

27 (a) The Legislature finds that women have entered the
28 workforce in record numbers over the past 50 years. Yet, despite
29 the enactment of the Equal Pay Act of 1963, 29 U.S.C. s. 206(d),
30 many women continue to earn significantly lower pay than men for
31 equal work. These pay disparities exist in both the private and
32 governmental sectors. In many instances, the pay disparities are
33 the result of continued intentional discrimination against women
34 or the lingering effects of past discrimination against women.

35 (b) The Legislature finds that the existence of such pay
36 disparities:

37 1. Depresses the wages of working families who rely on the
38 wages of all members of the family;

39 2. Undermines the retirement security of women, which is
40 based on wages that women earn while in the workforce;

41 3. Prevents the optimum use of available labor resources;

42 4. Spreads and perpetuates, through commerce and the
43 instrumentalities of commerce, among workers in all states;

44 5. Burdens commerce and the free flow of goods in
45 commerce;

46 6. Constitutes an unfair method of competition in
47 commerce;

48 7. Leads to labor disputes;

49 8. Interferes with the orderly and fair marketing of goods
50 in commerce; and

51 9. Deprives women workers of equal protection on the basis
52 of gender in violation of the Fifth and the Fourteenth

53 Amendments to the United States Constitution.

54 (c) The Legislature finds that artificial barriers to the
55 payment of equal wages continue to exist decades after the
56 enactment of the Fair Labor Standards Act of 1938, 29 U.S.C. ss.
57 201 et seq., and the Civil Rights Act of 1964, 42 U.S.C. s.
58 2000a. These barriers have resulted, in large part, because the
59 Equal Pay Act has not worked as Congress originally intended.
60 Improvements and modifications to the law are necessary in order
61 to ensure that the act provides effective protection to those
62 who are subject to pay discrimination on the basis of their
63 gender. The Legislature finds that eliminating such artificial
64 barriers would have positive effects, including:

65 1. Providing a solution to problems in the economy created
66 by unfair pay disparities;

67 2. Substantially reducing the number of women workers
68 earning unfairly low wages, thereby reducing dependence on
69 public assistance;

70 3. Promoting stable families by enabling all family
71 members to earn a fair rate of pay;

72 4. Remedying the effects of past discrimination on the
73 basis of gender and ensuring that in the future women workers
74 are afforded equal protection; and

75 5. Ensuring equal protection under s. 2, Article I of the
76 State Constitution.

77 (d) The Legislature finds that the Department of Economic
78 Opportunity and the Florida Commission on Human Relations have

79 important and unique responsibilities to ensure that women
 80 receive equal pay for equal work. As a result of this section,
 81 wage data, increased information about the provisions added to
 82 the Equal Pay Act of 1963, and a stronger commitment by the
 83 Department of Economic Opportunity and the Florida Commission on
 84 Human Relations to their responsibilities and to more effective
 85 remedies, women will be better able to recognize and enforce
 86 their rights.

87 (e) The Legislature further finds that certain employers
 88 have already made great strides in eradicating unfair pay
 89 disparities in the workplace and that their achievements should
 90 be recognized.

91 (3) DUTIES OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND
 92 THE FLORIDA COMMISSION ON HUMAN RELATIONS.-

93 (a) The Department of Economic Opportunity shall:

94 1. Collect and make publicly available information about
 95 women's pay;

96 2. Ensure that companies receiving state contracts comply
 97 with antidiscrimination and affirmative action requirements of
 98 this state relating to equal employment opportunity;

99 3. Disseminate information about women's rights in the
 100 workplace;

101 4. Help women who have been victims of pay discrimination
 102 obtain a remedy;

103 5. Be proactive in investigating and prosecuting
 104 violations of laws requiring equal pay, especially systemic

105 violations, and in enforcing all mandates of those laws; and
 106 6. Conduct studies concerning the means that are available
 107 to eliminate pay disparities between men and women and, in
 108 connection with such studies, shall:
 109 a. Promote research to develop the means to expeditiously
 110 correct the conditions leading to pay disparities;
 111 b. Publish and otherwise make available to employers,
 112 labor organizations, professional associations, educational
 113 institutions, the media, and the public findings resulting from
 114 studies and other materials relating to eliminating pay
 115 disparities;
 116 c. Sponsor and assist state and community informational
 117 and educational programs;
 118 d. Provide information to employers, labor organizations,
 119 professional associations, and other interested persons on the
 120 means of eliminating pay disparities; and
 121 e. Recognize and promote the achievements of employers,
 122 labor organizations, and professional associations that have
 123 worked to eliminate pay disparities.
 124 (b) The Florida Commission on Human Relations is the
 125 primary enforcement agency for claims made under the Equal Pay
 126 Act and shall adopt rules and issue guidance on appropriate
 127 interpretations of the law.
 128 (4) THE GOVERNOR'S RECOGNITION AWARD FOR PAY EQUITY IN THE
 129 WORKPLACE.—
 130 (a) The Legislature establishes the Governor's Recognition

131 Award for Pay Equity in the Workplace, which shall be given
132 annually to employers in this state which have engaged in
133 activities that eliminate the barriers to equal pay for equal
134 work. The award ceremony to recognize employers shall be
135 organized in such a way so as to encourage proactive efforts by
136 other employers to equalize pay between men and women performing
137 the same work.

138 (b) The executive director of the Department of Economic
139 Opportunity and the chair of the Florida Commission on Human
140 Relations, in cooperation with the Executive Office of the
141 Governor, shall create eligibility criteria for employers to
142 receive the award. The criteria must include a requirement that
143 an employer must have made substantial efforts to eliminate pay
144 disparities between men and women. The executive director shall
145 establish procedures for applications, regional ceremonies, and
146 presentations of the award.

147 Section 2. This act shall take effect July 1, 2014.