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MAY 15, 2017



NYC's ban on employer inquiries into applicants' prior salary history to take effect October 31, 2017

By Christopher G. Gegwich and Christopher J. Moro

Late last month, we reported on the New York City Council's passing of legislation to amend the New York City Human Rights Law to make it an unlawful discriminatory practice for employers to inquire about an applicant's salary history or to base compensation decisions on prior salary history.¹ On May 4, 2017, Mayor Bill de Blasio signed that bill into law making it effective on October 31, 2017.

Employers with four or more employees operating in New York City should immediately review their employment applications and hiring policies and practices to ensure compliance with this new law before its effective date. The passage of this law is also notable for employers outside NYC, as this may signal a developing trend across the country. Massachusetts and the City of Philadelphia have already passed similar laws, and bills to the same effect are currently pending in the United States House of Representatives and many other state legislatures. As a result, employers across the country should keep a watchful eye on pending legislation to see if their law makers will be the next to impose similar restrictions on the interview and hiring process.

For more information on the content of this alert, please contact your regular Nixon Peabody attorney or:

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¹ For a full discussion of the law's provisions, see "No questions asked: NYC Council passes legislation prohibiting employers from asking applicants about prior salary history," April 20, 2017 (available [here](#)).