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Pay Transparency Bill in the Works in Massachusetts

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A bill working its way through the Massachusetts Legislature could soon require employers to include salary ranges in their job postings. On September 25, 2023, the Joint Committee on Labor and Workforce Development referred the draft bill to the House Committee on Ways and Means.

The bill, currently numbered as H.4100, would require employers with 25 or more employees in Massachusetts to include the annual salary range or hourly wage range they expect to pay when advertising job openings and when offering a promotion or transfer to a new position with different job responsibilities. The bill would also require employers to provide the pay range for a particular position to an employee working in or applying for that position upon request. The bill would create wage data reporting requirements for employers with (a) more than 100 full-time Massachusetts employees and (b) EEO-1, EEO-3, EEO-4, or EEO-5 filing requirements. The bill would not require employers to share other compensation like bonuses, commissions, or other benefits that may be a part of a compensation package in job postings.

The bill follows a nationwide trend of states requiring more pay transparency. In 2021, Colorado became the first state to require salary ranges on job advertisements. By June of 2023, California, Connecticut, Maryland, Nevada, New York, Rhode Island, and Washington all implemented similar laws that require employers to either provide pay ranges in the job posting or upon request.

While it is still far too early to predict what the final language of the bill will be, or even if the bill will ever be voted into law, Massachusetts employers may want to start thinking about how a pay transparency bill could impact them.

Rich May will continue to monitor the progress of bill H.4100 and will provide more updates as they become available.

Disclaimer: This summary is provided for educational and informational purposes only and is not legal advice. Any specific questions about these topics should be directed to attorney



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