

1 HB150
2 173447-1
3 By Representative Hall
4 RFD: State Government
5 First Read: 09-FEB-16

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8 SYNOPSIS: This bill would establish the Alabama Equal
9 Pay Remedies and Enforcement Act. The bill would
10 express certain legislative findings regarding wage
11 differentials between males, females, minorities,
12 and non-minorities. The bill would create the
13 Alabama Equal Pay Commission to study wage
14 disparities and report its findings and
15 recommendations to the Legislature.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 To establish the Alabama Equal Pay Remedies and
22 Enforcement Act; to express certain legislative findings
23 regarding wage differentials between males, females,
24 minorities, and non-minorities; to create the Alabama Equal
25 Pay Commission; and to require the commission to study and
26 report on wage disparities with its recommendations to the
27 Legislature.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. This act shall be known and may be cited
3 as the Alabama Equal Pay Remedies and Enforcement Act.

4 Section 2. The Legislature finds and declares the
5 following:

6 (1) Despite federal and state laws banning
7 discrimination in employment and pay in both the private and
8 public sector, wage differentials persist between women and
9 men and minorities and non-minorities in the same jobs and in
10 jobs that are dissimilar but require equivalent composites of
11 skill, effort, responsibility, and working conditions.

12 (2) Wage discrimination not only harms women and
13 people of color, it depresses living standards, contributes to
14 higher poverty rates among female-headed and minority
15 households, prevents the maximum utilization of available
16 labor resources, causes labor disputes that burden commerce,
17 and violates the state's expressed policy against
18 discrimination.

19 (3) Many people work in occupations that are
20 dominated by individuals of their own sex, race, or national
21 origin, and discrimination in hiring, job assignment, and
22 promotion has played a role in establishing and maintaining
23 segregated work forces.

24 (4) Current remedies imposed on employers who
25 practice discrimination in pay between men and women and
26 minorities and non-minorities, have proven to be only
27 partially effective in eliminating the wage disparities.

1 (5) Understanding the full extent and causes of wage
2 disparities between men and women and minorities and
3 non-minorities in the private and public sectors would enable
4 the state to take more effective measures to reduce
5 disparities and to eliminate discrimination in wage setting.

6 (6) This act is enacted to protect the health and
7 welfare of individual residents and improve the overall labor
8 environment by correcting and deterring discriminatory wage
9 practices based on sex, race, or national origin; developing
10 reliable data about the extent of such wage discrimination;
11 and providing greater understanding about its causes.

12 Section 3. (a) The Alabama Equal Pay Commission is
13 established.

14 (b) Within 90 days after the effective date of this
15 act, the commission shall be composed of nine members
16 appointed as follows:

17 (1) Two representatives of business in the state,
18 who are appointed by the Speaker of the House of
19 Representatives from among individuals nominated by state
20 business organizations and business trade associations.

21 (2) Two representatives of labor organizations, one
22 appointed by the Speaker of the House of Representatives and
23 one appointed by the Governor who have been nominated by state
24 labor federations chartered by a federation of national or
25 international unions, that admit to membership local unions,
26 and exists primarily to carry on educational, legislative, and
27 coordinating activities.

1 (3) Two representatives, appointed by the Governor,
2 of organizations whose objectives include the elimination of
3 pay disparities between men and women and minorities and
4 non-minorities, and who have undertaken advocacy, educational,
5 or legislative initiatives in pursuit of that objective.

6 (4) Three individuals appointed by the Presiding
7 Officer of the Senate, drawn from higher education or research
8 institutions who have expertise in the collection and analysis
9 of data on occupations and wage statistics.

10 (c) The membership of the Alabama Equal Pay
11 Commission appointed pursuant to subsection (b), shall be
12 inclusive and reflect the racial, gender, geographic,
13 urban/rural, and economic diversity of the state. The
14 commission shall annually report to the Legislature by the
15 second legislative day of each regular session the extent to
16 which the commission has complied with the diversity
17 provisions provided for in this act.

18 (d) The commission shall make a full and complete
19 study of all of the following:

20 (1) The extent of wage disparities, both in the
21 public and private sector, between men and women, and between
22 minorities and non-minorities.

23 (2) Those factors which cause, or which tend to
24 cause, disparities, including segregation, between women and
25 men and minorities and non-minorities across and within
26 occupations; payment of lower wages for work in

1 female-dominated occupations; and child-rearing
2 responsibilities and education and training.

3 (3) The consequences of the disparities on the
4 economy and families affected.

5 (4) Actions, including proposed legislation, that
6 are likely to lead to the elimination and prevention of the
7 disparities.

8 (e) The commission, no later than the tenth
9 legislative day of the 2017 Regular Session, shall make its
10 report to the Legislature.

11 (f) The report shall include the results of the
12 commission's study as well as recommendations, legislative and
13 otherwise, for the elimination and prevention of disparities
14 in wages between men and women and minorities and
15 non-minorities.

16 Section 4. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.