



Vermont Attorney General's Guidance on Act 155 (H. 704),
An Act Relating To Disclosure Of Compensation In Job Advertisements

Office of the Vermont Attorney General
Civil Rights Unit
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Introduction

In June 2024, the Vermont Legislature passed Act 155 (House Bill 704), *An Act Relating to Disclosure of Compensation in Job Advertisements*. Governor Phil Scott signed Act 155 into law on June 4, 2024, with an effective date of July 1, 2025.¹ As discussed below, Act 155 generally requires employers with five or more employees to disclose in their written advertisements for Vermont job openings the compensation (or range of compensation) they expect to pay for the position at the time they create the advertisement. (Other rules apply for certain commissioned or tipped job openings.) Act 155 reflects a growing view that pay transparency not only works to reduce wage disparities, but also helps employers attract and retain talented workers.²

While this guide will address the key elements of Act 115, it is important to note that it is not intended to serve as legal advice about how to handle specific issues or conflicts that arise in the employment context. Laws change, courts issue new decisions interpreting those laws, and the scope of many employment rights and duties depend upon the facts of each individual case. Thus, employers and individuals should contact their own attorney to ensure they make important decisions with legal advice from counsel who is considering the relevant facts for their particular situation.

Overview

1. Employers and Individuals Covered

- Act 155 covers every employer that has at least five (5) employees, at least one (1) of whom works in the State of Vermont.
- Act 155 covers any individual seeking to exercise their rights under the law, such as an individual applying for a Vermont job opening subject to Act 155’s disclosure requirements.

¹ For the official text and status of Act 155, please refer to the Vermont Legislature [website](#).

² See, e.g., [Society for Human Resource Management \(SHRM\), *New SHRM Research Shows Pay Transparency Makes Organizations More Competitive, Leads to Increase in Qualified Applicants*, \(Mar. 2023\)](#) (Over two-thirds of employers surveyed found that listing pay ranges on job postings resulted in more applications and a more qualified applicant pool. Roughly three-quarters of workers are more likely to apply for a job if the pay range is listed in the job posting and are more likely to trust employers who do so.); [Eisenberg, *Money, Sex and Sunshine: A Market-Based Approach to Pay Discrimination*, 43 ARIZONA STATE LAW JOURNAL 951, 963 \(2011\)](#) (“Pay transparency . . . invests workers in the financial management of the firm, increases employee trust in and loyalty towards the employer, reduces wage gossip, misperceptions, and suspicions of unfairness that can harm morale, and increases worker productivity and performance.”).

2. Job Advertisements Covered

- Act 155 applies to job advertisements that are:
 - Written; and
 - Describe a specific job opening (*e.g.*, “sales director wanted”) that is either:
 - ✓ Physically located in Vermont; or
 - ✓ A remote job calling for work that is predominantly performed either in a Vermont office or other Vermont work location.
- Under Act 155, an “advertisement” means written notice — in any format — of a covered job opening that is made available to potential applicants.
 - For example, if a covered company sends its workforce an internal e-mail message seeking applicants for Vermont job openings, that written notice counts as an “advertisement” within the meaning of Act 155.
- Act 155 **does not** cover:
 - Oral advertisements, even if they are communicated over radio, television, or other electronic media;
 - General notices of employment opportunities, rather than specific job openings (*e.g.*, “Help Wanted,” “We are Hiring,” or “Join our Team”); or
 - Job openings for work performed outside of Vermont.

3. Information Required in Covered Advertisements

- **General Rule.** In general, Act 155 requires employers to state the expected compensation — or range of compensation— in their covered job advertisements.
 - Under Act 155, “**range of compensation**” means the minimum and maximum annual salary or hourly wage that the employer, acting in good faith, expects to pay for the advertised job at the time it creates the ad.
- **Special Rules.** Different requirements apply for jobs that are not paid either on a straight salary or hourly basis.
 - **Commissioned Jobs.** If a job is paid entirely or partly on a commission basis, the advertisement merely needs to state that fact; it does not need to disclose the compensation or a range of compensation.

- **Tipped Jobs.** If the job is paid on a tipped basis, the advertisement must:
 - ✓ Disclose that fact; and
 - ✓ Disclose the range of base wages (*i.e.*, non-tip wages provided by the employer) that the employer, acting in good faith, expects to pay at the time it creates the ad.

4. Employers and Workers Remain Free to Negotiate Pay

- Act 155 does not limit the ability of employers or workers to negotiate pay during the application or hiring process based on circumstances outside of the employer's control, such as the worker's qualifications or labor market factors.
- Instead, Act 155 merely asks the employer to disclose in good faith the compensation or range of compensation it expects to pay at the time it creates the advertisement in question. Job applicants, whether internal or external, remain free to make their case for more favorable compensation during the application or hiring process.

5. Enforcement

- For most covered employers, Act 155 is enforced exclusively by the Vermont Attorney General, whose Civil Rights Unit (CRU) currently enforces Vermont laws regarding equal pay and fair employment practices.
- The one exception to this rule arises where the State of Vermont itself is the employer in question. In such cases, the Vermont Human Rights Commission (HRC) has exclusive authority to enforce Act 155.
- Act 155 does not provide individuals with the right to go to court to enforce the Act or seek remedies for violations of the law. Instead, they should contact the CRU (agocivilrights@vermont.gov) or the HRC (human.rights@vermont.gov) for assistance.

6. Protection from Retaliation

- Act 155 protects individuals from retaliation if they exercise their rights under the law.
 - For example, an employer could not refuse to interview, hire, promote, or employ a current or prospective employee because the individual had notified the Vermont Attorney General or the Vermont Human Rights Commission that the employer failed to post required pay information in its job advertisements.

Future Outreach, Updates, and Community Input

- Pursuant to Act 155, this year the Office of Vermont Attorney General will “coordinate with the Vermont Commission on Women and other stakeholders to conduct outreach and education regarding the provisions of [the new law].” Such outreach and education will come in a variety of formats.
- The Office of the Attorney General welcomes public input on this guidance to ensure employers and workers have a fair chance to comply with their legal obligations and exercise the legal rights granted to them. To that end, it plans to update this guide periodically to address new questions that may arise in the future. Comments should be directed to our Civil Rights Unit, listed below.

Resources

- **Vermont Office of the Attorney General**
Civil Rights Unit
109 State Street
Montpelier, VT 05609-1001
Toll Free in Vermont: (888) 745-9195, or (802) 828-3657
ago.civilrights@vermont.gov
- **Vermont Human Rights Commission** (for State of Vermont employment)
12 Baldwin Street
Montpelier, VT 05633
Toll Free in Vermont: (802) 416-2010, or (802) 828-2480
human.rights@vermont.gov