

Job posting requirements

RCW 49.58.110



Updates to Equal Pay and Opportunities Act

Beginning Jan. 1, 2023, Engrossed Substitute Senate Bill (ESSB) 5761, passed in 2022, 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.

Examples of job postings

These are examples of job postings that would meet the new requirements:

- An email to internal applicants that reads,

A screenshot of an email interface. The header says "New Message" with a close button. The "To" field is empty, and the "Cc Bcc" field is also empty. The "Subject" field is empty. The body of the email contains the text: "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. Offering medical benefits and bonuses." At the bottom, there is a "Send" button and icons for text formatting, attachments, and a trash can.

- A social media post that reads,

A screenshot of a social media post. The post is from a user named "Username" and was posted "Just now". The text of the post 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." Below the text, there are 27 reactions (likes, hearts, etc.) and 4 comments. At the bottom, there are buttons for "Like", "Comment", and "Share". The bottom navigation bar of the social media app is visible, showing icons for home, profile, search, and notifications.

- 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.



Examples include:

- A simple "Help Wanted" sign that does not mention a specific position or necessary qualifications.
- Verbal conversations about open or upcoming positions — not available by electronic or printed hard copy.
- An email sent to all employees informing them of an open job opportunity, not listing the necessary qualifications.

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: www.Lni.wa.gov/workers-rights/_docs/ese1.pdf

Questions?

Contact L&I's Employment Standards program at 1-866-219-7321 or esgeneral@Lni.wa.gov.