

By Senator Dawson

30-262-02

1                                   A bill to be entitled  
2           An act relating to wage discrimination;  
3           creating the "Equal Pay Commission Act";  
4           providing for the Secretary of Labor and  
5           Employment Security to appoint the Equal Pay  
6           Commission; providing membership criteria;  
7           requiring the commission to conduct a study;  
8           specifying the subject of the study; providing  
9           an effective date.

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11           WHEREAS, despite federal and state laws banning  
12   discrimination in employment and pay in both the public and  
13   private sectors, wage differentials persist between women and  
14   men and between minorities and nonminorities in the same jobs  
15   and in jobs that are dissimilar but that require equivalent  
16   composites of skill, effort, responsibility, and working  
17   conditions, and

18           WHEREAS, the existence of such wage differentials  
19   depresses wages and living standards for employees, thereby  
20   compromising their health and efficiency, reduces family  
21   incomes and contributes to higher poverty rates among  
22   households headed by females and minority households, prevents  
23   the maximum utilization of available labor resources, and  
24   tends to cause labor disputes, thereby burdening and  
25   obstructing commerce, and

26           WHEREAS, the Florida Civil Rights Act of 1992, sections  
27   760.01-760.11, Florida Statutes, states that it is an unlawful  
28   employment practice for an employer "to discriminate against  
29   any individual with respect to compensation, terms,  
30   conditions, or privileges of employment because of such

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1 individual's race, color, religion, sex, national origin, age,  
2 handicap, or marital status," and

3 WHEREAS, discrimination in wage-setting practices has  
4 played a role in depressing wages for women and minorities  
5 generally, and

6 WHEREAS, many individuals work in occupations that are  
7 dominated by individuals of their own sex, race, or national  
8 origin, and discrimination in hiring, job assignments, and  
9 promotion has played a role in establishing and maintaining  
10 segregated work forces, and

11 WHEREAS, eliminating discrimination in compensation  
12 based on sex, race, and national origin would have positive  
13 effects, including providing a solution to problems in the  
14 economy created by discriminatory wage differentials, reducing  
15 the number of working women and people of color earning low  
16 wages, thereby lowering their incidence of poverty during  
17 normal working years and in retirement, and promoting stable  
18 families by raising family incomes, and

19 WHEREAS, it is the purpose of this act to correct and  
20 as rapidly as practicable eliminate discriminatory wage  
21 practices based on sex, race, color, religion, national  
22 origin, age, handicap, or marital status, NOW, THEREFORE,

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24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Equal Pay Commission Act; commission  
27 membership, duties.--

28 (1) This section may be cited as the "Equal Pay  
29 Commission Act."

30 (2) Within 90 days after the effective date of this  
31 section, the Secretary of Labor and Employment Security shall

1 appoint a commission consisting of nine members, to be known  
2 as the Equal Pay Commission.

3 (3) Membership on the commission shall include:

4 (a) Two representatives of business in this state who  
5 are appointed from among individuals nominated by state  
6 business organizations and business trade associations;

7 (b) Two representatives of labor organizations who  
8 have been nominated by state labor federations. As used in  
9 this paragraph, the term "state labor federation" means an  
10 organization that:

11 1. Is chartered by a federation of national or  
12 international unions;

13 2. Admits to membership local unions; and

14 3. Exists primarily to carry on educational,  
15 legislative, and coordinating activities;

16 (c) Two representatives of organizations the  
17 objectives of which include the elimination of pay disparities  
18 between men and women or between minorities and nonminorities,  
19 and who have undertaken advocacy, educational, or legislative  
20 initiatives in pursuit of such objective; and

21 (d) Three individuals drawn from higher education or  
22 research institutions who have experience and expertise in the  
23 collection and analysis of data concerning such pay  
24 disparities and whose research has already been used in  
25 efforts to promote the elimination of those disparities.

26 (4) The commission shall make a full and complete  
27 study of:

28 (a) The extent of wage disparities, in both the public  
29 and private sectors, between men and women and between  
30 minorities and nonminorities;

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