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Labor & Employment Update

December 18, 2024

Pay Transparency Laws to Watch

This update provides a chart of pay transparency laws with recent and upcoming effective dates that employers should review and monitor.

2024 has been the year of new state pay transparency laws, and there appears to be no end in sight. Most recently, on November 18, 2024, New Jersey Governor Philip D. Murphy signed a bill into law that will require New Jersey employers to disclose certain compensation and benefit information in internal and external job postings and advertisements. It is slated to take effect on June 1, 2025. These laws add to the growing panoply of states and localities that have previously enacted pay transparency laws, including California, Colorado, Connecticut, Hawaii, Nevada, New York City and State, Rhode Island, and Washington State.^[1]

While state pay transparency laws generally require disclosure of compensation information in an effort to address potential gender and race pay gaps, each law is different, making nationwide compliance a complex task. For example, some states require the disclosure of a broad spectrum of compensation information—including in some instance healthcare benefits and stock options—while others only require the disclosure of a general pay range. This patchwork of laws can be particularly challenging where a position can be performed remotely, as remote work generally be performed anywhere, and many states' laws are not entirely clear as to whether their scope includes positions generated in another state but which could, in theory at least, be performed anywhere.

Below is a chart of pay transparency laws with recent and upcoming effective dates that employers should review and monitor.

State / Effective Date	Relevant Statute	Covered Employers	What Must Be Disclosed	Whether Disclosures Are Required for Internal Postings	Remote Work Implications
Illinois/ January 1, 2025	820 ILCS 112/10	Employers with 15+ employees. 820 ILCS 112/10(b-25).	Pay scale and benefits (see 820 ILCS 112/10), meaning the “wage or salary, or the wage or salary range, and a general description of the benefits and other compensation, including, but not limited to, bonuses, stock options, or other incentives” (see 820 ILCS 112/5).	Appears to apply to internal opportunities because employers must disclose to applicants “the pay scale and benefits to be offered for the position prior to any offer or discussion of compensation and at the applicant’s request, if a public or <i>internal posting</i> for the job, promotion, transfer, or other employment opportunity has not been made available to the applicant.” 820 ILCS 112/10(b-25) (emphasis added).	Applies to positions that “(i) will be physically performed, at least in part, in Illinois or (ii) will be physically performed outside of Illinois, but the employee reports to a supervisor, office, or other work site in Illinois.” 820 ILCS 112/10(b-25).
Maryland/ October 1, 2024	Md. Code Ann., Lab. & Empl. § 3-301 <i>et seq.</i>	Any employer engaged in business in the state of Maryland. Md. Code Ann. § 3-301(b)(1).	Wage range and a general description of benefits and any other compensation offered for the position. Md. Code Ann. § 3-304.2(a)(2)(i).	Disclosures must be made in <i>both</i> public <i>and</i> internal postings. Md. Code Ann. § 3-304.2(a)(2)(i).	Applies only to positions that will be physically performed at least in part in Maryland. Md. Code Ann. § 3-304.2(a)(1).
Massachusetts/ July 31, 2025	M.G.L.A. 149 § 105F	Employers with 25+ employees. M.G.L.A. § 105F(a).	Pay range (i.e., annual salary range or hourly wage range). M.G.L.A. §§ 105F(a)-(b)	Appears to apply to internal opportunities because pay range must be disclosed for “a particular and specific employment position in the posting of the position” (see M.G.L.A. § 105F(b), “a particular and specific employment position to an employee who is offered a promotion, or transfer, to a new position with different job responsibilities” (see M.G.L.A. § 105F(c)), and “a particular and specific employment	<i>Statute does not expressly address.</i>

				position to an employee holding such position, or to an applicant for such position, upon request" (see M.G.L.A. § 105F(d)).	
Minnesota/ January 1, 2025	Minn. Stat. § 181.173	Employers with 30+ employees. Minn. Stat. § 181.173 (1)(b).	Starting salary range or fixed pay rate and a general description of all benefits and other compensation, including but not limited to any health or retirement benefits. Minn. Stat. § 181.173(2).	The law does not specifically address internal postings, but it applies to "any solicitation intended to recruit job applicants for a specific available position." Minn. Stat. § 181.173(1)(c).	<i>Statute does not expressly address.</i>
New Jersey/ June 1, 2025	P.L.2024, c.91	Employers with 10+ employees over 20 calendar weeks that do business, employ persons, or take applications for employment within the state. P.L.2024, c.91 § 1(e).	Hourly wage or salary (or a range), and a general description of benefits and other compensation programs for which the employee would be eligible. P.L.2024, c.91 § 1(b). Employers must also announce or make known to all current employees in the affected department(s) opportunities for promotion that are advertised internally or externally. P.L.2024, c.91 § 1(a).	Disclosures are required in each posting for new jobs and transfer opportunities that are advertised by the employer either externally or internally. P.L.2024, c.91 § 1(b). Temporary help service firms and consulting firms are also required to provide pay and benefit information to applicants for temporary employment at the time of interview or hire. P.L.2024, c.91 § 1(d).	<i>Statute does not expressly address.</i>
Vermont/ July 1, 2025	21 V.S.A. § 495o	Employers with 5+ employees. 21 V.S.A § 495o(c)(3).	Compensation (i.e., salary or hourly wage) or range of compensation. 21 V.S.A §§ 495o(a)(1), (c)(7)(A). If commission-based, must disclose that fact but not required to disclose the compensation or range of compensation. 21 V.S.A § 495o(a)(2)(A). If	The law applies to positions that are (1) open to internal and/or external candidates; and (2) positions into which current employees can transfer or be promoted. 21 V.S.A § 495o(c)(8).	Applies to "remote position[s] that will predominantly perform work for an office or work location that is physically located in Vermont." 21 V.S.A § 495o(c)(8)(A).

			tip-based, must disclose that fact and the base wage (i.e., hourly rate not including tips) or range of base wages. 21 V.S.A §§ 495o(a)(2)(B), (c)(2).		
Washington, D.C./ June 30, 2024	D.C. Code Ann. § 32-1451 <i>et seq.</i>	Employers with 1+ employee. D.C. Code Ann. § 32-1451(2).	Salary or hourly pay must be disclosed in job listings and position descriptions, and the existence of healthcare benefits must be disclosed to prospective employees before first interview. D.C. Code Ann. § 32-1453.01(a)(1)-(2).	Pay range must be made in <i>all</i> job listings and position descriptions. D.C. Code Ann. § 32-1453.01(a)(1).	<i>Statute does not expressly address.</i>

[1] See, e.g., California Enacts Pay Transparency and Disclosure Requirements Effective January 1, 2023, *Gibson Dunn* (Oct. 11, 2022), <https://www.gibsondunn.com/california-enacts-pay-transparency-and-disclosure-requirements-effective-january-1-2023/>; New York State Enacts Pay Transparency Law, *Gibson Dunn* (Jan. 17, 2023), <https://www.gibsondunn.com/new-york-state-enacts-pay-transparency-law/>; Steps for Colorado Employers to Consider in Light of New Laws Taking Effect in 2024, *Gibson Dunn* (Dec. 29, 2023), <https://www.gibsondunn.com/steps-for-colorado-employers-to-consider-in-light-of-new-laws-taking-effect-in-2024/>; City Council Amends New York City Pay Transparency Law, *Gibson Dunn* (May 2, 2022), <https://www.gibsondunn.com/city-council-amends-new-york-city-pay-transparency-law/>.

Please click below to view the chart of pay transparency laws on Gibson Dunn's website:

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The following Gibson Dunn lawyers assisted in preparing this update: Naima Farrell, Anna Casey, and Jenna Voronov.

Gibson Dunn lawyers are available to assist in addressing any questions you may have regarding pay transparency laws. Please contact the Gibson Dunn lawyer with whom you usually work, the authors, or any leader or member of the firm's Labor and Employment practice group:

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