

One Minute Memo®



Albany County, New York Passes Salary History Ban

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Seyfarth Synopsis: In line with a wave of salary history bans going into effect across the country, Albany County, New York just passed its own salary history ban.

Last month, the Albany County Legislature unanimously voted to amend the Albany County Human Rights Law to prohibit employers from requiring job applicants to provide prior or current salary information before offering them employment. (The text of the bill can be located [here](#)). Earlier last week on November 6, 2017, Albany County Executive Daniel McCoy signed the bill into law. The law will go into effect thirty days after it is filed with the New York Secretary of State.

The law will prohibit all Albany County employers with four or more employees, and employment agencies, from:

- screening applicants based on their current or prior wages or other compensation;
- requiring that an applicant's prior wages satisfy minimum or maximum criteria;
- requesting or requiring that applicants disclose salary history information as a condition of being interviewed or considered for employment; and
- seeking information about the current or prior salary of an applicant from his or her current or former employers.

The Albany County law contains a narrow exception. **Only after** extending an offer of employment "with compensation" details to the applicant, and with the written authorization of the applicant, employers or employment agencies may confirm the prior wages, benefits or other compensation history of the applicant.

Seyfarth Shaw is tracking this emerging area of law closely. We will keep you updated regarding any developments. For information on how this law might affect your company, contact any member of [Seyfarth's Pay Equity Group](#), [Cameron A. Smith](#) at casmith@seyfarth.com, [Christine Hendrickson](#) at chendrickson@seyfarth.com, or [Lisa Savadjian](#) at lsavadjian@seyfarth.com.

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