York City employers from (i) requesting a job applicant's [salary history](#) or (ii) using a job applicant's salary history to determine his or her salary, benefits, or other compensation during the hiring process, including the negotiation of a contract ("Law"). The Law will take effect on October 31, 2017.

The Law makes it unlawful for an employer to inquire about the salary history of an applicant for employment. "Salary history" is defined broadly and includes wages, benefits, or other compensation. "Salary history," however, does not include any objective measure of the applicant's productivity, such as revenue, sales, or other production reports. Under the Law, the term "to inquire" is defined broadly to mean "to communicate any question or statement to an applicant, an applicant's current or prior employer, or a current or former employee or agent of the applicant's current or prior employer, in writing or otherwise." Employers are also prohibited from conducting a search of publicly available records or reports to seek salary history. The Law applies to private and public employers of all sizes.

In anticipation of the October 31, 2017, effective date, New York City employers should take the action steps that we outlined in our [earlier advisory](#).

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