

CS FOR SENATE BILL NO. 65(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 3/13/01

Referred: Rules

Sponsor(s): SENATORS DONLEY, Taylor, Ward, Cowdery, Davis, Ellis, Therriault, Elton, Lincoln, Pearce

REPRESENTATIVES Kerttula, Fate, Guess, McGuire, Wilson, Stevens, Green, Chenault, Murkowski

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring a study regarding equal pay for equal work of certain state**
2 **employees."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 LEGISLATIVE FINDINGS AND PURPOSE. (a) Under AS 18.80.220(a)(5), an
7 employer, including the state, may not discriminate in the payment of wages as between the
8 sexes, or employ a female in an occupation in this state at a salary or wage rate less than that
9 paid to a male employee for work of comparable character or work in the same operation,
10 business, or type of work in the same locality.

11 (b) The Alaska Supreme Court held in Alaska State Commission for Human Rights
12 ex rel. Beamer v. State, Department of Administration, 796 P.2d 458 (Alaska 1990) that the
13 proper interpretation of the phrase "comparable character" is as an equal pay for substantially
14 equal work provision. The court further stated that the requirement in AS 18.80.220(a)(5) for

1 equal pay for work of a comparable character was not meant to apply only to jobs that are
2 identical but also to jobs that are substantially equal in terms of composite skill, effort,
3 responsibility, work conditions, and other material aspects.

4 (c) A study to determine whether gender is a determinant in setting compensation will
5 assist the state in evaluating its compliance with the requirement set by statute and help ensure
6 equal pay for equal work.

7 * **Sec. 2.** The uncoded law of the State of Alaska is amended by adding a new section to
8 read:

9 GENDER PAY EQUITY SURVEY. The Department of Administration shall conduct
10 a study to determine whether gender is a determinant in setting compensation for state
11 employees in compliance with equal pay for equal work laws. The department shall present
12 the study to the legislature no later than January 15, 2003.