

# COLUMBUS STRENGTHENS PAY TRANSPARENCY LAW: KEY TAKEAWAYS AND COMPLIANCE STEPS FOR EMPLOYERS

Insights  
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Employers in Columbus, Ohio, will soon need to include salary ranges in job postings. Mayor Ginther recently signed a pay transparency bill into law that builds on an existing rule already banning employers from asking job applicants about salary history. Employers should note that several other cities in the state have pay equity rules with varying requirements – including Cincinnati, Cleveland, and Toledo – so you may need to adjust your compliance plan accordingly. While the Columbus law takes effect on December 3, enforcement won't begin until January 2027, so employers have some time to build a compliance strategy. Here's what you need to know and six steps you can take to prepare.

## What Are the Compliance Requirements?

Columbus [already prohibits](#) businesses with at least 15 employees in the city from asking job applicants about their salary history or using such information to make hiring and pay decisions. The law aims to level the playing field for women, particularly Black and Latina women, who have historically received lower compensation. Penalties for noncompliance can reach \$5k for multiple violations.

Starting January 1, 2027, [the city's new law](#) will also penalize covered employers for failing to include reasonable "good faith" salary ranges in job postings. According to the Columbus City Council, pay transparency can benefit historically disadvantaged communities, help employers attract more qualified applicants, and reduce hiring costs by making the process more efficient.

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These ordinances make it unlawful to:

- ask job applicants about their salary history;
- screen job applicants based on their current or prior wages, benefits, or other compensation; or
- refuse to hire or otherwise retaliate against an applicant for not disclosing their salary history.

Employers are allowed, however, to discuss an applicant's *expectations* regarding pay and benefits. This includes any unvested equity or deferred compensation they would be forfeiting with their current employer.

### **What is a "Reasonable" Salary Range?**

The new law requires employers to provide a reasonable salary range or scale in job postings. Factors determining reasonableness include:

- the employer's budget flexibility;
- the anticipated range of experience job applicants may have;
- the potential variation in job responsibilities for the position;
- the opportunities for growth in the position and beyond;
- the cost of living for various locations where an applicant may work; and
- market research on comparable positions and salaries.

### **Are There Any Exceptions?**

Yes. The Columbus ordinances don't apply in the following circumstances:

- Federal, state, or local law specifically authorizes employers to rely on salary history to determine an employee's pay.
- The applicant or posting is for an internal transfer or promotion.
- An applicant voluntarily discloses salary history information without being prompted.

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- You attempt to verify an applicant's non-salary-related information or conduct a background check, and their salary history is disclosed. But you still can't solely rely on this information to set their pay, benefits, or other compensation.
- An applicant is re-hired within three years, provided that you already have their salary history data.
- Salary, benefits, or other compensation for the position are determined by a collective bargaining agreement.

### What Steps Should Employers Take to Comply?

- **Prepare for the Effective Date.** If you haven't already, make sure to start identifying pay ranges so you are ready to meet the disclosure requirements. Keep in mind that this law takes effect on December 3. Enforcement will not start until January 1, 2027, but you shouldn't wait until then to get your processes in order.
- **Consider a Pay Equity Audit.** You should consider conducting a [pay equity audit](#) to ensure your pay practices are compliant with all federal, state, and local equal pay laws.
- **Consult with Experienced Legal Counsel.** Work with your counsel to learn more about the benefits of a pay equity audit and other best practices to ensure your organization remains compliant with pay transparency laws around the country. Working with counsel will also mean that the process will be covered by the attorney-client privilege.
- **Update Job Posting Templates and Procedures.** You should review and possibly revise your job posting procedures to ensure compliance with the new requirements. Ensure these templates are used consistently for all positions covered by the law.
- **Train HR and Hiring Teams.** Provide training for HR and recruitment teams on the new requirements and the importance of compliance. This training should cover how to determine and document pay ranges, as well as how to communicate this information effectively to applicants.
- **Track State and Local Developments.** Columbus is following the trend we're seeing in other cities and states, which you can [track in our FP Pay Equity and Transparency Map](#). If you're a multistate employer, make

sure you know what's going on in all the states and localities where you have operations. Even if you only operate in Columbus, you'll want to review requirements in Cincinnati, Cleveland, and Toledo, as well as laws that may apply to remote workers in other jurisdictions.

## **Conclusion**

We will continue to monitor developments in Ohio and throughout the country on pay equity and transparency. Please make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. If you have any questions about pay equity or pay transparency obligations, please contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our [Columbus Office](#) or [Pay Equity and Transparency Practice Group](#).