

Electronic Alert

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Washington is Updating its Job Posting Requirements: What Employers In (& Out of) Washington Should Know

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Beginning January 1, 2023, amendments to Washington’s Equal Pay and Opportunities Act (RCW 49.58) go into effect. The amendments create additional wage disclosure obligations for employers’ job postings for Washington-based employees.

Requirements

If an employer has 15 or more employees, their job postings must include:

- a wage scale or salary ranges for the job opening, and
- a general description of all of the benefits and other compensation to be offered to the hired applicant.

“Posting” means any solicitation intended to recruit job applicants and includes indirect recruitment through a third party, and to any print or electronic posting. The law also already requires employers to provide the wage scale or salary range for a specific position when requested by an internal employee who seeks transfer or promotion to a new position.

Broad Impact

Prior to this law taking effect, employers were required to disclose wage scale and general benefits descriptions upon applicant request. Beginning in January, covered employers must proactively provide this information in the posting itself.

Oregon and employers in other states should pay attention to this law! Washington’s Department of Labor & Industries (L&I) is currently drafting its guidance for changes to the law. According to the draft proposed guidance by L&I, an employer without a physical presence in Washington may be affected by these changes. According to this draft, an employer would be subject to this law if the employer:

- recruits for jobs that can be filled by Washington-based employees, or
- posts for remote work that can be performed by a Washington-based employee.

The guidance further warns that employers cannot avoid compliance by indicating they will not consider Washington-based applicants.

The L&I Employment Standards Program has released the second draft of its proposed administrative policy and is seeking public comment. Employers can view the current draft policy and submit feedback to L&I [here](#).

For questions on compliance with these rules or other labor and employment matters, contact Nicole Elgin at 503-276-2109 or nelgin@barran.com.