STATE OF NEW YORK

6292--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 3, 2025

Introduced by M. of A. JACOBSON -- read once and referred to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to certain mandatory disclosures in job advertisements

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The labor law is amended by adding a new section 219-b to read as follows:

§ 219-b. Mandatory language in job advertisements. 1. For the purposes of this section:

(a) "Employer" means any person, entity, business, corporation, partnership, limited liability company, or an association employing at least one hundred employees. Such term shall not include the state, a public authority, or any other governmental agency or instrumentality.

(b) "Third-party job posting entity" means a person or entity that is not the employer that posts multiple job vacancies or listings on behalf of or independently of employers for job seekers to search and apply to job postings on one platform.

2. Any advertisement of a job, in printed or digital form, by an employer or third-party job posting entity, shall state when such job shall be filled as follows:

(a) If the employer intends for the position to be filled in ninety days or less, the advertisement shall state in capital letters and bold type: THIS POSTING IS FOR A CURRENT VACANCY AND THE EMPLOYER INTENDS TO FILL THIS POSITION BY (DATE).

(b) If the employer intends for the position to be filled more than ninety days from advertising, the advertisement shall state in capital letters and bold type: THIS POSTING IS FOR A CURRENT VACANCY AND THE EMPLOYER INTENDS TO FILL THIS POSITION NO SOONER THAN (DATE).

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) If there is no expectation that the job is to be filled, the advertisement shall state in capital letters and bold type: THIS POSTING IS NOT FOR A CURRENT VACANCY BUT THE EMPLOYER IS SEEKING RESUMES TO REVIEW IN THE FUTURE WHEN JOBS BECOME AVAILABLE.

3. (a) When a position for which an employer has publicly advertised has been filled, the employer shall remove any posting or advertisement made by the employer within two weeks of the position having been filled. If the employer is aware or should be reasonably aware that a third-party job posting entity posted the position independently of the employer, the employer shall notify the third-party job posting entity that the position has been filled.

(b) If a third-party job posting entity knows or has reason to know that a post for a particular position has been filled or has otherwise expired, the third-party job posting entity shall remove the post within two weeks of the date it knows or has reason to know of the position being filled.

4. The department shall have the authority to conduct audits of employer and third-party job posting entity practices to determine ongoing violations of this section. Any person aggrieved by a violation of this section may report the violation to the department.

5. (a) In the event of a violation of this section, the employer or third-party job posting entity shall rectify its violation within thirty days and pay to the department a fine of two thousand five hundred dollars for each print publication or digital platform the advertisement appears in.

(b) If the employer or third-party job posting entity does not rectify its violation within thirty days, the employer or third-party job posting entity shall pay to the department a fine of five thousand dollars for each print publication or digital platform the advertisement appears in.

(c) For each subsequent thirty-day period that the advertisement remains posted in violation of this section, the employer or third-party job posting entity shall pay double the fine assessed for the previous period.

6. The commissioner may adopt rules and regulations necessary to implement the provisions of this section.

§ 2. This act shall take effect immediately.