

LEGISLATORS CAN EMPOWER WORKERS WITH PAY RANGE TRANSPARENCY LAWS

BY SARAH JAVAID

Pay range transparency laws requiring employers to provide the pay range for a position to job seekers and/or employees have been growing in popularity among the public and state lawmakers in recent years. Colorado was the first to enact a law requiring pay ranges in job announcements in 2021, and nine states have followed suit with similar laws. District of Columbia and Virginia have recently passed bills that are pending their governors' signatures and/or congressional review. Pay range transparency empowers job applicants and current employees with pay information to aid in their job search, inform their employment decisions, and better manage pay negotiations with employers. Public support in the United States for pay range transparency is high—in a December 2023 National Women's Law Center/Morning

Consult poll, three in five (60%) adults supported implementing pay range transparency practices in their workplace.¹ Indeed, over half (56%) of working adults reported their employers already share pay range information with employees.

Pay range transparency may be useful in attracting a more diverse workforce for employers. Women of color were more likely to apply for positions they would not have otherwise considered because of the pay range listed.² Gen Z and Millennials are much more likely to not apply for a job that does not include a pay range. NWLC polling also found that women of color were more likely than white women to refrain from applying to a job opening because it did not include a pay range.³

This factsheet compares trends in pay range transparency in states with pay range transparency laws and in states without such laws. This factsheet then looks deeper to compare pay range transparency across industries among states that require employers to post pay ranges directly in job announcements, states that require employers to provide pay range information at some point during the hiring process, and states that do not require any pay range transparency.

Findings highlight:


- ▶ Among industries with relatively low pay disclosure, pay disclosure was highest among states with pay range transparency laws requiring pay ranges in job listings.
- ▶ Pay disclosure in job listings among industries were similar between states with pay range transparency laws that only require employers to share pay ranges at some point during the hiring process and states with no pay range transparency laws.
- ▶ States with pay range transparency laws requiring pay ranges in job listings experienced higher shares of job listings that include pay ranges compared to states without pay range transparency laws.
- ▶ Pay disclosure gained popularity in states without pay range transparency laws between March 2022 and December 2023, but still fell far below pay disclosure in states with pay range transparency laws.

METHODOLOGY


For the purposes of this factsheet, the share of job listings with employer-provided⁴ salary information are also referred to as “pay disclosure.” This factsheet refers to pay range transparency laws requiring pay ranges in job announcements as “strong pay range transparency laws” and pay range transparency laws that only require employers to share pay ranges during the hiring process as “other pay range transparency laws.”

The data in this factsheet was provided to NWLC by Glassdoor and includes job listings on the Glassdoor website between March 2022 and December 2023. The industry analysis was limited to January through December 2023. The estimate of job listings with employer-provided salaries may be lower than the true share.

Glassdoor job listings posted before pay range transparency laws went into effect may still be counted after the law’s implementation if the postings are still visible to job seekers. Additionally, some job listings with salary information included in the description may not be parsed out automatically due to formatting errors or unusual formats.⁵



This factsheet section compares pay disclosure by industry among states with “strong pay range transparency laws,” states with “other pay range transparency laws,” and states without pay range transparency laws.



States with pay range transparency laws requiring pay in job announcements have higher pay disclosure in all industries, but particularly among industries with typically low pay disclosure.

As of the end of December 2023, eight states had pay range transparency laws in effect, however, not all pay range transparency laws had the same requirements. Pay range transparency laws in California, Colorado, New York, and Washington state require employers to specifically provide pay ranges in job listings. Pay range transparency laws in Connecticut, Maryland, Nevada, and Rhode Island, while requiring employers to provide pay ranges at some point during the hiring process, do not specify that they must be given in the job listing. Rather, pay ranges may be offered in interviews or when applicants ask.

In 2023, in every single industry, states with strong pay range transparency laws had greater pay disclosure compared to states with other pay range transparency laws and states without such laws. Job seekers and workers may be most empowered in states with pay range transparency laws specifically requiring pay ranges disclosed in job listings.

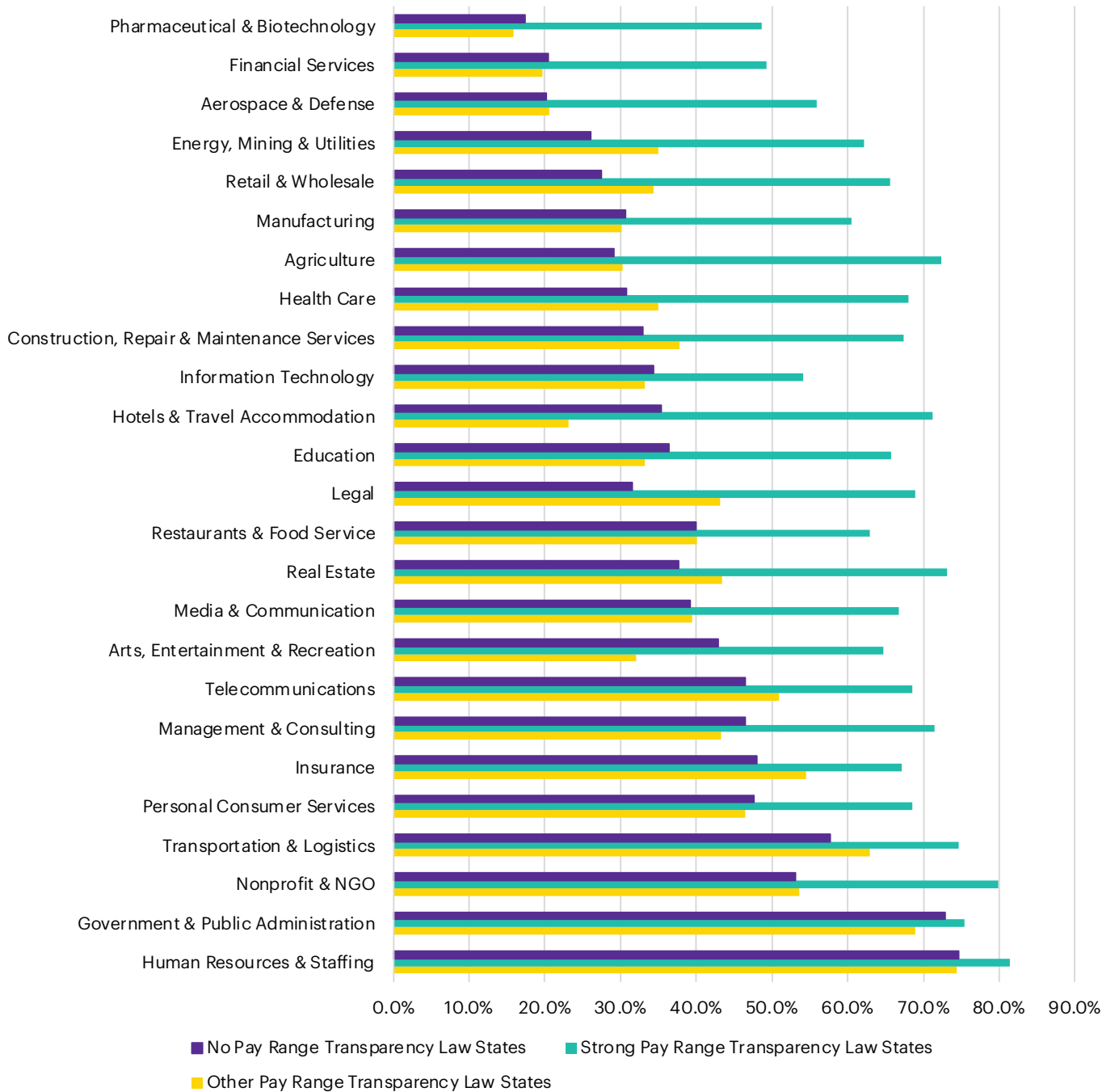
Compared to other industries and regardless of the state, some high paying industries such as pharmaceuticals and biotechnology, financial services, and aerospace and defense, had relatively low shares of pay disclosure on Glassdoor. However, states with strong pay range transparency laws had greater pay disclosure in these industries compared to states with other pay range transparency laws and states without

any pay range transparency laws. By industry, the share of job listings with pay disclosure did not vastly differ when comparing states with other pay range transparency laws and states with no pay range transparency laws.


In 2023:

- ▶ Human resources and staffing, the industry with the greatest overall pay transparency on Glassdoor, had similar pay disclosure in job listings in states without any pay range transparency laws (74.7%), states with other pay range transparency laws (74.3%), and states with strong pay range transparency laws (81.4%).
- ▶ Pharmaceutical and biotechnology, the industry with the lowest overall pay transparency on Glassdoor, had great differences in the share of job listings with pay disclosure between states without pay range transparency laws (17.4%) and states with strong pay range transparency laws (48.6%). States with other pay range transparency laws (15.9%) had similar shares of pay disclosure to states without pay range transparency laws.
- ▶ Even among the industry with the overall third highest share of listings with pay disclosure on Glassdoor, nonprofit and NGOs, there was a noticeable difference in pay disclosure among states without pay range transparency laws (53.1%) and states with other pay range transparency laws (53.5%) compared to states with strong pay range transparency laws (79.9%).

Share of Glassdoor Job Listings With Employer Provided Salary Information by Industry and Pay Range Transparency Laws (2023)



Source: See Table 1 for data points on the share of Glassdoor job listings with employer-provided salary information by industry and pay range transparency law type. Strong pay range transparency law states include California, Colorado, New York, and Washington. Other pay range transparency law states include Connecticut, Nevada, Maryland, and Rhode Island. No pay range transparency law states include all other states and D.C. Laws in Hawaii, Illinois and D.C. are scheduled to go into effect after 2024 and therefore have been included as no pay range transparency law states for this analysis. Industries are ordered from top to bottom as the least to greatest overall share of Glassdoor job listings with employer-provided salary information. Job listings that are remote or have unspecified industries have not been included in this analysis. National Women's Law Center calculations based on January 2023 – December 2023 job listing, salary source, and industry data provided by Glassdoor.



Pay disclosure gained popularity in states without pay range transparency laws, but still fell far below that of states with pay range transparency laws.

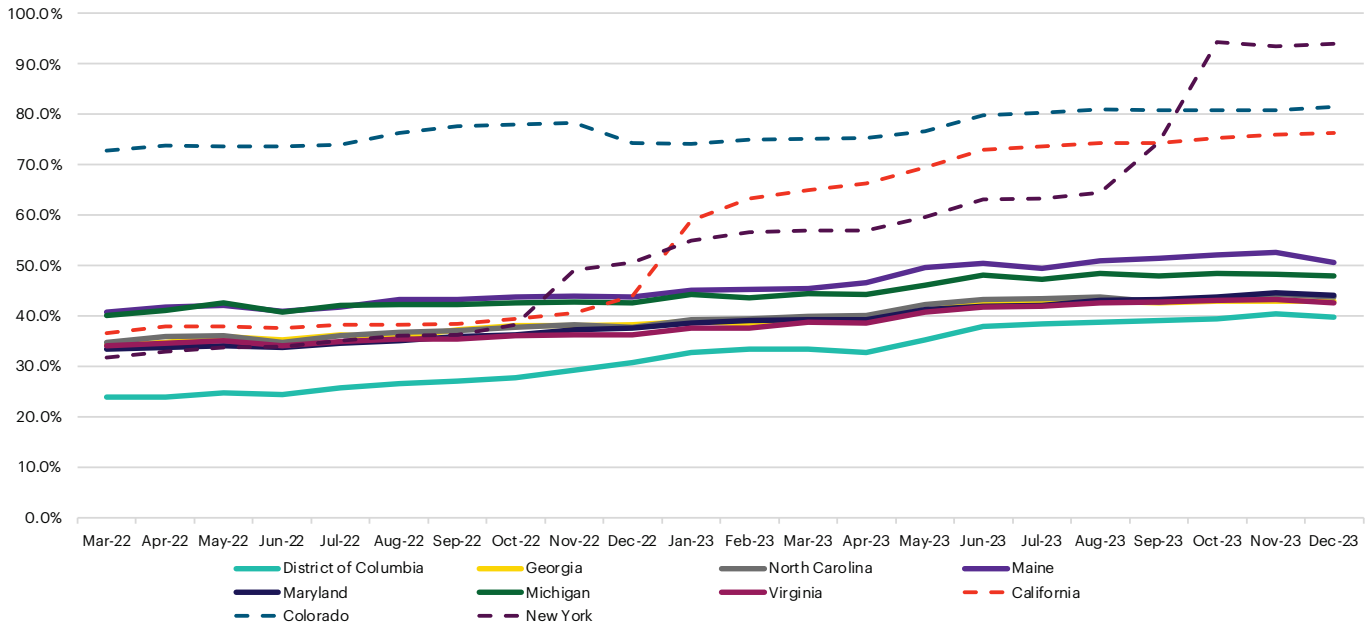
Despite the worker demand and business benefits,⁶ many states have yet to enact pay range transparency laws, including Georgia, North Carolina, Maine, Michigan, and Virginia. Advocates in these states without pay range transparency laws are actively pursuing these types of laws. The analysis of pay disclosure trends below focuses on the above-selected states, in addition to D.C., which passed a pay range transparency law after 2023, and California, Colorado, and New York, which already enacted strong pay range transparency laws before or in 2023. It also focuses on Maryland, which enacted a weaker pay range transparency law in 2020.

The data shows the share of Glassdoor job listings with pay disclosure increased over time among all selected states, even among those without pay range transparency laws, but they still fall far below that of states with strong pay range transparency laws. Between March 2022

and December 2023, the share of job listings with pay disclosure rose by 67.0% in the District of Columbia, 31.9% in Maryland, 25.9% in North Carolina, 25.2% in Georgia, 24.6% in Virginia, 24.1% in Maine, and 19.8% in Michigan. Still, while pay disclosure rose in these states, the share of job listings with pay disclosure was far below that of states with pay range transparency laws requiring pay ranges in job listings. In December 2023, D.C. and Maine had the lowest and highest share of job listings with pay disclosure, 39.8% and 50.6%, respectively. Still falling far lower than New York (94.0%), Colorado (81.4%), and California (76.3%), all of which have strong pay range transparency laws requiring pay ranges in job listings.

In contrast, New York and California, states in which pay range transparency laws went into effect in January 2023, saw immediate dramatic increases in pay disclosure. Pay disclosure even began to rise in these states before the end of 2022, prior to the laws going into effect. Between March 2022 and December 2023, New York's share of job listings with pay disclosure nearly tripled and California's share more than doubled. Colorado's pay range transparency law went into effect in 2021 and from March 2022 to December 2023, pay disclosure in job listings continued to rise by 11.8%.

Share of Glassdoor Job Listings With Employer-Provided Salary Information by Selected States
(March 2022 – December 2023)



Source: See Table 2 for data points on the share of Glassdoor job listings with employer-provided salary information. National Women’s Law Center calculations based on March 2022 – December 2023 job listing and salary source data provided by Glassdoor.

State legislators can empower workers by ensuring that all job announcements contain pay ranges.

Increasing pay range transparency provides more resources to job seekers and workers, empowering them in their job selection. As a result, pay range transparency is an important tool that can help drive pay equity for women who experience persistent gender and racial wage gaps that rob them of thousands of dollars each year.⁷ For example, there are narrower wage gaps in the federal public sector—where agencies typically have transparent and public pay structures. Nationally among full-time, year-round workers, women are typically paid 84 cents for every dollar paid to men,⁸ but in the federal government, where pay rates are publicly available, women are typically paid 94 cents for every dollar paid to men.⁹

A wave of states are heeding the demand for pay range transparency by passing legislation requiring pay range transparency from employers. Ten states—California, Colorado, Connecticut, Hawaii, Illinois, New York, Nevada, Maryland, Rhode Island, and Washington—have passed pay range transparency laws as of March 2024, and D.C. and Virginia have recently passed bills that are pending their governors’ signatures and/or congressional review. Maryland is currently considering legislation to strengthen their pay range transparency law by requiring pay ranges in job announcements, not only when job applicants ask.

Initiative taken by legislators has the power to greatly benefit job seekers and current employees in those states. Policies that specifically require pay ranges in job listings create greater certainty that job seekers are empowered and informed in their search.

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Table 1: Share of Glassdoor Job Listings with Employer-Provided Salary Information by Industry and Pay Range Transparency Laws (2023)

	<i>No Pay Range Transparency Law States</i>	<i>Other Pay Range Transparency Law States</i>	<i>Strong Pay Range Transparency Law States</i>
Human Resources & Staffing	74.7%	74.3%	81.4%
Government & Public Administration	72.9%	68.9%	75.4%
Nonprofit & NGO	53.1%	53.5%	79.9%
Transportation & Logistics	57.7%	63.0%	74.7%
Personal Consumer Services	47.6%	46.5%	68.6%
Insurance	48.0%	54.6%	67.1%
Management & Consulting	46.5%	43.3%	71.5%
Telecommunications	46.4%	50.9%	68.5%
Arts, Entertainment & Recreation	42.9%	32.1%	64.7%
Media & Communication	39.2%	39.4%	66.7%
Real Estate	37.7%	43.4%	73.1%
Restaurants & Food Service	40.0%	40.1%	62.9%
Legal	31.6%	43.2%	69.0%
Education	36.5%	33.2%	65.8%
Hotels & Travel Accommodation	35.4%	23.1%	71.2%
Information Technology	34.4%	33.2%	54.2%
Construction, Repair & Maintenance Services	33.0%	37.8%	67.4%
Health Care	30.7%	35.0%	68.0%
Agriculture	29.2%	30.3%	72.3%
Manufacturing	30.7%	30.1%	60.4%
Retail & Wholesale	27.5%	34.3%	65.6%
Energy, Mining & Utilities	26.0%	35.1%	62.2%
Aerospace & Defense	20.2%	20.6%	55.9%
Financial Services	20.4%	19.7%	49.3%
Pharmaceutical & Biotechnology	17.4%	15.9%	48.6%

Table 2: Share of Glassdoor Job Listings With Employer-Provided Salary Information by Selected States (March 2022 – December 2023)

	States Without Pay Range Transparency Laws						States With Pay Range Transparency Laws			
	DC	GA	NC	ME	MI	VA	CA	CO	NY	MD
Mar-22	23.9%	34.3%	34.7%	40.8%	40.1%	34.2%	36.6%	72.9%	31.8%	33.4%
Apr-22	24.0%	34.8%	35.9%	41.8%	41.2%	34.6%	37.9%	73.8%	32.9%	33.7%
May-22	24.8%	36.0%	36.0%	42.2%	42.6%	35.0%	37.9%	73.7%	33.7%	34.1%
Jun-22	24.5%	35.3%	34.7%	40.9%	40.8%	34.1%	37.6%	73.7%	33.9%	33.8%
Jul-22	25.7%	36.2%	36.0%	41.8%	42.1%	35.0%	38.2%	74.0%	35.1%	34.7%
Aug-22	26.6%	35.7%	36.7%	43.2%	42.2%	35.5%	38.3%	76.2%	36.1%	35.2%
Sep-22	27.1%	37.3%	37.1%	43.3%	42.3%	35.4%	38.5%	77.7%	36.3%	35.9%
Oct-22	27.7%	38.2%	37.7%	43.7%	42.6%	36.1%	39.4%	78.0%	38.3%	36.3%
Nov-22	29.3%	38.1%	38.3%	44.0%	42.8%	36.3%	40.6%	78.4%	49.1%	37.2%
Dec-22	30.7%	38.2%	37.8%	43.8%	42.7%	36.2%	43.9%	74.3%	50.7%	37.7%
Jan-23	32.7%	39.0%	39.3%	45.1%	44.3%	37.6%	58.9%	74.1%	55.0%	38.6%
Feb-23	33.4%	38.5%	39.4%	45.2%	43.6%	37.7%	63.2%	75.0%	56.6%	39.0%
Mar-23	33.5%	39.0%	40.0%	45.4%	44.5%	38.7%	65.0%	75.1%	56.9%	39.3%
Apr-23	32.8%	39.2%	40.2%	46.7%	44.2%	38.5%	66.3%	75.2%	56.9%	39.2%
May-23	35.3%	41.1%	42.3%	49.6%	46.2%	40.7%	69.4%	76.6%	59.6%	41.2%
Jun-23	38.0%	42.6%	43.2%	50.5%	48.0%	41.8%	73.0%	79.8%	63.1%	42.0%
Jul-23	38.4%	42.7%	43.4%	49.4%	47.3%	41.9%	73.6%	80.4%	63.2%	42.2%
Aug-23	38.8%	43.0%	43.8%	51.0%	48.4%	42.7%	74.3%	81.0%	64.5%	43.1%
Sep-23	39.1%	42.6%	42.8%	51.4%	48.0%	42.8%	74.4%	80.8%	74.4%	43.2%
Oct-23	39.5%	42.9%	43.6%	52.1%	48.4%	43.2%	75.3%	80.7%	94.4%	43.7%
Nov-23	40.4%	43.0%	44.2%	52.6%	48.3%	43.3%	76.0%	80.8%	93.5%	44.6%
Dec-23	39.8%	42.9%	43.7%	50.6%	48.0%	42.6%	76.3%	81.4%	94.0%	44.0%

Source: National Women's Law Center calculations based on March 2022 – December 2023 job listing and salary source data provided by Glassdoor.

ENDNOTES

1. “New Polling Shows That Americans Support Pay Range Transparency and Employers May Benefit Too,” National Women’s Law Center (January 22, 2024), <https://nwlc.org/resource/new-polling-shows-that-americans-support-pay-range-transparency-and-employers-may-benefit-too/>.
2. See “New Polling Shows That Americans Support Pay Range Transparency and Employers May Benefit Too,” National Women’s Law Center.
3. See “New Polling Shows That Americans Support Pay Range Transparency and Employers May Benefit Too,” National Women’s Law Center.
4. This includes both public and private employers.
5. Daniel Zhao, “The Landscape of Pay Transparency at the Start of 2023,” Glassdoor (January 17, 2023), <https://www.glassdoor.com/research/pay-transparency-laws-january-2023>.
6. See “New Polling Shows That Americans Support Pay Range Transparency and Employers May Benefit Too,” National Women’s Law Center.
7. Sarah Javaid, “A Window Into The Wage Gap: What’s Behind It and How to Close It,” National Women’s Law Center, (January 22, 2024), <https://nwlc.org/wp-content/uploads/2023/01/2023-Wage-Gap-Factsheet.pdf>.
8. See Sarah Javaid, “A Window Into The Wage Gap: What’s Behind It and How to Close It.”
9. “RELEASE: OPM Releases Proposed Regulations to Prohibit Use of Previous Salary History,” U.S. Office of Personnel Management, (May 10, 2023), <https://www.opm.gov/news/releases/2023/04/opm-releases-proposed-regulations-to-prohibit-use-of-previous-salary-history/#:~:text=The%20gender%20pay%20gap%20for,%25%20to%20the%20current%205.6%25>.