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I N   A S S E M B L Y

March 21, 2012

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Introduced by M. of A. LIFTON -- read once and referred to the Committee  
on Governmental Employees

AN ACT directing the president of the civil service commission to study  
and publish a report evaluating wage disparities among public employ-  
ers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Policy of the state. It is the policy of this state to  
2     pursue the establishment of equitable compensation relationships between  
3     female-dominated, male-dominated, and other segregated titles to elimi-  
4     nate wage disparities in public employment statewide. Compensation  
5     relationships are equitable when the primary consideration in negotiat-  
6     ing, establishing, recommending, and approving total wages is the equiv-  
7     alent value of the job title content in relationship to other job titles  
8     and position classifications in civil service.  
9     S 2. Definitions. For the purposes of this act,  
10    (a) the term "public employer" shall have the same meaning as in  
11    subdivision six of section 201 of the civil service law;  
12    (b) the term "position classification" shall have the same meaning as  
13    in subdivision eleven of section two of the civil service law;  
14    (c) the term "equal jobs" shall mean jobs that are equal within the  
15    meaning of the Equal Pay Act of 1963, 29 U.S.C. 206(d);  
16    (d) the term "equivalent jobs" shall mean jobs or occupations that are  
17    equal within the meaning of the Equal Pay Act of 1963, 29 U.S.C 206(d),  
18    or jobs or occupations that are dissimilar but whose requirements are  
19    equivalent when viewed as a composite of the skills, effort, responsi-  
20    bilities and working conditions required by the work;  
21    (e) the term "comparable worth" shall mean the equivalent value of two  
22    or more job titles for the purpose of establishing equivalent compen-  
23    sation; and  
24    (f) the term "wages" and "wage rates" shall include all compensation  
25    in any form that an employer provides to employees in payment for work  
26    done or services rendered, including but not limited to base pay, bonus-  
27    es, commissions, awards, tips, or various forms of non-monetary compen-

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

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1 sation if provided in lieu of or in addition to monetary compensation  
2 and that have economic value to an employee.

3 S 3. The president of the state civil service commission is hereby  
4 directed to study and publish a report evaluating among public employers  
5 the existence of wage disparities related to the job titles segregated  
6 by the gender, race and/or national origin of the employees in the  
7 titles. The study and report shall include, but not be limited to:

8 (i) the extent of wage disparities among job titles or position clas-  
9 sifications of equal value;

10 (ii) the extent of segregation of job titles or position classifica-  
11 tions by gender, race and national origin;

12 (iii) the identification of segregated job titles or position classi-  
13 fications that are equivalent and of comparable worth;

14 (iv) the extent of wage disparities in segregated job titles or posi-  
15 tion classifications that are equivalent and of comparable worth;

16 (v) the need for adjustment of wage rates for equivalent job titles or  
17 position classifications to provide compensation of comparable worth;  
18 and

19 (vi) the plans for adjusting wage rates and other recommendations to  
20 address any wage disparities in both equal jobs and in segregated job  
21 titles or position classifications that are equivalent and of comparable  
22 worth.

23 S 4. Such study shall use methodologies, such as a systematic point  
24 factor job evaluation system, that do not undervalue jobs or position  
25 classifications that disproportionately employ women and/or racial  
26 and/or national origin minorities to analyze job title or position clas-  
27 sification content and equivalent value.

28 S 5. The president of the commission shall use the prescribed method-  
29 ology to determine if there are wage disparities in segregated titles  
30 based on the equivalent value of the work. The president of the commis-  
31 sion shall also, by January first, two thousand fourteen, submit the  
32 above described published report to the speaker of the assembly, the  
33 minority leader of the assembly, the temporary president of the senate,  
34 the minority leader of the senate and the governor's office of employee  
35 relations.

36 S 6. This act shall take effect immediately.