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Overview

Provides that a state agency may not execute a contract in excess of \$500,000 with a business having more than 50 full-time employees in Minnesota or in the state where the business has its primary place of business unless the business has an equal pay certificate of compliance, issued by the Commissioner of Human Rights.

Section

1 Certificates of compliance (data practices). Inserts a cross-reference in the data practices act, stating that access to data relating to pay equity certificates of compliance is governed by section 2 of this bill.

2 Equal pay certificate of compliance.

Subd. 1. Certificate of compliance. Provides that a state agency may not execute a contract in excess of \$500,000 with a business having more than 50 full-time employees in Minnesota or in the state where the business has its primary place of business unless the Commissioner of Human Rights has issued the business an equal pay certificate of compliance. Requires the commissioner to issue an equal pay certificate of compliance if the business submits to the commissioner a statement that the business's compensation policies are in compliance with specified laws and are not based on the sex of its employees, and that for job classes expected to perform work under the contract, within major job categories in the EEO-1 report, the compensation for the business' female employees is not consistently below the compensation for its

Section

male employees, taking into account specified factors.

Subd. 2. Application. Provides a \$150 fee for an equal pay certificate of compliance. Provides that a certificate is valid for four years.

Subd. 3. Conditions; audit. Provides that as a condition of receiving an equal pay certificate of compliance and as a condition of the contract, a business must agree that the commissioner may audit its compliance with this section, that the commissioner or the agency entering into the contract may void it if the commissioner determines the business is not in compliance with items specified in subdivision 1, and that as part of an audit the business will provide the commissioner with specified information.

Subd. 4. Compliance plan; revocation of certificate. Specifies conditions for suspension or revocation of a certificate of compliance.

Subd. 5. Voiding of contract. Specifies provisions relating to potential voiding of a contract.

Subd. 6. Administrative review. Provides for hearings on potential voiding of contracts and revocation of certificates of compliance.

Subd. 7. Technical assistance. Requires the commissioner to provide technical assistance to businesses upon request.

Subd. 8. Access to data. Provides that data submitted to the commissioner for purposes of obtaining a certificate of compliance or in response to an audit are private or nonpublic, but that the commissioner's decision to grant, not grant, revoke, or suspend a certificate of compliance is public.

3 Report. Requires the Commissioner of Human Rights to report to the legislature by January 31, 2016. The report must include the number of equal pay certificates issued, and the number of audits conducted.