S T A T E O F N E W Y O R K

8395

2015-2016 Regular Sessions

I N A S S E M B L Y

October 2, 2015

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

AN ACT to amend the state finance law, in relation to the disclosure and consideration of gender wage disparity in the awarding of state contracts

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

Section 1. The state finance law is amended by adding a new section 148 to read as follows:

S 148. DISCLOSURE OF GENDER WAGE DISPARITY DATA BY STATE CONTRACTORS. 1. ALL CONTRACT SOLICITATIONS INCLUDING BUT NOT LIMITED TO, INVITATIONS FOR BIDS, REQUESTS FOR PROPOSALS, REQUESTS FOR APPLICATIONS AND REQUESTS FOR QUALIFICATIONS FOR CONTRACTS SHALL REQUIRE THAT ALL OFFERORS SEEKING STATE CONTRACTS SHALL DISCLOSE THE AVERAGE WEEKLY WAGE PAID TO MEN AND WOMEN BY JOB TITLE OR POSITION. SUCH DISCLOSURE SHALL INCLUDE THE PERCENTAGE OF ANY GENDER WAGE DISPARITY WITHIN EACH JOB TITLE OR POSITION.

2. PRIOR TO MAY THIRTY-FIRST OF EACH YEAR, EACH STATE AGENCY IN RECEIPT OF THE INFORMATION REQUIRED PURSUANT TO SUBDIVISION ONE OF THIS SECTION SHALL BE RESPONSIBLE FOR PROVIDING THE OFFICE OF GENERAL SERVICES WITH THE COMPILED DATA FOR EVERY OFFEROR SEEKING A STATE CONTRACT, WHETHER OR NOT SUCH OFFEROR WAS AWARDED THE CONTRACT, FOR THE PRIOR CALENDAR YEAR. THE OFFICE OF GENERAL SERVICES SHALL COMPILE AND AGGREGATE THE DATA RECEIVED BY AGENCIES PURSUANT TO SUBDIVISION ONE OF THIS SECTION AND SHALL PROVIDE DATA ON THE PERCENTAGE OF GENDER WAGE DISPARITY BY JOB TITLE OR POSITION ON ITS WEBSITE.

S 2. The state finance law is amended by adding a new section 163-c to read as follows:

S 163-C. CONSIDERATION OF GENDER WAGE DISPARITY IN PROCUREMENT OF SERVICES AND COMMODITIES. IN MAKING AN AWARD OF CONTRACTS, AS PART OF THE SCORING OF OFFERS, A STATE AGENCY SHALL CONSIDER THE GENDER WAGE

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

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DISPARITY DISCLOSURE PROVIDED PURSUANT TO SECTION ONE HUNDRED FORTY-EIGHT OF THIS CHAPTER. OFFERORS WITH A GENDER WAGE DISPARITY OF TEN PERCENT OR LESS SHALL BE GIVEN EXTRA CREDIT IN SCORING. THE AMOUNT OR WEIGHT OF SUCH CREDIT SHALL BE DETERMINED BY THE STATE AGENCY AWARDING THE CONTRACT.

S 3. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.