

August 4, 2025

Re: Proposed Int. 808-B

Dear Council Member:

As representatives of New York City's employers, large and small, we share the Council's goal of transparency and increasing gender equity. We do not believe that Proposed Int. 808-B advances these goals and could do more harm than good. The bill would be extremely burdensome to implement and would disrupt workplaces, while providing no meaningful benefit to employees or job candidates. It will certainly make the city less attractive as a place for job creation and business investment.

Proposed Int. 808-B would require employers include a job description in every job posting. Many small businesses do not maintain formal job descriptions and, in industries like restaurants, employees are often expected to perform multiple roles based on daily needs. Postings would also have to include a list of the non-wage compensation and benefits that may be offered. Although what qualifies as a benefit in this context is uncertain, a mandate is unnecessary because employers are already incentivized to include this type of information attract talent. It is unclear how these mandates would advance gender pay equity.

The bill would also require employers to disclose the compensation range for an employee's job title each year upon request. Determining which positions are comparable for this purpose would be a difficult task for employers of all sizes. Moreover, the data provided is not likely to be useful. In a large organization the range may be misleading because it encompasses too many employees, whereas in a small organization the range may be so small that it specifically discloses the compensation of individual colleagues or is limited to the compensation of the employee making the request. This would not advance equity.

Proposed Int 808-B would also force employers to record the reason for offering a job applicant an amount outside the range listed in a job posting and retain this record for 3 years. The original salary transparency law (Local Law 32 of 2022) did not prohibit employers from offering a successful applicant more than the posted range, giving employers flexibility when circumstances change and allowing employees to negotiate job offers. This bill would penalize employers for offering a higher salary by adding additional administrative burdens and exposure to frivolous lawsuits, thus disincentivizing employers from offering higher wages.

All of these requirements would be impossible to implement without human resources professionals and legal counsel. Many small businesses have neither and requiring them to consult these professionals is cost-prohibitive and unrealistic.

New York already has one of the nation's most heavily regulated business environments and most expensive litigation environments. Continuing to impose legal and regulatory burdens without regard to their impact on employers will have significant consequences for economic activity in the city. Small businesses are already struggling, while large businesses are choosing to expand in locations other than New York. A far better approach to improving gender equity would be improved outreach and collaboration with employers to encourage best practices.

We strongly urge the Council not to act on this bill.

Sincerely,

American Council of Engineering Companies
Association for a Better New York
Bronx Chamber of Commerce
Brooklyn Chamber of Commerce
Building Contractors Association
Building Trades Employers' Association
Food Industry Alliance
Hotel Association of New York City
Manhattan Chamber of Commerce
New York Building Congress
New York City Hospitality Alliance
New York State Latino Restaurant, Bar, and Lounge Association
New York State Restaurant Association
Partnership for New York City
Queens Chamber of Commerce
Real Estate Board of New York
Retail Council of New York State
SIFMA
Staten Island Chamber of Commerce
Subcontractors Trade Association