Client Alert

Washington DC Expanded Wage Transparency Law

WHAT'S NEW: On January 12, 2024, Washington D.C.'s Mayor signed the Wage Transparency Omnibus Amendment Act of 2023 expanding D.C.'s Wage Transparency Act of 2014. The new law applies to all employers with at least one employee in Washington D.C.

WHY IT MATTERS: The new Act takes effect on **June 30, 2024,** and establishes new job posting requirements for employers, prohibits inquiries into an applicant's wage history and enhances protections for employees to discuss compensation.

Job Posting and Disclosure Requirements. The Act requires employers to include the "minimum and maximum projected salary or hourly pay in all job listings or position descriptions advertised." The pay range should be the pay that the employer in good faith believes at the time of the posting would pay for the advertised job, promotion or transfer opportunity.

In addition, while not a job posting requirement, prior to the first interview, an employer must disclose to prospective employees the existence of healthcare benefits that employees may receive.

Inquiries into Applicant's Wage History. Under the new law, employers are prohibited from:

- Screening applicants based on wage history by requiring that an applicant meet certain minimum or maximum criteria to be considered for a position.
- Requiring that an applicant disclose their wage history.
- Seeking wage history from the applicant's prior employer.

Discussing Compensation. The new law expands employees' ability to discuss wages. The new law broadens language used in previous regulations by replacing the term "wages" with the term "compensation", which is defined as "all forms of monetary and nonmonetary benefits an employer provides or promises to provide an employee in exchange for the employee's services to the employer." This would seemingly include health benefits and various forms of paid time off.

WHAT EMPLOYERS SHOULD DO: Employers should review their policies and procedures as it pertains to job positions, job applications, and the hiring process to ensure that applicants are made aware of salary ranges and benefits and to ensure no inquiries are made into an applicant's wage history.

Employers should continue to allow employees to discuss their own wages to include any other benefits that they may receive.

Employers are also required to post a notice to employees about their rights under the act. The notice should be "in a conspicuous place in at least one location where employees congregate."

Please reach out to your HR Partner if you have any questions.