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NYC Council Adopts New Pay Data Reporting Requirements for Employers

The New York City Council recently passed two bills which require employers with 200 or more full-time, part-time, or temporary New York City-based employees (“Covered Employers”) to report employees’ anonymized pay data by their gender and race/ethnicity. The data will be reported to a City agency to be designated by the mayor within one year of the bills’ effective date (the “Designated Agency”).¹ The Designated Agency is tasked with conducting an annual pay equity study based on the data to identify any disparities in compensation based on gender and race or ethnicity.² While the bills will take effect immediately, employers can report their pay data anonymously and will not be required to do so until one year after the Designated Agency publishes a standardized form, which must occur within one year of the mayor’s selection of the Designated Agency.³ Noncompliant employers will be given notice and an opportunity to cure before written warnings or civil penalties are issued.⁴

Background

In July 2024, the New York City Council introduced the original versions of the now-approved bills. Bill 982, as originally introduced, required employers with 25 or more New York City-based employees to submit data including compensation, hire date, job title, gender, race and ethnicity, and birth year to the Department of Consumer and Worker Protection (“DCWP”).⁵ Bill 984, as originally introduced, required the Office of Data Analytics to work in conjunction with DCWP and the New York City Commission on Human Rights to conduct an annual pay and employment equity study analyzing the data submitted by employers with 150 or more New York City-based employees.⁶

On October 9, 2025, the New York City Council passed the bills in their amended forms.⁷ Although Mayor Eric Adams vetoed the bills on November 7, 2025, the City Council overrode the veto and the bills went into effect on December 4, 2025.⁸ As

¹ N.Y.C. Int. No. 982-2024-A, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6788483&GUID=CDAAC0E3-EEC3-4CBA-8467-476D863BB303> [hereinafter “Bill 982-A”]; N.Y.C. Int. No. 984-2024-A, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6788474&GUID=4100A3E1-33A0-4CC7-B431-E27984179902&Options=&Search=> [hereinafter “Bill 984-A”].

² Bill 984-A § 1(e).

³ Bill No. 982-A §§ 1(b)(2)–(3), 2.

⁴ *Id.* § 1(d).

⁵ N.Y.C. Int. No. 982-2024, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6788483&GUID=CDAAC0E3-EEC3-4CBA-8467-476D863BB303>; N.Y.C. Admin. Code § 20-1201 (2025) (defining “department” as the DCWP).

⁶ N.Y.C. Int. No. 984-2024, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6788474&GUID=4100A3E1-33A0-4CC7-B431-E27984179902&Options=&Search=>.

⁷ New York City Council, *Meeting of the City Council* (Oct. 9, 2025), <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=1345815&GUID=8D120366-0E77-411F-9C1C-2644C1982FBD&Options=ID|Text|&Search=982>.

⁸ New York City Council, *Meeting of the City Council* (Dec. 4, 2025), <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=1362918&GUID=D85BB54E-C2BF-40A9-B4B5-600CEB222F83&Options=&Search=>.

discussed below, the passed bills narrowed the scope of Covered Employers and streamlined the types of data required to be reported from earlier versions of the bills.

With the bills' passage, New York City became the fourth jurisdiction in the United States to require such reporting, joining California, Illinois, and Massachusetts.⁹

Int. 982-2024-A: Employer Data Reporting Requirements

Bill 982-A establishes requirements for Covered Employers to report certain employee compensation data to the Designated Agency, which must be selected by the mayor within one year of the law's effective date.¹⁰ The Designated Agency, within one year of its designation, is tasked with establishing a data collection system, which must allow employers to complete a standardized form to submit the requisite pay data.¹¹

Within one year of the Designated Agency publishing the standardized form, Covered Employers must submit a pay report corresponding with the categories of information required by the Equal Employment Opportunity Commission in the "EEO-1 component 2 reporting requirements for years 2017 and 2018"—that is, pay data by sex, race, and ethnicity, categorized by 12 pay bands.¹² The Designated Agency is permitted to modify the reporting categories, such as by including reporting options accounting for different gender identities.¹³ Employers will be permitted to provide explanatory remarks regarding any of the furnished data.¹⁴ The bill does not require the provision of any employee's personally identifiable information, such as their name.¹⁵

Employers will be permitted to submit the data anonymously.¹⁶ However, the submission must include a signed statement confirming the submission of the data and verifying its accuracy, which must identify the Covered Employer.¹⁷

The bill mandates that the Designated Agency publish an annual list of noncompliant Covered Employers.¹⁸ However, such noncompliant Covered Employers must be given notice of noncompliance and a 30-day cure period.¹⁹ Noncompliant Covered Employers will be subject to the following civil penalties: (a) for a first violation, a written warning if the employer provides documentation showing compliance within 30 days of the service of summons; otherwise, a civil penalty of \$1,000 will be imposed; and (b) for subsequent violations, a civil penalty of \$5,000.²⁰

Int. 984-2024-A: Data Analysis Requirements for Designated Agency

Bill 984-A establishes requirements for the Designated Agency's analysis and reporting of the collected data. The bill requires the Designated Agency to conduct a pay equity study on an annual basis.²¹ The first study must be completed within one year of the Covered Employers' initial data submission.²² The study must evaluate whether there are disparities in compensation among employees based on gender and race or ethnicity.²³ If such disparities are revealed, the study should identify particular industries in which the disparities may be prevalent and any trends in occupational segregation based on gender and race or ethnicity.²⁴ The Designated Agency must: (a) deliver its findings to the mayor and the speaker of the City Council within six

⁹ Cal. Gov. Code § 12999; 820 ILCS 112/11; Mass. Gen. Laws c.149 § 105E.

¹⁰ Bill No. 982-A § 1(b)(1).

¹¹ *Id.* § 1(b)(2).

¹² U.S. Equal Emp. Opportunity Comm'n, *EEOC Releases Data Dashboard for 2017 & 2018 Pay Data Collection* (Mar. 12, 2024), <https://www.eeoc.gov/newsroom/eeoc-releases-data-dashboard-2017-2018-pay-data-collection>.

¹³ Bill No. 982-A § 1(b)(3).

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.* § 1(b)(2).

¹⁷ *Id.* §§ 1(b)(2), (c).

¹⁸ *Id.* § 1(d).

¹⁹ *Id.*

²⁰ *Id.* § 1(h).

²¹ Bill 984-A § 1(e).

²² *Id.*

²³ *Id.*

²⁴ *Id.*

months of completion, (b) publicly release its recommendations for addressing any disparities identified in its study, and (c) publish the underlying data.²⁵ The data must be published in an aggregate form as to avoid disclosure of the identities of Covered Employers or employees.²⁶

Implications for Employers

- Employers may wish to monitor for any developments relating to these approved bills, including the data reporting requirements included in the form to be published by the Designated Agency and the timing of the relevant requirements.
- Employers should keep abreast of state and local legislation to ensure compliance with applicable pay data reporting requirements.

²⁵ *Id.* § 1(f)(1).

²⁶ *Id.* § 1(g).

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This memorandum is not intended to provide legal advice, and no legal or business decision should be based on its content. Questions concerning issues addressed in this memorandum should be directed to:

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