

## SB0152S01 compared with SB0152

~~text~~ shows text that was in SB0152 but was deleted in SB0152S01.

Inserted text shows text that was not in SB0152 but was inserted into SB0152S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Luz Escamilla proposes the following substitute bill:

### EQUAL COMPENSATION STUDY

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Luz Escamilla**

House Sponsor: \_\_\_\_\_

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#### 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 in executive branch agencies;
- ▶ 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.

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### Money Appropriated in this Bill:

~~{None}~~ This bill appropriates in fiscal year 2019:

- ▶ to Legislature - Office of Legislative Research and General Counsel - Administration as a one-time appropriation:
  - from the General Fund, One-time, \$125,000.

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

**67-19-45**, Utah Code Annotated 1953

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

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

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

(1) As used in this section:

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

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

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

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

(a) in accordance with Subsection (3):

(i) ~~{prepare}~~ perform an equal compensation study to analyze any gender-based wage disparity within ~~{state government}~~ executive branch agencies; and

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

(b) present the study, including a summary of the data and analyses used to formulate

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the study, to the Legislative Management Committee.

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

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

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

(iii) take necessary steps to:

(A) validate data;

(B) determine any additional data the entity determines would significantly improve the study; and

(C) ensure that the study effectively analyzes whether gender is a causal variable of disparity in wages for men and women.

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

(i) a gap analysis for each agency;

(ii) a review of similar efforts by other governmental entities in this and other states to study or eliminate gender-based wage disparity;

(iii) recommendations for agencies and the Legislature regarding how to implement the recommendations in the study, including:

(A) necessary administrative and legislative actions; and

(B) funding requirements; and

(iv) other relevant information that the entity finds necessary.

(c) (i) Departments and agencies shall make existing information and data available as requested by the entity described in Subsection (2) for the purpose of ~~{preparing}~~ performing the study, including:

~~{i}~~ (A) demographic and labor market information;

~~{ii}~~ (B) information on employee turnover;

~~{iii}~~ (C) salary information;

~~{iv}~~ (D) information on recruitment;

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~~(v)~~E geographic data;

~~(vi)~~F information on years of service; and

~~(vii)~~G any other relevant information or data the entity requires.

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### Legislative Review Note

† (ii) This Subsection (3)(c) does not require a department or agency to create or prepare any data that the department or agency does not ordinarily maintain.

#### Section 2. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

#### ITEM 1

To Legislature - Office of Legislative Research and General Counsel

From General Fund, One-Time \$125,000

Schedule of Programs:

Administration \$125,000

The Legislature intends that appropriations provided under this section be used for the procurement of the equal compensation study described in Section 67-19-45.