

EQUAL COMPENSATION STUDY

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: _____

LONG TITLE

General Description:

This bill requires the Legislative Management Committee to procure the creation of a study to analyze gender-based wage disparity.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Legislative Management Committee to procure the creation of an equal compensation study to analyze gender-based wage disparity;
- ▶ establishes the content of the study; and
- ▶ requires state departments and agencies to provide relevant information and data to support the creation of the study.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

67-19-45, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section **67-19-45** is enacted to read:

29 **67-19-45. Equal compensation study to analyze gender-based wage disparity.**

30 (1) As used in this section:

31 (a) "Gap analysis" means an evaluation of jobs and wages of men and women using
32 available data and other relevant information for the purpose of identifying any gender-based
33 wage disparity.

34 (b) "Gender-based wage disparity" means wage disparity between men and women
35 who perform jobs that require substantially equal education, training, skill, effort, and
36 responsibility under similar working conditions.

37 (c) "Study" means the equal compensation study described in Subsection (2).

38 (2) No later than December 31, 2019, the Legislative Management Committee shall, in
39 accordance with Title 63G, Chapter 6a, Utah Procurement Code, procure the services of an
40 institution of higher education described in Section [53B-2-101](#) or a private entity to:

41 (a) in accordance with Subsection (3):

42 (i) prepare an equal compensation study to analyze any gender-based wage disparity
43 within state government; and

44 (ii) recommend options for resolving gender-based wage disparity by policy, practice,
45 or funding; and

46 (b) present the study, including a summary of the data and analyses used to formulate
47 the study, to the Legislative Management Committee.

48 (3) (a) To prepare the study, the entity described in Subsection (2) shall:

49 (i) determine the proper formulas necessary to assess whether gender is a causal
50 variable for disparity in wages for men and women by including other relevant variables,
51 including experience, employment history, education, previous compensation levels, job
52 performance, and time in the workforce;

53 (ii) evaluate current state policies and practices that are intended to prevent
54 gender-based wage disparity, including agency policies and practices and the department
55 classification system; and

56 (iii) take necessary steps to validate data and ensure that the study effectively analyzes
57 whether gender is a causal variable of disparity in wages for men and women.

58 (b) The entity described in Subsection (2) shall ensure that the study includes:

- 59 (i) a gap analysis for each agency;
- 60 (ii) a review of similar efforts by other governmental entities in this and other states to
- 61 study or eliminate gender-based wage disparity;
- 62 (iii) recommendations for agencies and the Legislature regarding how to implement the
- 63 recommendations in the study, including:
- 64 (A) necessary administrative and legislative actions; and
- 65 (B) funding requirements; and
- 66 (iv) other relevant information that the entity finds necessary.
- 67 (c) Departments and agencies shall make information and data available as requested
- 68 by the entity described in Subsection (2) for the purpose of preparing the study, including:
- 69 (i) demographic and labor market information;
- 70 (ii) information on employee turnover;
- 71 (iii) salary information;
- 72 (iv) information on recruitment;
- 73 (v) geographic data;
- 74 (vi) information on years of service; and
- 75 (vii) any other relevant information or data the entity requires.

Legislative Review Note
Office of Legislative Research and General Counsel