

LOCAL LAW “E” FOR 2022

A LOCAL LAW OF THE COUNTY OF ALBANY AMENDING LOCAL LAW NO. 1 FOR 2013, ENTITLED "AN OMNIBUS HUMAN RIGHTS LAW FOR ALBANY COUNTY"

Introduced: 5/9/22

By Mss. McLaughlin, Plotsky, Messrs. A. Joyce, Peter, Kuhn, Mss. Lekakis, Cunningham, Messrs. Simpson, Miller, Efekoro, Fein, R. Joyce, Mayo, Ms. McLean Lane, Messrs. O’Brien, Reidy and Reinhardt:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

SECTION 1. Legislative Intent

The purpose of this Local Law is to prevent discrimination in employment by requiring the disclosure of the minimum and maximum salary or wage at the time any position for hire in Albany County is solicited.

In 2017, this honorable body adopted rules prohibiting employers from requiring job applicants to provide prior or current salary information before an offer of employment is made.

The County of Albany continues to be dedicated to protecting the rights of its residents and eliminating discrimination and bias in the workplace.

This Legislature hereby finds and determines that withholding salary information during the employment solicitation process places employees at a disadvantage and can lead to discriminatory pay inequality.

Therefore, the purpose of this law is to amend the Albany County Omnibus Human Rights Law (Local Law No. 1 for 2013, as amended) to require employers to provide the minimum and maximum salary or hourly wage for any position being solicited for employment.

SECTION 2. Prohibitions

Section 7, subsection 1 (i) of Local Law No. 1 for 2013, “An Omnibus Human Rights Law for Albany County,” as amended, is further amended by the addition of a new subdivision (4) as follows:

(4) Advertise a job, promotion, or transfer opportunity without stating the minimum and maximum salary or hourly wage for such position in such advertisement. In stating the minimum and maximum salary or hourly

wage for a position, the range may extend from the lowest to the highest salary the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion, or transfer opportunity. This subdivision does not apply to a job advertisement for temporary employment at a temporary help firm as such term is defined by subdivision 5 of section 916 of article 31 of the New York State Labor Law.

SECTION 3. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 4. Effective Date

This Local Law shall take effect 90 days after enactment.

Referred to Law and Personnel Committees – 5/9/22

Favorable Recommendation Law Committee – 9/28/22

Favorable Recommendation Personnel Committee – 9/29/22

On long roll call vote the following members voted in favor: Messrs. Beston, Bruschi, Ms. Chapman, Messrs. Clay, Collins, Cleary, Commisso, Ms. Cunningham, Messrs. Domalewicz, Drake, Efekoro, Ethier, Feeney, Fein, A. Joyce, R. Joyce, Kuhn, Ms. Lekakis, Mr. Mayo, Mss. McLaughlin, McLean Lane, Messrs. Miller, O'Brien, Perlee, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Simpson, Smith, Ward, Mss. Whalen and Willingham – 34

Those opposed – Messrs. Burgdorf, Grimm, Ms. Lockart, Messrs. Mauriello and Tunny – 5

Local Law was adopted – 10/11/22