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California Labor Commissioner Issues FAQs on New Pay Data and Salary Disclosure Bill

Last fall, California Governor Gavin Newsom signed a new pay transparency law effective January 1, 2023. A description of the law can be found [here](#). This new law includes reporting requirements for employers with 100 or more employees and, for employers with 15 or more employees, requires pay scale disclosures to be provided in job postings. It also requires employers to, upon request, provide employees with the pay scale for the position in which the employee is currently employed. The California labor commissioner released [new FAQs](#) to address these requirements. In FAQ #29, the labor commissioner states that "the pay scale must be included within the job posting if the position may ever be filled in California, either in-person or remotely." In FAQ #34, the labor commissioner states that employers cannot link to the salary range in an electronic posting or include a QR code in a paper posting. The pay scale shall be included within the posting. Further, the labor commissioner provides in FAQ #30 that the 15-employee requirement to provide pay scale disclosures applies to employers if the employer has 15 or more total employees and "at least one employee [is] currently located in California."

California employers should contact experienced counsel for guidance regarding the California pay data and salary disclosure requirements that went into effect January 1, 2023.

Authors

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