

Navigating the Maze: A 2026 Guide to State-by-State Pay Transparency Laws

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Introduction

The landscape of employee compensation is undergoing a seismic shift in the United States. Driven by a growing demand for equity and fairness, a wave of pay transparency legislation has swept across the nation, fundamentally altering how employers approach salary discussions. As of 2026, a significant number of states have enacted laws requiring employers to disclose salary ranges, prohibit inquiries into salary history, and protect employees who discuss their pay. This movement, aimed at closing persistent wage gaps based on gender and race, presents a complex web of compliance challenges for businesses operating across state lines. While no federal mandate currently exists, the Salary Transparency Act, introduced in 2023, signals a potential future at the national level, making proactive adoption of transparency a strategic imperative [1].

This article provides a comprehensive overview of the state-by-state pay transparency laws effective in 2026. It details the specific requirements for each state, outlines best practices for compliance, and examines the penalties for non-adherence. For employers, understanding these regulations is not just about avoiding legal pitfalls; it is about fostering a culture of trust and attracting top talent in a competitive market.

The State of Pay Transparency in 2026

As of early 2026, **16 states and the District of Columbia** have implemented some form of pay transparency legislation [2]. These laws vary significantly in scope, from mandating salary ranges in all job postings to requiring disclosure only upon an applicant's request. The employer size thresholds for these laws also differ, with some applying to businesses with as few as four employees. Furthermore, ten additional

states are actively considering similar bills, indicating that the trend toward greater transparency is likely to continue [2].

The following table provides a detailed breakdown of the pay transparency laws currently in effect across the United States.

| State | Law / Bill | Employer Size | Key Requirements |
|----------------------|---|---------------|---|
| California | SB 1162 & SB 642 | 15+ employees | Must include pay scale in all job postings. 100+ employees must submit an annual pay data report. [3] |
| Colorado | Equal Pay for Equal Work Act | All employers | Must disclose compensation in all job postings and prohibit asking for wage history. [2] |
| Connecticut | Public Act No. 21-30 | All employers | Must provide pay ranges upon request and prohibits retaliation for pay discussions. [2] |
| Delaware | House Bill 105 | 25+ employees | Must include compensation range and benefits in all job postings (effective Sep 2027). [2] |
| D.C. | Wage Transparency Omnibus Amendment Act | All employers | Must include salary range in postings and provide benefits info before the first interview. [2] |
| Hawaii | Act 203 | 50+ employees | Must include pay scales in job postings. [2] |
| Illinois | HB 3129 | 15+ employees | Must provide a wage scale and benefits description with job postings. [2] |
| Maryland | Equal Pay for Equal Work Act | All employers | Must post wage ranges in all job postings and provide them upon request. [2] |
| Massachusetts | Frances Perkins Workplace Equity Act | 25+ employees | Must disclose the pay range for all job postings (effective July 2025). [2] |
| Minnesota | Statute 181.173 | 30+ employees | Must include a pay range and benefits description in job postings. [2] |
| Nevada | Bill 293 | All employers | Must share salary information with applicants and prohibits asking for |

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|--------------|---------------------------------|---------------|---|
| | | | salary history. [2] |
| New Jersey | Bill 2310 | 10+ employees | Must post salary range and benefits description with all job postings. [2] |
| New York | Labor Law § 194-B | 4+ employees | Must disclose salary ranges for all positions. [2] |
| Oregon | SB 906 | All employers | Must provide detailed explanations of payroll codes, deductions, and pay rates at hire. [2] |
| Rhode Island | Pay Equity Act | All employers | Must supply pay range upon request and prohibits asking for wage history. [2] |
| Vermont | Act 155 | 5+ employees | Must disclose salary range or hourly wage in all job postings. [2] |
| Washington | Equal Pay and Opportunities Act | 15+ employees | Must include salary ranges on all job postings and for internal transfers. [2] |

Compliance and Best Practices for Employers

Navigating the patchwork of state laws requires a proactive and strategic approach. Non-compliance can result in significant financial penalties, with fines ranging from thousands to tens of thousands of dollars per violation [4]. To ensure compliance and leverage transparency as a competitive advantage, employers should consider the following steps:

- 1. Conduct a Comprehensive Audit:** The first step is to determine which laws apply to your organization based on where your employees are located and where you recruit. This includes remote workers, as laws in states like Colorado apply to any job that could be performed in the state.
- 2. Develop Standardized and Defensible Salary Ranges:** Create clear, consistent, and equitable salary ranges for every position. These ranges should be based on

objective factors such as market data, experience level, skills, and geographic location. Documenting the methodology behind these ranges is crucial for defending compensation decisions.

3. **Update Job Postings and Templates:** Revise all internal and external job posting templates to include the required compensation information. Ensure that the language used is clear and meets the specific requirements of each applicable state law.
4. **Train Hiring Managers and HR Staff:** It is essential to train everyone involved in the hiring process on the legal requirements. This training should cover what can and cannot be asked during interviews (such as salary history) and how to respond to questions about compensation.
5. **Stay Informed:** The legal landscape is constantly evolving. Subscribe to updates from legal and HR resources, such as the Society for Human Resource Management (SHRM), to stay informed about new legislation and changes to existing laws [5].

Conclusion

Pay transparency is more than a legal requirement; it is a fundamental shift toward a more equitable and trust-based employment relationship. While the complexity of state-by-state laws presents a challenge, it also offers an opportunity for organizations to lead. By embracing transparency, businesses can not only ensure compliance and mitigate legal risks but also enhance their ability to attract, retain, and motivate top talent. As the legislative momentum continues to build, the question for employers is no longer *if* they should be transparent, but *how* they can implement it effectively and strategically for the future.

References

- [1] H.R.1599 - Salary Transparency Act. (2023). Congress.gov. <https://www.congress.gov/bill/118th-congress/house-bill/1599>
- [2] Paycor. (2025, November 20). 2026 Pay Transparency Laws by State. <https://www.paycor.com/resource-center/articles/pay-transparency-laws-by-state/>

[3] California Legislative Information. (2022). *SB-1162 Public employers: salary transparency.* https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1162

[4] Davron. (2025, November 26). *Salary Transparency Laws in 2026: What Recruiters, Employers Need to Know.* <https://www.davron.net/salary-transparency-laws-2026-impact/>

[5] SHRM. (2025, October 30). *State Laws: Pay Transparency.* <https://www.shrm.org/topics-tools/tools/express-requests/state-laws-pay-transparency->