

# New York City Commission on Human Rights Salary History Law

November 1, 2017 | Client Update

The New York City Commission on Human Rights (CCHR) enacted Local Law 67 in May 2017, which prohibits employers from inquiring into the salary history of job applicants when interviewing in New York City or hiring for a position in New York City. The law, which went into effect yesterday, provides that it is an unlawful discriminatory practice to inquire about a job applicant's salary history or to rely on an applicant's salary history in determining the compensation that will be offered during the hiring process. According to the legislative history of the law, the CCHR indicated that it believed allowing employers to rely on salary histories to determine compensation perpetuates the gender pay gap, and in adopting the law, the CCHR was seeking to "reduce the likelihood that women will be prejudiced by prior salary levels and help break the cycle of gender pay inequity."

In early October 2017, the CCHR released guidance in the form of "frequently asked questions" regarding the implementation of the law, which are discussed in the following memo. In order to ensure compliance with the law, any employer with employees in New York City or who conducts interviews in New York City should consider taking the actions discussed in this memo.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

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