

## Albany County Joins the Growing Number of Jurisdictions Banning Inquiries on a Job Applicant's Compensation History

On October 10, 2017, the Albany County Legislature amended its County Human Rights Law by passing a law prohibiting all Albany County employers (entities with 4 or more employees) and employment agencies from doing any of the following:

- Screening job applicants based on their current wages and benefits or other compensation or salary history.
- Requiring that an applicant's prior wages satisfy minimum or maximum criteria.
- Requesting an applicant's prior wages or salary history or requiring an applicant to provide that information as a condition of being interviewed or considered for employment.
- Seeking the applicant's salary history from a current or former employer.
- County Executive McCoy signed the law on November 6, 2017. The law goes into effect thirty (30) days after it is filed with the New York Secretary of State.

The law does provide one exception: an employer or employment agency may confirm prior wages (including benefits or other compensation or salary history) after the employer extends an offer of employment, with the applicant's written authorization.

Albany County's law, like similar legislation enacted in other jurisdictions, aims to eliminate the wage gap between women and men. These laws are becoming a growing trend. As we have previously reported, New York City, Massachusetts, Puerto Rico, and Philadelphia have all passed similar prohibitions.

Albany County employers (including employers with offices in Albany County) should immediately remove all salary history inquiries from their job applications. In addition, Human Resources personnel and management employees who are involved in the hiring process should be immediately notified of the new law. As this prohibition continues to gain momentum, employers should keep abreast of further legislative action in other geographical areas as well.

If you have any questions about this Information Memo, please contact [Megan M. Collelo](#), any of the [attorneys](#) in our [Labor and Employment Law Practice](#), or the attorney in the firm with whom you are regularly in contact.



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