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Equal Pay Legislation

2009 Year-End Summary

ALABAMA

AL HJR 794 Coleman M (D)
Title: Equal Pay Commission
Summary: Establishes the Equal Pay Commission.
Status: 05/06/2009: To Senate Committee on Rules.

AL HR 797 Hall L (D)
Title: Equal Pay Commission
Summary: Establishes the Equal Pay Commission.
Status: 05/05/2009: From House Committee on Rules: Reported with substitute. Committee Substitute adopted on House floor. Passed House.

AL SJR 123 Figures (D)
Title: Equal Pay Commission
Summary: Establishes the Equal Pay Commission.
Status: 05/22/2009: Signed by Governor. Act No. 2009-806

ARKANSAS

AR S 845 Baker G (R)
Title: Interim Study of Gender and Pay Disparity
Summary: Provides for an interim study of gender-based pay disparity.
Status: 03/26/2009: Withdrawn from Senate Committee on State Agencies and Governmental Affairs.

CALIFORNIA

CA A 793 Jones (D)
Title: Employment: Discrimination
Summary: Specifies when a cause of action for unlawful discrimination or unlawful employment practice with respect to compensation accrues for determining whether a complaint was filed within statutory deadlines.
Status: 10/11/2009: Vetoed by Governor.

COLORADO

CO SJR 46 Hudak (D)
Title: Equal Pay Day
Summary: Designates Equal Pay Day.
Status: 04/28/2009: In Senate. Read third time. Passed Senate. To House. Passed House. Passed House.

CONNECTICUT

CT H 6185 Joint Committee on Labor and Public Employees
Title: Access to Personnel Files
Summary: Relates to equal pay for equal work; concerns penalties for violations of certain personnel files statutes; creates civil, compensatory and punitive penalties for employers who do not provide access to personnel files to their employees; provides that no employer shall discharge, expel or otherwise discriminate against any person because such person has opposed any discriminatory compensation practice or because such person has filed a complaint or testified or assisted in any proceeding.
Status: 06/03/2009: Signed by Governor. Public Act No. 101

CT H 6189 Joint Committee on Labor and Public Employees
Title: Gender Statistics
Summary: Concerns reporting statistics based upon gender in wage reports; provides for data collection on pay equity and hiring practices based upon gender.
Status: 03/10/2009: Committee Substitute reported out of Legislative Commissioner's Office. Reissued by Legislative Commissioner's Office with File No. 50.

CT S 362 Caligiuri (R)
Title: Equal Pay For Equal Work
Summary: Concerns equal pay for equal work; requires equal pay for equal work.
Status: 04/17/2009: Reported out of Legislative Commissioner's Office.

DELAWARE

DE HR 18 Keeley (D)
Title: Equal Pay Day
Summary: Designates Tuesday, April 28, 2009 as Equal Pay Day in the State of Delaware.
Status: 04/28/2009: Introduced. Passed House.

FLORIDA

FL H 1399 Schwartz (D)
Title: Employment Discrimination
Summary: Creates Helen Gordon Davis Equal Pay Protection Act; provides legislative findings relating to equal pay for equal work for women; recognizes importance of AWI and FCHR in ensuring such equal pay; requires AWI to conduct studies and provide information to employers, labor organizations, and public concerning means available to eliminate pay disparities between men and women;
Status: 05/02/2009: In House. Indefinitely postponed and withdrawn from consideration.

FL S 1964 Joyner (D)
Title: Employment Discrimination
Summary: Relates to employment discrimination; creates the Helen Gordon Davis Equal Pay Protection Act; makes legislative findings relating to equal pay for equal work for women; requires the Agency for Workforce Innovation to conduct studies and provide information to employers, labor organizations, and the public concerning the means available to eliminate pay disparities between men and women.
Status: 05/02/2009: In Senate. Indefinitely postponed and withdrawn from consideration.

IDAHO

ID HCR 23 House Commerce and Human Resources Committee
Title: Equal Pay Day

Summary: Stating findings of the legislature and recognizing the importance of women's pay equity and recognizing equal pay day.
Status: 04/07/2009: Passed Senate.

ILLINOIS

IL H 2102 Madigan (D)
Title: Equal Pay Act of 2003
Summary: Amends the Equal Pay Act of 2003. Makes a technical change in a Section concerning enforcement.
Status: 04/03/2009: Rereferred to House Committee on Rules.

IL H 3634 Currie (D)
Title: Underpayment of Wages
Summary: Amends the Equal Pay Act of 2003. Requires that an employee file a complaint within a specified time period following the date of an underpayment. Provides that an employer subject to the Act shall preserve personnel records for a specified period of time. Provides that an action to collect a wage claim under the Act shall be brought within a specified number of years from the date of the underpayment.
Status: 08/14/2009: Signed by Governor. Public Act No. 467

IL H 4139 Schmitz (R)
Title: Illinois Human Rights Act
Summary: Amends the Illinois Human Rights Act. Provides that the Department of Human Rights must charge the complainant a fee of \$100 for filing a charge, that the fee must be paid in advance, and that it may not be waived. Provides that if a complainant who has filed a charge with the Equal Employment Opportunity Commission notifies the Department of his or her decision to proceed with the Department, the Department shall charge the complainant the filing fee.
Status: 03/13/2009: Rereferred to House Committee on Rules.

IL S 1121 Cullerton (D)
Title: Equal Pay Act of 2003
Summary: Amends the Equal Pay Act of 2003. Makes a technical change in a Section concerning enforcement.
Status: 08/15/2009: Rule 3-9(b)/ Re-referred to Assignments Committee.

IL S 1928 Silverstein (D)
Title: Department of Human Rights Special Fund
Summary: Amends the State Finance Act. Creates the Department of Human Rights Special Fund. Provides that moneys in the Fund are not subject to transfer to the General Revenue Fund. Amends the Human Rights Act to provide for the registration fee for filing an Employer Report Form to establish eligibility to be awarded a contract by a State agency. Provides for deposit of the fee into the Fund. Provides that moneys in the Fund shall be used to fund the Department's public contract compliance monitoring program.
Status: 08/28/2009: Signed by Governor. Public Act No. 786

IL S 2315 Radogno (R)
Title: Equal Pay Act of 2003
Summary: Amends the Equal Pay Act of 2003. Makes a technical change in a Section concerning enforcement.
Status: 08/15/2009: Rule 3-9(b)/ Re-referred to Assignments Committee.

IL SJR 61 Steans (D)
Title: Pay Equity Day
Summary: Designates April 28, 2009 as Pay Equity Day in the State of Illinois.
Status: 08/15/2009: Rule 3-9(b) / Re-referred to Assignments Committee.

IOWA

- IA HSB 73 House State Government Committee
Title: Unfair Unemployment
Summary: Provides that discrimination against any employee on the basis of pay because of the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability of such employee is an unfair employment practice under the State Civil Rights Act.
Status: 01/22/2009: Introduced. To House Committee on State Government.
- IA SSB 1089 Senate State Government Committee
Title: Wage Discrimination
Summary: Provides that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy.
Status: 02/10/2009: In Senate. Becomes Senate File 137.

KENTUCKY

- KY H 33 Marzian (D)
Title: Wage Discrimination
Summary: Prohibits wage discrimination on the basis of sex, race, or national origin by prohibiting wage differentials for employees who perform equivalent jobs; provides exceptions; defines equivalent jobs; specifies criteria for determining jobs that are dominated by employees of a particular sex, race, or national origin, and acceptable methodology for determining equivalent skill, effort, responsibility, and working conditions.
Status: 02/04/2009: Posted in committee.

LOUISIANA

- LA H 705 Norton (D)
Title: Equal Pay for Women
Summary: Creates the Equal Pay for Women Act.
Status: 05/21/2009: Amended on House floor. Failed to pass House.
- LA S 286 Dorsey (D)
Title: Equal Pay for Women Act
Summary: Enacts the Louisiana Equal Pay for Women Act.
Status: 04/27/2009: Introduced. To Senate Committee on Labor and Industrial Relations.

MAINE

- ME S 33 Simpson (D)
Title: Wage Inquiries
Summary: Provides that an employer may not prohibit an employee from disclosing the employee's own wages or from inquiring about another employee's wages if the purpose of the disclosure or inquiry is to enforce the rights granted by this section; provides that nothing in this section creates an obligation to disclose wages.
Status: 04/16/2009: Signed by Governor. Public Law No. 29

MARYLAND

- MD H 288 Rosenberg (D)
Title: Unlawful Employment Practices
Summary: Clarifies that an unlawful employment practice with respect to discrimination in compensation occurs when a discriminatory decision or practice is adopted, when an individual becomes subject to the decision or practice, or when an individual is affected by the decision or practice; authorizes the recovery of back pay for up to 2 years preceding the filing of a complaint where the unlawful

employment practice is similar or related to a specified other employment.
Status: 04/14/2009: Signed by Governor. Chapter No. 57

MD S 368 Raskin (D)
Title: Discriminatory Compensation
Summary: Clarifies that an unlawful employment practice occurs, with respect to discrimination in compensation, when a discriminatory compensation decision or other practice is adopted, an individual becomes subject to such practice, or an individual is affected by the application of a discriminatory compensation practice; authorizes an individual to recover back pay for a specified number of years preceding the filing of a complaint.
Status: 04/14/2009: Signed by Governor. Chapter No. 56

MASSACHUSETTS

MA H 1880 Wolf (D)
Title: Comparable Work
Summary: Defines comparable work.
Status: 01/19/2009: Introduced. Filed as House Docket 1299. To Joint Committee on Labor and Workforce Development.

MA HD 1299 Wolf (D)
Title: Comparable Work
Summary: Defines comparable work.
Status: 01/19/2009: Assigned House Bill No. 1880.

MA S 689 Jehlen (D)
Title: Comparable Work
Summary: Defines comparable work.
Status: 01/19/2009: Introduced. Filed as Senate Docket 687. To Joint Committee on Labor and Workforce Development.

MA S 1810 Tarr (R)
Title: Gender Equity
Summary: Promotes gender equity.
Status: 06/30/2009: In Joint Committee on Judiciary: Heard. Eligible for Executive Session.

MA SD 687 Jehlen (D)
Title: Comparable Work
Summary: Defines comparable work.
Status: 01/19/2009: Assigned Senate Bill No. 689.

MA SD 703 Tarr (R)
Title: Gender Equity
Summary: Promotes gender equity.
Status: 01/19/2009: Assigned Senate Bill No. 1810.

MICHIGAN

MI H 4851 Bauer (D)
Title: Equal Pay for Equal Work
Summary: Prohibits discrimination for failing to provide equal compensation for comparable work under certain circumstances.
Status: 04/29/2009: Introduced. To House Committee on Labor.

MI H 4852 Byrnes (D)
Title: Wage Discrimination

Summary: Modifies provision regarding wage discrimination based on sex.
 Status: 04/29/2009: Introduced. To House Committee on Labor.

MI H 4853 Roberts (D)
 Title: Wage Discrimination
 Summary: Increases penalties for wage discrimination based on gender under certain circumstances.
 Status: 04/29/2009: Introduced. To House Committee on Labor.

MI H 4854 Slavens (D)
 Title: Pay Equity
 Summary: Establishes a commission on pay equity.
 Status: 04/29/2009: Introduced. To House Committee on Labor.

MI S 486 Brater (D)
 Title: Equal Pay
 Summary: Requires equal compensation for comparable work.
 Status: 04/29/2009: Introduced. To Senate Committee on Commerce and Tourism.

MI S 487 Brater (D)
 Title: Wage Discrimination
 Summary: Modifies provision regarding wage discrimination based on sex.
 Status: 04/29/2009: Introduced. To Senate Committee on Commerce and Tourism.

MI S 488 Whitmer (D)
 Title: Pay Equity
 Summary: Establishes commission on pay equity.
 Status: 04/29/2009: Introduced. To Senate Committee on Commerce and Tourism.

MI S 489 Whitmer (D)
 Title: Wage Discrimination
 Summary: Increases penalties for wage discrimination based on gender.
 Status: 04/29/2009: Introduced. To Senate Committee on Commerce and Tourism.

MISSISSIPPI

MS H 832 Evans B (D)
 Title: Fair Pay Act Of 2009
 Summary: Relates to fair Pay Act of 2009; creates to require equivalent pay for equivalent jobs.
 Status: 03/03/2009: Died in committee.

MS H 907 Evans J (D)
 Title: Fair Pay Act Of 2009
 Summary: Relates to fair Pay Act of 2009; create.
 Status: 02/03/2009: Died in committee.

MS S 2524 Walls (D)
 Title: Equal Pay
 Summary: Relates to equal pay; enact Fair Pay Act of 2009.
 Status: 02/03/2009: From Senate Committee on Labor: Do pass. Died in committee.

MISSOURI

MO H 405 Low (D)
 Title: Equal Pay

Summary: Requires equal pay for the same work regardless of gender and establishes a commission to study wage disparities.
Status: 05/15/2009: To House Committee on Small Business.
MT D 2275 Office of Hansen
Title: Periodic Report On Comparable Worth
Summary: Relates to periodic report on comparable worth.
Status: 01/24/2009: Draft on Hold.

MONTANA

MT H 435 Wilmer (D)
Title: Gender Wage Gap
Summary: Closes gender wage gap.
Status: 04/28/2009: Died in committee.

MT HJR 16 MacDonald (D)
Title: State Employees
Summary: Studies comparable worth for state employees.
Status: 04/28/2009: Died in committee.

NEVADA

NV ACR 29 McClain (D)
Title: Equal Pay Day
Summary: Recognizes Tuesday, April 28, 2009, as Equal Pay Day.
Status: 04/28/2009: Introduced. Filed as Bill Draft Request No. 1304 Passed Assembly. To Senate. Passed Senate.

NV BDR 1304 Assembly Elections, Procedures, Ethics and Constitutional Amendments Committee
Title: Equal Pay Day
Summary: Recognizes April 28, 2009 as Equal Pay Day.
Status: 06/01/2009: FILED. Assigned Assembly Bill No. ACR 29

NEW YORK

NY A 1119 Destito (D)
Title: Worker Compensation
Summary: Makes it a discriminatory practice for public employers to compensate employees of different sexes differently for work that is of comparable worth; makes exception for seniority system; prohibits reducing anyone's compensation to conform with this provision; provides three years for a compliance plan.
Status: 04/29/2009: Passed Assembly. To Senate. To Senate Committee on Civil Service and Pensions.

NY A 2351 Lifton (D)
Title: Discriminatory Practice
Summary: Makes it a discriminatory practice to compensate employees of different sexes differently for work that is of comparable worth; specifically provides when differing compensation is permissible; provides for phase-in.
Status: 04/29/2009: Passed Assembly. To Senate. To Senate Committee on Civil Service and Pensions.

NY A 3911 John (D)
Title: New York State Fair Pay Act
Summary: Enacts the "New York State fair pay act"; provides that it shall be an unlawful employment practice for an employer to discriminate between employees on the basis of sex, race and/or

national origin by paying different wages.
Status: 04/29/2009: Passed Assembly. To Senate. To Senate Committee on Finance.

NY S 201 Kruger (D)
Title: Public Agency Award Procedure
Summary: Establishes detailed procedure for awards following public bidding for purchases and contracts by all public benefit corporations and public authorities not otherwise exempted; establishes an equal employment opportunity program, the minority and women-owned business enterprise program.
Status: 01/07/2009: Introduced. To Senate Committee on Corporations, Authorities and Commissions.

NY S 752 Krueger (D)
Title: Equal Pay For Equal Pay
Summary: Proposes an amendment to article 1 of the constitution relating to equal pay for equal work; provides that all employees shall receive equal pay for equal work of comparable value, skill, effort and responsibility that is performed under similar working conditions.
Status: 02/13/2009: Opinion referred to Judiciary.

NY S 955 Johnson C (D)
Title: New York State Fair Pay Act
Summary: Enacts the "New York State fair pay act"; provides that it shall be an unlawful employment practice for an employer to discriminate between employees on the basis of sex, race and/or national origin by paying different wages.
Status: 04/06/2009: From Senate Committee on Labor. To Senate Committee on Finance.

NY S 2968 Krueger (D)
Title: Gender Pay Discrimination
Summary: Makes it a discriminatory practice to compensate employees of different sexes differently for work that is of comparable worth; specifically provides when differing compensation is permissible; provides for phase-in.
Status: 03/09/2009: Introduced.

NY S 5480 Savino (D)
Title: Required Gender Salary Equality
Summary: Makes it a discriminatory practice for public employers to compensate employees of different sexes differently for work that is of comparable worth; makes exception for seniority system; prohibits reducing anyone's compensation to conform with this provision; provides three years for a compliance plan.
Status: 05/19/2009: From Senate Committee on Civil Service and Pensions. To Senate Committee on Finance.

NORTH CAROLINA

NC H 1049 Luebke (D)
Title: Nondiscrimination and Teacher Employment
Summary: Amends the State Personnel Act to include sexual orientation and gender identity or expression to the list of classifications covered by the State's Equal Employment Opportunity Law and requiring local Boards of Education to adopt policies for nondiscrimination in employment including sexual orientation and gender identity or expression among the covered classifications.
Status: 04/06/2009: Introduced. To House Committee on Education.

PENNSYLVANIA

PA SR 99 Orié (R)
Title: Workplace Pay Disparity Study

Summary: (Concurrent Resolution) Directs the Joint State Government Commission to study the issue of workplace pay disparity, to reexamine existing Federal and State Laws relating to that issue and to make recommendations to the General Assembly.
Status: 05/01/2009: Introduced. To Senate Committee on Labor and Industry.

PA SR 100 Orié (R)
Title: Equal Pay Day
Summary: Designates April 28, 2009, as Equal Pay Day in Pennsylvania.
Status: 04/28/2009: Introduced. Passed Senate.

PUERTO RICO

PR H 998 Gonzalez Colon (PNP)
Title: Equal Pay for Equal Work Women Training Programs
Summary: Adopts as public policy that all departments, agencies and eligible municipalities prepare training programs and education; ensures equal pay for equal work for women and that they shall be beneficiaries of the funds provided by the Lilly Ledbetter Fair Pay Act; orders the Department of Education to prepare and submit proposal for compliance with Federal law to educate and train girls and women to enable them to receive equal pay for
Status: 03/11/2009: Signed by Governor. Law Number 11-2009

PR HR 575 Mendez Nunez (PNP)
Title: Middle Class Impoverishment Study
Summary: Orders the Commissioner of Labor and Industrial Relations and Women's Affairs and Equity to investigate the process of gradual impoverishment that has passed through the Puerto Rican middle class employed in the last decade including their social and economic consequences and corrective or remedial strategies to be put in place by the Government to counteract this trend.
Status: 06/04/2009: Passed House.

RHODE ISLAND

RI S 636 Ruggerio (D)
Title: Labor and Labor Relations
Summary: Would require that licensed contractors provide an employee supplied by a temporary employment agency or a temporary employee the same benefits that are provided to a full-time employee. This act would take effect upon passage.
Status: 02/25/2009: Introduced. To Senate Committee on Labor.

TENNESSEE

TN H 763 Turner M (D)
Title: Sex Discrimination
Summary: Relates to sex discrimination; enacts Pay Equity in the Workplace Act of 2009.
Status: 02/18/2009: To House Committee on Consumer and Employee Affairs. In House Committee on Consumer and Employee Affairs: Referred to Subcommittee on Employee Affairs.

TN H 776 Turner M (D)
Title: Employees Employers
Summary: Relates to employees employers; enacts the Pay Equity in the Workplace Act.
Status: 02/18/2009: To House Committee on Consumer and Employee Affairs. In House Committee on Consumer and Employee Affairs: Referred to Subcommittee on Employee Affairs.

TN S 825 Marrero (D)
Title: Sex Discrimination
Summary: Relates to sex discrimination; enacts Pay Equity in the Workplace Act of 2009.
Status: 02/18/2009: To Senate Committee on Commerce, Labor and Agriculture.

TN S 1664 Harper (D)
Title: Employees Employers
Summary: Relates to employees employers; enacts the Pay Equity in the Workplace Act.
Status: 02/18/2009: To Senate Committee on Commerce, Labor and Agriculture.

TEXAS

TX S 986 Davis W (D)
Title: Compensation Discrimination
Summary: Relates to unlawful employment practices regarding discrimination in payment of compensation.
Status: 03/09/2009: To Senate Committee on Business and Commerce.

VERMONT

VT HR 16 Keenan (D)
Title: Equal Pay Day
Summary: Commemorates equal pay day.
Status: 04/28/2009: Introduced. Passed House.

VT SR 11 Kittell (D)
Title: Equal Pay Day
Summary: Commemorates equal pay day.
Status: 04/28/2009: Introduced. Passed Senate.

WASHINGTON

WA H 2001 Kenney (D)
Title: Higher Education Students
Summary: Regards insurance for higher education students participating in study or research abroad; authorizes a governing board of a state institution of higher education to require its students who participate in studies or research outside of the United States sponsored, arranged, or approved by the institution to purchase, as a condition of participation, certain insurance approved by the governing board.
Status: 02/05/2009: Introduced. To House Committee on Higher Education.

WYOMING

WY H 232 Connolly (D)
Title: Fair Employment Revisions
Summary: Relates to discriminatory compensation practices; provides for backpay for similar discriminatory compensation practices; provides for determination of the time of occurrence of discriminatory compensation practices.
Status: 02/16/2009: No Report Prior to Committee of the Whole Cutoff.

UNITED STATES CONGRESS

US H 11 Miller Ge (D)
Title: Americans With Disabilities Act
Summary: Amends title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice.
Status: 02/11/2009: In Senate. Read second time. To Senate Committee on Health, Education, Labor and Pensions.

US H 2151 Norton (D)
 Title: Prohibits Discrimination
 Summary: Amends the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin.
 Status: 04/28/2009: Introduced. To House Committee on Education and Labor.

US S 181 Mikulski (D)
 Title: Americans With Disabilities Act
 Summary: Amends title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and modifies the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice.
 Status: 01/29/2009: Signed by President. Public Law No. 111-2

US S 182 Clinton (D)
 Title: Victims of Discrimination
 Summary: Amends the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex.
 Status: 01/09/2009: In Senate. Read second time. In Senate. Placed on Senate Legislative Calendar.

US S 904 Harkin (D)
 Title: Prohibit Discrimination
 Summary: Amends the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin.
 Status: 04/28/2009: Introduced. In Senate. Read second time. To Senate Committee on Health, Education, Labor and Pensions.

Source: 2009 State Net Legislative Tracking Database, November 25, 2009 (final 2009 search).