

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**HOUSE BILL 544
Committee Substitute Favorable 4/7/03**

Short Title: State Employee Pay Equity.

(Public)

Sponsors:

Referred to:

March 18, 2003

A BILL TO BE ENTITLED

AN ACT CREATING THE STATE GOVERNMENT EMPLOYMENT PAY EQUITY
STUDY COMMISSION AND APPROPRIATING FUNDS FOR THAT PURPOSE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) There is created the State Government Employment Pay
Equity Study Commission ("Commission"). The Commission shall consist of 15
members appointed as follows:

(1) Five members appointed by the Governor, to include:

- a. One person who represents an organization whose primary purpose is to represent the interests of women.
- b. One representative of an organization whose objectives include the elimination of pay disparities between men and women and minorities and nonminorities and who has undertaken advocacy, educational, or legislative initiatives in pursuit of that objective.
- c. One representative of a higher education or research institution who has experience and expertise in the collection and analysis of data concerning pay disparities and whose research has been used in efforts to promote the elimination of those disparities.
- d. One person who is an active State employee.
- e. One person who is a retired State employee.

(2) Five members appointed by the Speaker of the House of Representatives, to include:

- a. Three members of the House of Representatives.
- b. One person who is knowledgeable about State and federal labor laws.
- c. One person from a private business or firm employing 200 or more employees in this State.

- 1 (3) Five members appointed by the President Pro Tempore of the Senate,
2 to include:
3 a. Three members of the Senate.
4 b. One person who represents an organization whose primary
5 purpose is to represent the interests of State government
6 employees or retirees.
7 c. One person from a private business or firm employing fewer
8 than 200 employees in this State.

9 **SECTION 1.(b)** The Commission shall study:

- 10 (1) The extent of wage disparities in State government employment
11 between men and women and between minorities and nonminorities.
12 (2) Those factors which cause, or which tend to cause, the disparities,
13 including, but not limited to, segregation between women and men and
14 between minorities and nonminorities across and within occupations
15 and payment of lower wages for work in female-dominated
16 occupations.
17 (3) Whether dissimilar State government job categories requiring similar
18 education, training, skills, and responsibilities are being compensated
19 with equal pay.
20 (4) The consequences of the disparities on the efficiency of State
21 government, the State's economy, and the families affected.
22 (5) Actions, including proposed legislation, that are likely to lead to the
23 elimination and prevention of compensation disparities in State
24 government employment.

25 The Commission may consider any other matter that the Commission finds
26 relevant to its charge. The Commission may conduct public hearings around the State to
27 solicit firsthand testimony regarding pay equity issues.

28 **SECTION 2.** The Speaker of the House of Representatives and the President
29 Pro Tempore of the Senate shall each appoint a cochair for the Commission. The
30 Commission may contract for consultant services as provided by G.S. 120-32.02. Upon
31 approval of the Legislative Services Commission, the Legislative Services Officer shall
32 assign professional and clerical staff to assist in the work of the Commission. Clerical
33 staff shall be furnished to the Commission through the offices of the House of
34 Representatives and the Senate Directors of Legislative Assistants. The Commission
35 may meet in the Legislative Building or the Legislative Office Building upon the
36 approval of the Legislative Services Commission. Members of the Commission shall
37 receive per diem, subsistence, and travel allowances at the rate established in G.S.
38 120-3.1. The appointing authority shall fill vacancies.

39 The Commission, while in the discharge of its official duties, may exercise all
40 the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4,
41 including the power to request all officers, agents, agencies, and departments of the
42 State to provide any information, data, or documents within their possession,
43 ascertainable from their records, or otherwise available to them and the power to
44 subpoena witnesses.

1 The State Personnel Commission, in conjunction with the Director of the
2 Office of State Personnel, shall designate appropriate staff to serve as liaison to the
3 Commission.

4 The Office of State Personnel shall complete an analysis of the issues
5 identified for study in Section 1(b) of this act and submit that analysis, including any
6 findings and recommendations, to the Commission by May 1, 2004, for the
7 Commission's consideration.

8 **SECTION 3.** The Commission's interim and final reports shall include the
9 results of the Commission's study as well as recommendations, legislative and
10 otherwise, for the elimination and prevention of disparities in State employee
11 compensation between men and women and minorities and nonminorities. The
12 Commission shall submit an interim report to the 2004 Regular Session of the 2003
13 General Assembly. The Commission shall make a final report to the 2005 General
14 Assembly and shall terminate upon filing its final report.

15 **SECTION 4.** There is appropriated from the General Fund to the General
16 Assembly the sum of twenty-five thousand dollars (\$25,000) for the 2003-2004 fiscal
17 year and the sum of twenty-five thousand dollars (\$25,000) for the 2004-2005 fiscal
18 year to fund the work of the State Government Employment Pay Equity Study
19 Commission, created in Section 1 of this act.

20 **SECTION 5.** This act becomes effective July 1, 2003.