Jason Habinsky in CBS News: ‘More U.S. States are Making Employers Say How Much They Pay’

By Jason Habinsky | October 5, 2022

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Haynes Boone Partner Jason Habinsky was featured in a *CBS* news online article. Below is an excerpt:

A peculiar convention of getting hired in the U.S. is that a question job seekers may want to ask first is often addressed last: How much does the job actually pay? In the working world, it remains common for employers to keep that vital information under wraps, keeping applicants in the dark while giving hiring managers a competitive advantage in setting pay.

"Employers are in a position where they have to think very carefully about what they in good faith believe a particular position should pay," Jason Habinsky, chair of Haynes Boone's employment practice in New York City, told *CBS MoneyWatch*. "Employers have to show their cards and put them on the table first. You can't make decisions based on someone's membership in a protected category."

The salary must be disclosed as a range, and not in the format of "up to" or "at least" a certain figure.

"A potential risk is that certain employers are not going to operate in good faith and instead of providing a good faith range, in order to cover themselves they'll provide a much broader range than they ordinarily would have provided to give themselves an opportunity to decide what they're going to pay someone," Habinsky said. "It doesn't serve the purpose to say someone gets paid between $5 and $5 million." …

"There is a lot of potential fallout as a result of this law. You could have a current employee who will see what prospective employees are getting paid, and that can result in disgruntled employees and hurt feelings," Habinsky said.

Excerpted from *CBS*. To read the full article, click here.

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