

Updates to Equal Pay and Opportunities Act

Beginning Jan. 1, 2023, Engrossed Substitute Senate Bill (ESSB) 5761 amends RCW 49.58.110 to require employers to include certain information in job postings. This applies to employers with 15 or more employees.

New requirements

An employer must include in a job posting:

- Wage scale or salary range
- General description of all benefits
- General description of other compensation

Note: Employers can use a hyperlink to a more detailed description, as long as a general description is included in the job posting itself.

This section applies to:

- Washington based employees and applicants
- Employers engaging in business in Washington
- Employees who have been offered an internal transfer or promotion

What is a job posting?

A posting is any solicitation* intended to recruit job applicants that includes each of the following:

- Electronic or printed hard copy
- Qualifications for desired applicants
- Specific available position

* This includes recruitments done directly by an employer or indirectly by a third party.

Additional resources

RCW 49.58.110: <https://app.leg.wa.gov/RCW/default.aspx?cite=49.58.110>

Equal Pay and Opportunities Act: www.Lni.wa.gov/EqualPay

L&I Administrative Policy ES.E.1: [EQUAL PAY AND OPPORTUNITIES ACT ES.E.1 \(wa.gov\)](https://www.wa.gov/equal-pay-and-opportunities-act)

Examples of job postings



An email to internal applicants that reads, “If you are a current employee with a bachelor’s degree in computer science, please apply to be an IT Supervisor today! \$150,000-\$170,000 total per year for salary, medical benefits, and bonuses.”



A social media post that reads, “Seeking applicants for a Billing Specialist position. Must have 2 years of medical bill processing experience. \$30.00- \$40.00 per hour, medical, vision, and dental benefits, 401k retirement plan, and stock options available. More information can be found via hyperlink here.”



An electronic reader board outside of a business that reads, “Help Wanted- Server. Food Handler’s Certification Needed. Offering: \$24.00-\$26.00 per hour, medical benefits, 70 vacation hours per year, and \$500 sign-on bonus.”

What is not a posting

Recruiting methods not covered by these changes in the law include any job solicitation that does not include qualifications, a specific available position or is not available via electronic or printed hard copy.



No specific position

Does not include qualifications



Verbal conversations about open or upcoming positions — not available by electronic or printed hard copy