

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of ALBANY

FILED
STATE RECORDS

NOV 17 2017

DEPARTMENT OF STATE

Local Law No. 10 of the year 2017

A local law TO HELP ADDRESS THE WAGE GAP BETWEEN WOMEN AND MEN BY PROHIBITING
(Insert Title)
EMPLOYERS FROM REQUIRING JOB APPLICANTS TO PROVIDE PRIOR OR
CURRENT SALARY INFORMATION BEFORE OFFERING THEM EMPLOYMENT

Be it enacted by the ALBANY COUNTY LEGISLATURE of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of ALBANY

as follows:

PLEASE SEE ATTACHED PAGES 1-3

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. 10 of 20¹⁷ of the (County)(City)(Town)(Village) of ALBANY was duly passed by the ALBANY COUNTY LEGISLATURE on 11/8 20¹⁷, and was (approved)(~~not approved~~) (~~repassed after disapproval~~) by the COUNTY EXECUTIVE and was deemed duly adopted on 11/8 20¹⁷, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (~~repassed after disapproval~~) by the _____ on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (~~repassed after disapproval~~) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

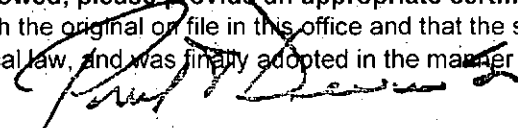
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

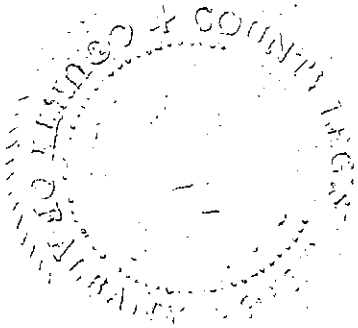
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 11/13/17

(Seal)



LOCAL LAW NO. 10 FOR 2017

A LOCAL LAW TO HELP ADDRESS THE WAGE GAP BETWEEN WOMEN AND MEN BY PROHIBITING EMPLOYERS FROM REQUIRING JOB APPLICANTS TO PROVIDE PRIOR OR CURRENT SALARY INFORMATION BEFORE OFFERING THEM EMPLOYMENT

Introduced: 9/12/16

By Mss. Lekakis, Cunningham, Messrs. Clenahan, Reinhardt, Bullock, Simpson, Ms. Chapman, Messrs. Domalewicz, Higgins, Ethier, Fein, O'Brien, Ms. McLean Lane, Messrs. A. Joyce, Beston, Miller, Clay, R. Joyce and Drake

BE IT ENACTED by the Albany County Legislature as follows:

Section 1: Legislative Intent.

This Legislature hereby finds that according to a United States Census Bureau 2016 report on the full-time and year-round labor market, women are paid 79.6 cents for every dollar a man makes. Women of color are paid even less - African American women are paid only 70.6 cents to the dollar paid to men, Hispanic women are paid only 60.7 cents to the dollar paid to men, and Asian women are paid only 94.6 cents to the dollar paid to men.

This Legislature further finds that the wage gap ratio of 79.6 percent is actually a moderate estimate of gender pay inequality - if part-time workers are included, the wage ratio is 72.7 percent, a gap of 27.3 percent.

This Legislature further finds that in August 2016, Massachusetts became the first state to enact a law prohibiting employers from seeking or requiring a prospective employee's wage history.

This Legislature further finds that since women are paid on average lower wages than men, basing wages upon a worker's wage at a previous job only serves to perpetuate gender wage inequalities.

This Legislature further finds that salary offers should be based upon the job responsibilities of the position sought and not based upon the prior wages earned by the applicant.

Therefore, the purpose of this Local Law is to help address the wage gap between women and men by prohibiting employers from requiring job applicants to provide prior or current salary information before offering them employment.

Section 2: Prohibitions.

Section 7, subsection 1. of Local Law No. 1 for 2000, "An Omnibus Human Rights Law for Albany County," as amended by Local Law No. D for 2013, is amended by the addition of a new subdivision (i) as follows:

(i) It shall be an unlawful practice for an employer or an employment agency to:

- (1) screen job applicants based on their wage, including benefits or other compensation or salary histories, including by requiring that an applicant's prior wages, including benefits or other compensation or salary history, satisfy minimum or maximum criteria; or
- (2) request or require as a condition of being interviewed, or as a condition of continuing to be considered for an offer of employment, that a job applicant disclose prior wages or salary history; or
- (3) seek the salary history of any job applicant from any current or former employer; provided, however, that a job applicant may provide written authorization to a prospective employer or employment agency to confirm prior wages, including benefits or other compensation or salary history, only after any offer of employment with compensation has been made to the job applicant.

Section 3. Applicability.

This Local Law shall apply to all actions occurring on or after the effective date as set out in Section 5.

Section 4. Severability.

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

Section 5. Effective Date.

This law shall take effect thirty (30) days following its filing in the Office of the New York State Secretary of State.

Referred to Law Committee. 9/12/16

Favorable Recommendation- Law Committee 7/26/17

Referred to Law and Personnel Committees. 8/14/17

Favorable Recommendation - Law Committee 9/25/17

Favorable Recommendation - Personnel Committee 9/25/17

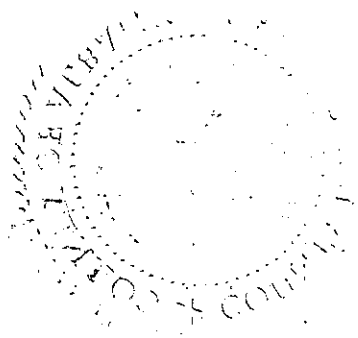
On roll call vote the following voted in favor: Messrs. Beston, Bullock, Burgdorf, Ms. Chapman, Messrs. Clay, Clenahan, Commisso, Crouse, Ms. Cunningham, Messrs. Dawson, Domalewicz, Drake, Duncan, Ethier, Feeney, Fein, Grimm, Higgins, Hogan, A. Joyce, R. Joyce, Mss. Lekakis, Lockart, Messrs. Mauriello, Mayo, Mss. McKnight, McLean Lane, Messrs. Mendick,

Miller, O'Brien, Reinhardt, Signoracci, Simpson, Smith, Stevens, Touchette, Tunny, Ward and Ms. Willingham - 39

Those opposed: 0

Local Law was adopted 10/10/17

[Handwritten signature]



State of New York

County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 10th day of October, 2017, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 11th day of October, 2017.

A handwritten signature in cursive script, appearing to read "Paul J. Deane", is written over a horizontal line.

Clerk, Albany County Legislature

