



## Legislation Text

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Int. No. 1253

By the Public Advocate (Ms. James), Council Members Crowley, Cumbo, Rosenthal, Salamanca, Lander, Ferreras-Copeland, Williams, Richards, Palma, Dromm, Rose, Reynoso, Gibson, Espinal, Cornegy, Kallos, Koslowitz, Rodriguez, Levine, Menchaca, Constantinides, Treyger, Torres, Miller, Mendez, Maisel, Chin, Barron, Mealy, Cohen, King, Levin and Eugene

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting employers from inquiring about or relying on a prospective employee's salary history

Be it enacted by the Council as follows:

Section 1. Section 8-107 of the administrative code of the city of New York is amended by adding a new subdivision 25 to read as follows:

25. Employment; prospective employee salary history. (a) It is an unlawful discriminatory practice for an employer, employment agency, employee or agent thereof:

1. To inquire, in writing or otherwise, about the salary history, including, but not limited to, compensation and benefits, of an applicant for employment. For purposes of this subdivision, "to inquire" means to ask an applicant in writing or otherwise or to conduct a search of publicly available records or reports.

2. To rely on the salary history of an applicant for employment in determining the salary amount for such applicant at any stage in the employment process, including the contract, unless such applicant, unprompted, willingly disclosed such salary history to such employer, employment agency, employee or agent thereof.

(b) This subdivision does not apply to any actions taken by an employer, employment agency, employee or agent thereof pursuant to any federal, state or local law that authorizes the disclosure or verification of salary history for employment purposes.

§ 2. This local law takes effect 120 days after it becomes law.

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