

STATE OF NEW YORK

7748

2019-2020 Regular Sessions

IN ASSEMBLY

May 17, 2019

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

AN ACT to amend the civil service law, in relation to equal pay for similar work protections for protected classes

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

1 Section 1. Paragraph (c) of subdivision 1 of section 118 of the civil
2 service law, as added by chapter 790 of the laws of 1958, is amended to
3 read as follows:

4 (c) The principle of fair and equal pay for similar work or substan-
5 tially similar work, when viewed as a composite of skill, effort, and
6 responsibility, and performed under similar working conditions, for
7 employees with status within a protected class shall be followed in the
8 classification and reclassification and the allocation and reallocation
9 of positions pursuant to this article and all positions having the same
10 title shall be allocated to the same salary grade. For the purposes of
11 this section, the term "protected class" shall mean any group of indi-
12 viduals that are protected against an unlawful discriminatory practice
13 by an employer pursuant to section two hundred ninety-six of the execu-
14 tive law.

15 § 2. Subdivision 2 of section 118 of the civil service law is amended
16 by adding a new paragraph (c) to read as follows:

17 (c) To ensure that no employee with status within a protected class
18 shall be paid a wage at a rate less than the rate at which an employee
19 without status within a protected class or with status in the same, or a
20 different protected class in the same establishment is paid for similar
21 work or substantially similar work. For the purposes of this paragraph,
22 employees shall be deemed to work in the same establishment if the
23 employees work for the same employer at workplaces located in the same
24 geographical region, no larger than a county, taking into account popu-
25 lation distribution, economic activity, and/or the presence of munici-
26 palities.

27 § 3. This act shall take effect immediately.

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

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