



The Best of FP's Insights: Pay Transparency and Pay Equity

Insights

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Fisher Phillips is providing a collection of our recent Insights on various topics as a convenient summary for those wanting a good overview of certain areas of law. The first collection: a review of recent developments in the pay transparency and pay equity arena. There may be nothing more fundamental to the employment relationship than the act of paying your employees for their services – and there is an increasing focus on ensuring you do so in an equitable manner. What do you need to know about the state of the law in this area?

Pay Transparency

An increasing number of states, regulators, and courts have recently taken steps to impact the way you can – and should – communicate with your employees about pay. In general, these new laws require employers to make pay range information available to internal and external candidates when advertising open positions, or at some point during the hiring process.

California, Colorado, Connecticut, Maryland, Nevada, New York, Rhode Island, and Washington have all enacted pay transparency measures of one type or another. In addition, numerous other states are proposing similar legislation.

Overview Insights

- [*No More Dancing in the Dark: 5 Steps Employers Can Take Towards Pay Transparency, the Hottest Trend in Pay Equity Law*](#) (April 2022) provides an excellent overview of the current trends and steps employers can take to comply with the laws.
- [*Looking to Celebrate International Women's Day? Here's a 5-Step Action Plan to Support Women in Your Organization*](#) (March 2023) discusses some concrete steps you can take to support women in the workplace from a pay transparency perspective.

State-Specific Insights

Our attorneys have also authored Insights addressing specific state developments including:

- [*New York State Expands – and Contracts – Pay Transparency Law to Address Remote Work Questions*](#) (March 2023) explores the latest developments in New York's pending pay transparency law.

- [*New York State Enacts Statewide Salary Disclosure Law: A 5-Step Compliance Plan*](#) (December 2022) provides a comprehensive review of the entire law.
- [*Washington Employers Will Soon Need to Post Salary Info in Job Postings: A 3-Step Compliance Plan*](#) (April 2022)
- No listing would be complete without a summary of California's efforts in this area. Here are three Insights to get you caught up:
 - [*California Joins Growing List of Jurisdictions to Require Pay Scale Information in Job Postings: 7 Things You Need to Know*](#) (September 2022)
 - [*California Provides Some \(But Not Much\) Guidance on New Pay Scale Disclosure Requirement: 6 Key Takeaways for Employers*](#) (December 2022)
 - [*California Releases New Guidance on Pay Data Reporting: 4 Key Changes for Employers to Note*](#) (January 2023)

Pay Equity

With increased scrutiny of pay practices and new regulatory requirements, you should strongly consider a thorough evaluation of your pay practices to ensure they meet current pay equity laws and regulations. To get a solid understanding of the current state of affairs, check out this collection of Insights.

Overview Insights

- [*New Leader at the Labor Department: What Employers Need to Know About Julie Su*](#) (March 2023) explores how the incoming Secretary of Labor will approach pay equity.
- Any pay equity examination is not without legal risks and potential pitfalls. [*Spotlight on Pay Equity: 5 Things Employers Should Do When Considering Pay Adjustments*](#) (February 2022) offers employers practical guidance on conducting pay equity evaluations and related adjustments.
- [*Pandemic Pay Gap: Flexibility is the Key to Narrowing the Gap and Returning Women to the Workforce*](#) (March 2022) offers an overview of the challenges women face in returning to the workforce following the pandemic – and effective actions employers can take to facilitate their return.
- [*S. Women's Soccer Gets Court Approval on Historic Equal Pay Settlement: 3 Steps for Employers to Strengthen Their Pay Policies*](#) (August 2022) provides lessons learned from the historic settlement and steps employers can take to ensure pay policy compliance.
- [*Black Women's Equal Pay Day: A Reminder to Review Your Diversity and Pay Practices*](#) (September 2022) addresses steps employers can take to utilize Diversity, Equity, and Inclusion programs to support pay equity throughout their organizations.

- [*Court Permits Unequal Pay Collective Action to Proceed: What Schools Can Do to Proactively Avoid Wage Bias Litigation*](#) (September 2022) highlights the potential risks associated the use of salary schedules in school settings.

State-Specific Insights

Several other Insights addressed state law changes as well important trends in the pay equity field:

- [*Illinois Employers Need to Gear Up for New Equal Pay Requirements*](#) (February 2022) reviews the recent Illinois law requiring certain employers to apply for and obtain an equal pay registration and certificate.
- [*What Mississippi Employers Need to Know about the State's New Equal Pay Law*](#) (April 2022) discusses how the new state law aligns Mississippi law with federal law – but provides some key distinctions.

Fisher Phillips' Interactive Pay Equity Map

Wondering about the pay equity and pay transparency laws look like in your jurisdiction? Be sure to check out the Fisher Phillips' [Pay Equity Interactive Map](#) for a full overview of the laws in the jurisdictions in which you operate.

Conclusion

If you have questions regarding pay equity or pay transparency, please reach out to your Fisher Phillips attorney, the authors of any of these Insights, or any attorney in our [Pay Equity Practice Group](#). Make sure you are subscribed to [Fisher Phillips' Insight system](#) to get the most up-to-date information on this and other employment topics directly to your inbox.

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Pay Equity and Transparency