

HB 99

File

(11)

# HOUSE COMMITTEE REPORT

Date Referred: May 14, 1991

FURTHER REFERRALS:

Date of Committee Action: 3/24/92

The FINANCE Committee considered:

HB 99

HOUSE BILL NO. 99

EQUAL PAY FOR WORK OF COMPARABLE WORTH

"An Act requiring equal pay for work of comparable worth."

### RECOMMENDATIONS:

be replaced with CS HB 99 (FIN)  the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

4  fiscal impact UNIVERSITY Admin, AK COURT Sys

fiscal note(s) \_\_\_\_\_

1  zero fiscal note leg Aff. Agency

zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<u>Mark Boyer</u> Boyer	X	<u>E.P. Maclean</u> Maclean		✓	
<u>Ken Brown</u> BROWN	-	<u>Mike Navarre</u> NAVARRE		✓	
<u>John Koppen</u> Koppen	✓	<u>George Janko</u> JANKO		X	
<u>John Wince</u> Wince	X	<u>Thomas Barnes</u> Barnes		X	
		<u>Bob Sharp</u> Sharp		X	
		<u>Phillips</u> Phillips		✓	
		<u>Ronald J. Larsen</u> Larsen		X	

Mike Navarre NAVARRE  
E.P. Maclean Maclean  
CHAIRMAN'S SIGNATURE

**CS FOR HOUSE BILL NO. 99 (FINANCE)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVES DONLEY, Koponen, Gruenberg, Ellis, Boyer, Brown, Ulmer, Ivan, Carney, Bruckman, B.Davis, Moyer, MacLean**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act requiring pay equity for certain public employees and requiring the compensation  
2 of certain public employees to be based on the value of the work performed."

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

4 \* Section 1. AS 23.40.070 is amended to read:

5           Sec. 23.40.070. **DECLARATION OF POLICY.** The legislature finds that joint  
6 decision-making is the modern way of administering government. If public employees have been  
7 granted the right to share in the decision-making process affecting wages and working conditions,  
8 they have become more responsive and better able to exchange ideas and information on  
9 operations with their administrators. Accordingly, government is made more effective. The  
10 legislature further finds that the enactment of positive legislation establishing guidelines for  
11 public employment relations is the best way to harness and direct the energies of public  
12 employees eager to have a voice in determining their conditions of work, to provide a rational  
13 method for dealing with disputes and work stoppages, to strengthen the merit principle where  
14 civil service is in effect, and to maintain a favorable political and social environment. The

1 legislature declares that it is the public policy of the state to promote harmonious and cooperative  
2 relations between government and its employees and to protect the public by assuring effective  
3 and orderly operations of government. These policies are to be effectuated by

4 (1) recognizing the right of public employees to organize for the purpose of  
5 collective bargaining;

6 (2) requiring public employers to negotiate with and enter into written agreements  
7 with employee organizations on matters of wages, hours, and other terms and conditions of  
8 employment;

9 (3) maintaining merit-system principles among public employees and eliminating  
10 sex-based wage disparities in public employment.

11 \* Sec. 2. AS 39.90 is amended by adding new sections to read:

12 ARTICLE 3. PAY EQUITY.

13 Sec. 39.90.200. COMPENSATION POLICY. It is the policy of this state to establish  
14 pay equity between female-dominated, male-dominated, and balanced classes of employees in  
15 order to eliminate sex-based wage disparities in public employment.

16 Sec. 39.90.210. JOB EVALUATION SYSTEM. (a) Each public employer shall use a  
17 job evaluation system to determine the comparable work value of the work performed by each  
18 class of employees. The system shall be maintained and upgraded to account for new employee  
19 classes and changes in factors affecting the comparable work value of existing classes. Public  
20 employers shall meet and confer with the bargaining organizations representing public employees  
21 on the development or selection of a job evaluation system under this section.

22 (b) At a minimum, the job evaluation system shall be based on the following factors,  
23 measured objectively:

24 (1) the knowledge and skills needed for acceptable job performance, including  
25 substantive knowledge and managerial skills;

26 (2) the intellectual effort required including the creativity and analytical skills  
27 needed for acceptable job performance, the degree to which the employee works independently,  
28 and the complexity of the problems assigned to the employee;

29 (3) the employee's accountability for the employee's actions and the consequences  
30 of the employee's job performance, including the employee's level of discretion and the potential  
31 for benefit or harm to the employer or the public from the employee's job performance; and

1 (4) working conditions, including the physical effort and skills required, whether  
2 the job environment is disagreeable or physically demanding, and the hazards presented by the  
3 job.

4 (c) Each public employer shall submit a report containing the results of the job evaluation  
5 system to the bargaining organizations representing public employees. The report shall be used  
6 by the parties in collective bargaining negotiations. The report must identify, at a minimum, the  
7 female-dominated classes and male-dominated classes for which pay inequity exists, based on  
8 the comparable work value, and the data, other than data that reveals information about individual  
9 employees or former employees, used to support these findings.

10 (d) After considering the list of classes in which pay inequity exists, each public  
11 employer shall prepare a plan to create pay equity for those positions. The employer shall submit  
12 the plan to the legislature by January 1 of each odd-numbered year together with the list of  
13 classes between which pay inequity exists and an estimate of the appropriation necessary to  
14 achieve pay equity for the classes on the list. The appropriation estimate shall be allocated by  
15 class.

16 (e) The legislature shall review the plan and recommended appropriation of each public  
17 employer and may accept, amend, or reject the plan. If funding for the plan is included in an  
18 appropriation that does not otherwise allocate the amount appropriated, the public employer shall  
19 allocate the funding according to the plan or, if the plan was amended by the legislature,  
20 according to the amended plan. If the funding is insufficient to fully fund the plan, or the  
21 amended plan, if applicable, the employer shall pro rate the amount available among the classes  
22 included in the plan. If the legislature does not appropriate money for the plan, the employer  
23 shall submit the plan to the next legislature.

24 (f) If a public employer finds that pay inequity exists in a class that is part of a collective  
25 bargaining unit, the employer shall notify the collective bargaining organization representing the  
26 bargaining unit when the employer submits the compensation equity plan to the legislature.

27 (g) Notwithstanding AS 23.40.110, it is not an unfair labor practice for a public employer  
28 to specify an amount of money to be used

- 29 (1) solely to correct inequitable pay relationships;  
30 (2) for general salary increases.

31 (h) Notwithstanding (d) of this section, it remains the policy of the state to negotiate pay

1 rate adjustments through the collective bargaining process in all areas covered by bargaining  
2 agreements.

3 (i) AS 39.90.200 - 39.90.300 do not diminish the duty of a public employer to bargain  
4 in good faith under AS 23.40.070 - 23.40.260.

5 Sec. 39.90.220. PUBLIC EMPLOYER NEGOTIATING POSITIONS. (a) In preparing  
6 to negotiate with a collective bargaining organization representing public employees, and in  
7 preparing the position classification plan and the pay plan for other employees, the public  
8 employer shall assure that compensation for

9 (1) positions in the different services of the employer compare reasonably to one  
10 another;

11 (2) positions in public service bears a reasonable relationship to compensation for  
12 similar positions outside public service;

13 (3) management positions bears a reasonable relationship to compensation of the  
14 employees managed by the positions;

15 (4) positions within one service bears a reasonable relationship among related  
16 classes and among various levels within the same occupations.

17 (b) In this section, the compensations paid to different positions bear a reasonable  
18 relationship to one another if the compensation for positions that require

19 (1) comparable skill, effort responsibility, and working conditions is comparable;  
20 and

21 (2) differing skill, effort, responsibility, and working conditions is related to the  
22 skill, effort, responsibility, and working conditions required of the different positions.

23 Sec. 39.90.300. DEFINITIONS. In AS 39.90.200 - 39.90.300,

24 (1) "balanced class" means a class in which no more than 70 percent of the  
25 incumbents are male and no more than 70 percent of the incumbents are female;

26 (2) "class" means one or more positions that have similar duties and  
27 responsibilities and require similar qualifications to perform the duties so that the same  
28 descriptive title can be used with clarity for each position in the class, the same selection  
29 procedures can be used to recruit employees, and the same compensation schedule can be applied  
30 with equity to all positions in the class working under the same or substantially the same  
31 employment conditions;

1 (3) "comparable work value" means the value of the work measured by the  
2 composite of the skill, effort, responsibility, and working conditions normally required in the  
3 performance of the work;

4 (4) "female-dominated class" means a class in which more than 70 percent of the  
5 incumbents are female;

6 (5) "male-dominated class" means a class in which more than 70 percent of the  
7 incumbents are male;

8 (6) "management positions" means those positions accountable for

9 (A) determining, securing, and allocating human, financial, and other  
10 resources needed to accomplish objectives;

11 (B) determining overall objectives, priorities, and policies within a  
12 program area;

13 (C) handling significant and involved relationships with governmental  
14 leadership; or

15 (D) exercising discretionary powers on a regular basis;

16 (7) "pay equity" means compensation based on comparable work value;

17 (8) "pay inequity" means compensation that is not based on comparable work  
18 value;

19 (9) "public employer" means

20 (A) a department, institution, board, commission, division, authority,  
21 public corporation, committee, or other administrative unit of the executive, judicial, or  
22 legislative branch of state government, including the University of Alaska and the Alaska  
23 State Housing Authority, but not including the Alaska Railroad Corporation; and

24 (B) a school district or regional educational attendance area.

25 \* Sec. 3. (a) Notwithstanding AS 39.90.210(d), enacted by sec. 2 of this Act, a public employer shall  
26 make the initial report to the legislature under AS 39.90.210(d) by January 1, 1995. The initial report  
27 must include

28 (1) the following information for each job class, as of July 1, 1994:

29 (A) the title of the job class, the number of incumbents, and the percentage of  
30 incumbents who are male and the percentage who are female;

31 (B) the comparable work value of the job class as determined under the system

1 chosen under AS 39.90.210, enacted by sec. 2 of this Act;  
2 (C) the minimum and maximum monthly salary authorized for each job class;  
3 (2) a description of the job evaluation system used by the public employer;  
4 (3) a plan for establishing equitable pay relationships between female-dominated and  
5 male-dominated job classes, including  
6 (A) identification of classes for which a pay inequity exists based on the  
7 comparable work value of the class;  
8 (B) a timetable for implementing pay equity; and  
9 (C) the estimated cost of implementing pay equity.  
10 (b) If requested by a public employer, the commissioner of administration shall provide technical  
11 assistance in completing the report required by this section.

**FISCAL NOTE**

**STATE OF ALASKA  
1992 LEGISLATIVE SESSION**

**BILL NO. CSHB99**

Introduced: 2/11/92  
Title: Merit System Employees  
Equitable Compensation  
Sponsor: Rep Donley  
Requestor: House HESS

Department Affected: UNIVERSITY OF ALASKA  
BRU: Personal Services  
Component: Statewide Services

Component Serial No: 0730

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY93	FY94	FY95	FY96	FY97	FY98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	60.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>60.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>REVENUE FD SOURCE</b>						

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	60.0					
FEDERAL FUNDS						
OTHER FUNDS						
<b>TOTAL</b>	<b>60.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: -0-

**ANALYSIS (Attach additional pages as necessary)**

The university will conduct a gender equity study of its job evaluation system using all of the factors identified in the legislation.

Prepared by: Marsha Hubbard, Director  
Division: Statewide Budget Office

Phone: 474-7593  
Date: 3/8/92

Approved by: Brian Rogers, Vice President for Finance  
Agency: University of Alaska

Date: 3/8/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies)

FISCAL NOTE

DRAFT

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO: CSHB 99( FIN )

Revision Date: \_\_\_\_\_  
Title: An Act requiring pay equity for certain public employees and requiring the compensation...  
Sponsor: Representative Donley  
Requestor: House Finance

Department Affected: Legislative Affairs Agency  
BRU: All  
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>	0	0	0	0	0	0
<b>REVENUE FUND SOURCE</b>	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE						
<b>TOTAL</b>	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact. It is anticipated that if technical assistance is needed we will be contacting the Department of Administration to assist in completing our agency's report to the Legislature.

Prepared By: Pamela A. Stoops, Director  
Division: Administrative Services

*Pamela A. Stoops*

Phone: 465-3850  
Date: 3/5/92

Approved By: Warren W. Endicott, Executive Director  
Agency: Legislative Affairs Agency

*Warren W. Endicott*

Date: 3/5/92

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. , & Impacted Agency(ies).

FISCAL NOTE

DRAFT

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

Bill No. CS HB 99 (Finance)

Revision Date: 03/05/92 Department Affected: Alaska Court System  
 Title: An Act requiring pay equity for BRU: Trial Courts  
certain public employees... Components: \_\_\_\_\_  
 Sponsor: \_\_\_\_\_  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	12.0					
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	12.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS	12.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	12.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

Cost of performing classification study.

Prepared by: C. S. Christenson III, Staff Counsel *CSC* Phone: 264-8228  
 Division: Alaska Court System Date: 03/05/92

Approved by: Arthur H. Snowden, II, Administrative Director *AHS*  
 Agency: Alaska Court System Date: 03/05/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO. CSHB 99 ( )  
Draft: February 11, 1992

Revision Date: \_\_\_\_\_  
Title: Requiring compensation based on value of work.  
Sponsor: Donley  
Requestor: House Finance

Department Affected: Administration  
BRU: Personnel/OEEO  
Component: Personnel/OEEO

COMPONENT SERIAL NO. 

0	0	5	6
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	120.0	0	0	0	0	0
TRAVEL	20.0	0	0	0	0	0
CONTRACTUAL	40.0	0	0	0	0	0
SUPPLIES	20.0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0 -
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	200.0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	200.0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	200.0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	2.0	0	0	0	0	0

Estimate of current year impact: Zero.

ANALYSIS: (Attach a separate page if necessary.) This legislation would force the State to change its classification system from the "whole job" system currently in use. The costs shown are required to complete the development of Alaska Quantitative Evaluation System (AQES) which reached a preliminary stage with a \$500.00 appropriation in 1983.

Prepared by: R. H. King *R. H. King*  
Division: Personnel/OEEO

Phone: 465-4430  
Date: 3/5/92

Approved by Commissioner: Nancy Bear Usery *Nancy Bear Usery*  
Agency: Administration

Date: 3/6/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO. CSHB 99 ( )  
Draft: February 11, 1992

Revision Date: \_\_\_\_\_

Department Affected: All

Title: Requiring compensation based on value of work.

BRU: All

Component: All

Sponsor: Donley

Requestor: House Finance

COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	9,824.6	17,461.4	12,820.9
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9,824.6</b>	<b>17,461.4</b>	<b>12,820.9</b>

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	6,670.7	11,630.3	8,618.6
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	3,153.9	5,831.1	4,202.3
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9,824.6</b>	<b>17,461.4</b>	<b>12,820.9</b>

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: Zero.

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared by: R. H. King *Richard P. King*  
Division: Personnel/OEEO

Phone: 465-4430  
Date: 3/5/92

Approved by Commissioner: Nancy Bear Usura  
Agency: Administration *NB Usura*

Date: 3/6/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO. CSHB 99 ( )

This fiscal note has been prepared for compliance with AS 24.08.035. It contains the same numbers as the initial fiscal note for implement in the Alaska Quantitative Evaluation System (AQES) based on amendments contained in HB 676 in 1986. No adjustment has been made except to change the date of implementation. A copy of the original fiscal note is attached.

The draft committee substitute of February 11, 1992, would require the Executive Branch to use a job evaluation system to determine the comparable work value of the work performed by each job class.

Post-It™ brand fax transmittal memo 7673		# of pages ▶
To <i>Laurie Otto</i>	From <i>Legal Svc.</i>	
Co.	Co.	
Dept.	Phone #	<i>4652450</i>
Fax #	Fax #	<i>465-2029</i>

RK DRAFT

WORK DRAFT

7-LS0097S ✓  
Cramer  
2/11/92

CS FOR HOUSE BILL NO. 99 ( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES DONLEY, Koponen, Gruenberg, Ellis, Boyer, Brown, Ulmer, Ivan, Carney, Bruckman, B.Davis, Moyer, MacLean

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring pay equity for certain public employees and requiring the compensation  
2 of certain public employees to be based on the value of the work performed."

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

4 \* Section 1. AS 23.40.070 is amended to read:

5           Sec. 23.40.070. DECLARATION OF POLICY. The legislature finds that joint  
6 decision-making is the modern way of administering government. If public employees have been  
7 granted the right to share in the decision-making process affecting wages and working conditions,  
8 they have become more responsive and better able to exchange ideas and information on  
9 operations with their administrators. Accordingly, government is made more effective. The  
10 legislature further finds that the enactment of positive legislation establishing guidelines for  
11 public employment relations is the best way to harness and direct the energies of public  
12 employees eager to have a voice in determining their conditions of work, to provide a rational  
13 method for dealing with disputes and work stoppages, to strengthen the merit principle where  
14 civil service is in effect, and to maintain a favorable political and social environment. The

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1 legislature declares that it is the public policy of the state to promote harmonious and cooperative  
2 relations between government and its employees and to protect the public by assuring effective  
3 and orderly operations of government. These policies are to be effectuated by

4 (1) recognizing the right of public employees to organize for the purpose of  
5 collective bargaining;

6 (2) requiring public employers to negotiate with and enter into written agreements  
7 with employee organizations on matters of wages, hours, and other terms and conditions of  
8 employment;

9 (3) maintaining merit-system principles among public employees and eliminating  
10 sex-based wage disparities in public employment.

11 \* Sec. 2. AS 39.90 is amended by adding new sections to read:

12 ARTICLE 3. PAY EQUITY.

13 Sec. 39.90.200. COMPENSATION POLICY. It is the policy of this state to establish  
14 equitable relationships between female-dominated, male-dominated, and balanced classes of  
15 employees in order to eliminate sex-based wage disparities in public employment. Compensation  
16 relationships are equitable within the meaning of this section when the primary consideration in  
17 negotiating, establishing, recommending, and approving total compensation is achieving equitable  
18 compensation based on comparable work value.

19 Sec. 39.90.210. JOB EVALUATION SYSTEM. (a) Each public employer shall use a  
20 job evaluation system to determine the comparable work value of the work performed by each  
21 class of employees. The system shall be maintained and upgraded to account for new employee  
22 classes and changes in factors affecting the comparable work value of existing classes. Public  
23 employers shall meet and confer with the bargaining organizations representing public employees  
24 on the development or selection of a job evaluation system under this section.

25 (b) At a minimum, the job evaluation system shall be based on the following factors,  
26 measured objectively:

27 (1) the knowledge and skills needed for acceptable job performance, including  
28 substantive knowledge and managerial skills;

29 (2) the intellectual effort required including the creativity and analytical skills  
30 needed for acceptable job performance, the degree to which the employee works independently,  
31 and the complexity of the problems assigned to the employee;

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1 (3) the employee's accountability for the employee's actions and the consequences  
2 of the employee's job performance, including the employee's level of discretion and the potential  
3 for benefit or harm to the employer or the public from the employee's job performance; and

4 (4) working conditions, including the physical effort and skills required, whether  
5 the job environment is disagreeable or physically demanding, and the hazards presented by the  
6 job.

7 (c) Each public employer shall submit a report containing the results of the job evaluation  
8 system to the bargaining organizations representing public employees. The report shall be used  
9 by the parties in collective bargaining negotiations. The report must identify, at a minimum, the  
10 female-dominated classes and male-dominated classes for which compensation inequity exists,  
11 based on the comparable work value, and the data, other than data that reveals information about  
12 individual employees or former employees, used to support these findings.

13 (d) After considering the list of classes in which compensation inequity exists, each  
14 public employer shall prepare a plan to create pay equity for those positions. The employer shall  
15 submit the plan to the legislature by January 1 of each odd-numbered year together with the list  
16 of classes in which pay inequity exists and an estimate of the appropriation necessary to achieve  
17 equity in compensation for the classes on the list. The appropriation estimate shall be allocated  
18 by class.

19 (e) The legislature shall review the plan and recommended appropriation from each  
20 public employer and may accept, amend, or reject the plan. If funding for the plan is included  
21 in an appropriation that does not otherwise allocate the amount appropriated, the public employer  
22 shall allocate the funding according to the plan or, if the plan was amended by the legislature,  
23 according to the amended plan. If the funding is insufficient to fully fund the plan, or the  
24 amended plan, if applicable, the employer shall pro rate the amount available among the classes  
25 included in the plan.

26 (f) If a public employer finds that pay inequity exists in a class that is part of a collective  
27 bargaining unit, the employer shall notify the collective bargaining organization representing the  
28 bargaining unit when the employer submits the compensation equity plan to the legislature.  
29 Distribution of any amount appropriated to members of the bargaining unit shall be determined  
30 by the applicable collective bargaining agreement.

31 (g) Notwithstanding AS 23.40.110, it is not an unfair labor practice for a public employer

WORK DRAFT

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1 to specify an amount of money to be used solely to correct inequitable compensation  
2 relationships. The public employer may specify an amount to be used for general salary  
3 increases. AS 39.90.200 - 39.90.300 do not diminish the duty of a public employer to bargain  
4 in good faith under AS 23.40.070 - 23.40.260.

5 Sec. 39.90.220. ~~USE AS EVIDENCE.~~ The pay inequity list and the pay equity plan  
6 prepared under AS 39.90.210 may be used as evidence in a proceeding or action alleging  
7 discrimination.

8 Sec. 39.90.230. PUBLIC EMPLOYER NEGOTIATING POSITIONS. (a) In preparing  
9 to negotiate with a collective bargaining organization representing public employees, and in  
10 preparing the position classification plan and the pay plan for other employees, the public  
11 employer shall assure that compensation for

12 (1) positions in the different services of the employer compare reasonably to one  
13 another;

14 (2) positions in public service bears a reasonable relationship to compensation for  
15 similar positions outside public service;

16 (3) management positions bears a reasonable relationship to compensation of the  
17 employees managed by the positions;

18 (4) positions within one service bears a reasonable relationship among related  
19 classes and among various levels within the same occupations.

20 (b) In this section, the compensations paid to different positions bear a reasonable  
21 relationship to one another if the compensation for positions that require

22 (1) comparable skill, effort, responsibility, and working conditions is comparable;  
23 and

24 (2) differing skill, effort, responsibility and working conditions is proportional to  
25 the skill, effort, responsibility, and working conditions required of the different positions.

26 Sec. 39.90.300. DEFINITIONS. In AS 39.90.200 - 39.90.300,

27 (1) "balanced class" means a class in which no more than 70 percent of the  
28 incumbents are male and no more than 70 percent of the incumbents are female;

29 (2) "class" means one or more positions that have similar duties and  
30 responsibilities and require similar qualifications to perform the duties so that the same  
31 descriptive title can be used with clarity for each position in the class, the same selection

WORK DRAFT

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WORK DRAFT

1 procedures can be used to recruit employees, and the same compensation schedule can be applied  
2 with equity to all positions in the class working under the same or substantially the same  
3 employment conditions;

4 (3) "comparable work value" means the value of the work measured by the  
5 composite of the skill, effort, responsibility, and working conditions normally required in the  
6 performance of the work;

7 (4) "female-dominated class" means a class in which more than 70 percent of the  
8 incumbents are female;

9 (5) "male-dominated class" means a class in which more than 70 percent of the  
10 incumbents are male;

11 (6) "management positions" means those positions accountable for

12 (A) determining, securing, and allocating human, financial, and other  
13 resources needed to accomplish objectives;

14 (B) determining overall objectives, priorities, and policies within a  
15 program area;

16 (C) handling significant and involved relationships with governmental  
17 leadership; or

18 (D) exercising discretionary powers on a regular basis;

19 (7) "public employer" means

20 (A) a department, institution, board, commission, division, authority,  
21 public corporation, committee, or other administrative unit of the executive, judicial, or  
22 legislative branch of state government, including the University of Alaska and the Alaska  
23 State Housing Authority, but not including the Alaska Railroad Corporation; and

24 (B) a school district or regional educational attendance area.

25 \* Sec. 3. (a) Notwithstanding AS 39.90.210(d), enacted by sec. 2 of this Act, a public employer shall  
26 make the initial report to the legislature under AS 39.90.210(d) by January 1, 1995. The initial report  
27 must include

28 (1) the following information for each job class, as of July 1, 1994:

29 (A) the title of the job class, the number of incumbents, and the percentage of  
30 incumbents who are male and the percentage who are female;

31 (B) the comparable work value of the job class as determined under the system

WORK DRAFT

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1 chosen under AS 39.90.210, enacted by sec. 2 of this Act;

2 (C) the minimum and maximum monthly salary authorized for each job class;

3 (2) a description of the job evaluation system used by the public employer;

4 (3) a plan for establishing equitable compensation relationships between female-  
5 dominated and male-dominated job classes, including

6 (A) identification of classes for which a compensation inequity exists based on  
7 the comparable work value of the class;

8 (B) a timetable for implementing pay equity; and

9 (C) the estimated cost of implementing pay equity.

10 (b) If requested by a public employer, the commissioner of administration shall provide technical  
11 assistance in completing the report required by this section.

12 \* Sec. 4. No cause of action arises before the effective date of this Act for failure to comply with  
13 the requirements of this Act.

**Changes made to CSHB 99 (2/11/92) in Finance Subcommittee**

1. Page 2, lines 15-18: **deleted**
2. Page 3, line 10: "compensation inequity" **changed** to "pay inequity"
3. Page 3, line 13: "compensation inequity" **changed** to "pay inequity"
4. Page 3, line 15: "classes in which" **changed** to "classes between which"
5. Page 3, line 17: "equity in compensation" **changed** to "pay equity"
6. Page 3, line 25: after "plan." **sentence added:** "If the legislature does not appropriate money for the plan, the employer shall submit the plan to the next legislature."
7. Page 3, lines 29-30: **deleted**
8. Page 4, lines 1-4: **restructured for clarity** into (g)(1) and (2) and (h). No content changed.
9. Page 4, lines 5-7: **deleted**
10. Page 4, line 24: "proportional" **changed** to "related"
11. Page 5 after line 18: **new definitions added:**
  - (7) 'pay equity' means compensation based on comparable work value;
  - (8) 'pay inequity' means compensation that is not based on comparable work value;"
12. Page 5, line 19: definition (7) **renumbered** to (9)
13. Page 6, line 4: "compensation" **changed** to "pay"
14. Page 6, line 6: "compensation" **changed** to "pay"
15. Page 6, lines 12-13: **deleted**

# REPRESENTATIVE DAVE DONLEY

ALASKA STATE LEGISLATURE  
DISTRICT ELEVEN • SPENARD  
SEAT A  
HEATHER MEADOWS • NORTHWOOD • SPENARD • THOMPSON • TURNAGAIN • UPPER MIDTOWN • WINDEMERE

3111 "C" STREET, SUITE 450  
ANCHORAGE, ALASKA 99503  
(907) 561-7629



CHAIRMAN

LABOR AND COMMERCE COMMITTEE

MEMBER

STATE AFFAIRS COMMITTEE

HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

HOUSING AND BANKING SUBCOMMITTEE

FINANCE BUDGET SUBCOMMITTEE  
DEPT. OF COMMERCE AND  
ECONOMIC DEVELOPMENT

## QUESTIONS AND ANSWERS ABOUT PAY EQUITY

**What is pay equity?** Pay equity is a means of eliminating sex discrimination in the way government sets wages for its employees. Pay equity means that the criteria employers use to set wages must be sex-neutral. Pay equity is required by Title VII of the Civil Rights Act of 1964, which prohibits wage discrimination on the basis of race, color, sex, religion, or national origin.

The legislatures in some states have set up a statutory process for achieving pay equity in public employment. In states that have adopted the voluntary approach, such as Minnesota, the cost of gaining pay equity has been kept low. In other states, such as Washington, pay equity has been achieved only after years of divisive and costly litigation.

**Who needs pay equity?** Women and men who work in jobs that have been undervalued due to sex bias, many of whom provide the sole support for their families. For example, two out of three women workers are single, divorced, widowed, separated, or have husbands earning less than \$15,000 a year. Because everyone in society is harmed by wage discrimination, everyone needs pay equity.

**Will men's wages be reduced if pay equity is implemented?** No. Federal law prohibits reducing pay for any employee to remedy discrimination, and the male workers in female-dominated jobs will benefit when sex discrimination is eliminated. Pay equity means equal treatment for all workers.

**How can you compare jobs?** There are widely accepted methods of evaluating jobs. In evaluating jobs, factors common to all jobs are identified (for example skill, effort, responsibility, and working conditions), points are assigned to each factor, and points are totalled to arrive at a measure of job value.

**Does pay equity eliminate pay differences based on performance and years of service?** No, pay comparisons for purposes of pay equity are based on the maximum pay within a range. Even with pay equity, performance and seniority are both good reasons to pay different amounts to employees who do the same job.

Shouldn't the laws of supply and demand determine wages? Wages are determined by many factors other than supply and demand such as collective bargaining, minimum wage law, and stereotypes about what certain jobs are worth. Despite recent nationwide decreases in the supply of nurses and clerical workers, wages did not increase for these jobs.

Will pay equity hurt the economy? No. This fear is often expressed when legislatures take steps, such as minimum wage and child labor laws, to protect workers. In other states, pay equity in public employment laws have been implemented without disrupting the economy and without an excessive cost. For example, the cost of implementing pay equity in Minnesota state government was less than four percent of payroll.

# Municipality of Anchorage



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TOM FINK  
MAYOR

OFFICE OF THE MAYOR

March 23, 1992

House Finance Committee  
P. O. Box V  
Juneau, Alaska 99811

Dear House Finance Member:

Re: HB 99, Equal Pay for Work of Comparable Worth

The Mayor of the Municipality of Anchorage opposes HB 99, Equal Pay for Work of Comparable Worth. I am not yet sure of the Assembly's position since I vetoed a resolution endorsing the bill (see copy attached). We believe that appropriately defined and administered compensation plans provide the most effective opportunity for ensuring equal pay for equal work. The passage of legislation or regulations that encompass the concept of comparable worth is not necessary, and is inappropriate given our economic system.

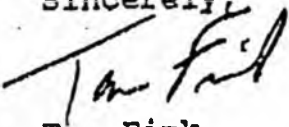
The concept of equal pay for equal work ensures that wages will be established by the free-market process through the forces of supply and demand. Comparable worth, however, would replace this free-market process with a highly costly job evaluation process which would purport to make accurate comparisons of the "comparable work value" of unlike jobs.

The adoption of this legislation will result in significantly higher labor and administrative costs to public institutions. Costs include wage increases, job evaluation studies, additions to staff to administer the implementation and on-going operation of the comparable worth process and litigation. According to a financial impact analysis prepared by the Alaska State Legislature's Legislative Research Agency in March of 1991, the average annual cost of implementation at the local level in Minnesota was between 2.0 and 4.0 percent of payroll. If the same percentage were to be applied to Anchorage, with a current annual payroll of approximately \$155,000,000, the budgetary impact would be between \$3,100,000 and \$6,200,000 annually during the initial implementation period.

The Administration has serious reservations about recommending legislation that increases the cost of government, especially at a time when the state and other public institutions in Alaska are faced with the need to reduce spending.

Finally, the complex issue of comparing the relative value of unlike jobs has not been addressed definitively by the courts or the human resource management profession and until they do so the concept of comparable worth will continue to be vague, subject to serious question in a free-market economy, and suggestive of a further serious erosion of an employer's management rights. A better solution to any pay discrimination problem is the continued enforcement of the Equal Pay Act and the Equal Employment Opportunity Act.

Sincerely,



Tom Fink  
Mayor

sw\comp.wol

# MUNICIPALITY OF ANCHORAGE

## MEMORANDUM

DATE: March 23, 1992  
TO: Municipal Clerk  
FROM: Mayor Fink *Tom Fink*  
SUBJECT: AR 92-74, A RESOLUTION SUPPORTING CS HB99 RE EQUITABLE COMPENSATION

1 I hereby veto the above resolution. Comparable worth has nothing  
2 to do with comparable or equal pay. Comparable worth legislation  
3 has to do with a government agency imposing a wage scale. Under  
4 comparable worth law some government agency determines if a nurse  
5 should be paid the same amount as a plumber or makes that type of  
6 decision.

7  
8 Currently, the employer makes the decision of the value of the  
9 work, or the employee determines what he's worth by his willingness  
10 to work, or the value of a particular job is determined through  
11 collective bargaining. This notion of comparable worth throws that  
12 all out the window.

13  
14 Government tries to do so many things for which it is not compe-  
15 tent. This concept adds a new incompetency of some bureaucratic  
16 bureau or commission making a final determination as to comparable  
17 value of different types of jobs.

18  
19 It is totally inconceivable to me, particularly in this day and  
20 age, that we would want government to add a new control over our  
21 lives by government deciding what different jobs are of equal  
22 value. I say particularly today since Eastern Europe after 70  
23 years has gone through a momentous change in throwing out this type  
24 of government control.

25  
26 Comparable worth legislation may, in some cases, increase the pay  
27 of some jobs which are predominantly held by women. However, it  
28 will do that at a tremendous cost to our society and will create  
29 far more inequities than we currently have.

**FOR IMMEDIATE RELEASE:****February 14, 1992****EMPLOYEES UNION SAYS STATE  
DISCRIMINATES ON WOMEN'S WAGES**

**JUNEAU—Women working for the state of Alaska are paid 33 percent less than men, according to research results released today by the Alaska State Employees Association.**

**On average, for every dollar a man makes in state government, a woman earns only 67 cents, according to the ASEA research. ASEA/AFSCME Local 52 is the largest union in Alaska, representing approximately 9,000 men and women working in state government.**

**"The state of Alaska definitely discriminates against women," said Sherry Saunders, co-chair of ASEA's Women's Issues Committee, which asked the union to research the state's payroll records. The research results were released by the union today at press conferences in Anchorage, Fairbanks and Juneau. Saunders works for the state in Kodiak.**

**"We took the October 15, 1991, state payroll and analyzed it by computer," explained committee co-chair Alma Seward. "The analysis showed that the state pays women 67 cents for every dollar paid to men. It was very discouraging news," said Seward, who works for the state in Juneau.**

**Seward said the union's research showed that three out of four state employees work in job classes that are either 70 percent or more male-dominated, or 70 percent or more female dominated.**

**"When we compared the male- and female-dominated job classes, the inequity jumped out at us," Seward said. "If an employee is in a female job class, she earns 67 cents compared to employees earning a dollar in the male-dominated job classes," she said.**

**(more)**

**Wage discrimination  
Page two**

**Seward said the union's findings came as a surprise. "Women and unions have known for years that sex discrimination is alive and well in the workplace, but 67 cents to the dollar is quite a difference," she said.**

**Both Saunders and Seward said the findings validate support for House Bill 99, now before the Alaska Legislature. Introduced by Rep. Dave Donley, D-Anchorage and chairman of the House Judiciary Committee, the bill would require the state to pay women and other minorities at comparable rates to men, provided the work they do is comparable as well.**

**"People should be paid depending on the requirements of the job, not on whether men or women have traditionally done the work," Seward said. "If two jobs require a high school diploma, a year of experience, and have comparable hazards and responsibilities, both jobs should be paid equally. Comparable jobs should have comparable pay," she said. "Currently, secretaries are paid less than janitors in state government. Women are paid less than men. It has got to stop and passage of House Bill 99 is a step in the right direction."**

**To achieve its research results, the committee created a data base of the number of men and women in all job classes paid on the October 15, 1991, state payroll and included minimum and maximum hourly rates of pay for all state job classes. Over 98 percent of the job classes had known salaries, and 872 state job classifications representing 12,132 employees were analyzed," Seward said.**

**That research showed that 4,365 employees were in classes with 70-100 percent women, and that 4,861 employees work in classes with 70-100 percent men. The median entry pay in those classes dominated by females was \$12.25 an hour, while the median entry pay in the male-dominated classes was \$18.04 an hour.**

**The research showed that some 2,956 state employees worked in classes of relatively equal gender balance. Classes researched included everything from top management to entry level clerical positions.**

**(more)**

**Wage discrimination  
Page three**

**"ASEA/AFSCME Local 52 is mobilizing for an all out effort to make comparable worth the law of this state," said ASEA President Paul DeSloover. "We are contracting with radio stations to take our message to the voters, and we encourage all concerned Alaskans to sign our petitions and to write their legislators and the governor to let them know that comparable pay for work of comparable worth is both a fair thing to do and the right thing to do. We encourage all concerned Alaskans to work for passage of House Bill 99," he said.**

**-30-**

**For further information, contact:  
In Anchorage--Diane Hodges, Buddy Maupin at 277-5200  
In Fairbanks--Richard Seward at 452-2300  
In Juneau--Peggy Weaver, Jon Stables at 463-4949**



ALASKA STATE EMPLOYEES ASSOCIATION  
AFSCME Local 52, AFL-CIO

ALASKA STATE EMPLOYEES ASSOCIATION, AFSCME #52

WOMEN'S ISSUES COMMITTEE

Sherry Saunders and Alma Seward, Co-Chairs

COMPARABLE WORTH PAY EQUITY

Initial Report

Release Date: February 14, 1992

Prepared by Richard Seward

INTRODUCTION:

The ASEA AFSCME Local 52 Women's Issues Committee directed Business Agent Richard Seward to prepare an initial analysis of wage trends for employees of the State of Alaska. The Committee hypothesized that employees in female dominated job classes were paid substantially less than employees in male dominated job classes.

This initial report will be followed in March 1992 by a preliminary comparable worth analysis prepared by the American Federation of State County and Municipal Employees.

METHOD:

The State of Alaska, Department of Administration, Division of Personnel and Equal Employment Opportunity supplied the Union with the following raw data:

- a. Payroll 10/15/91 sorted by job classification and number of men, women, and unknown gender employees in each classification.
- b. List of job classifications and classification codes for the State of Alaska.

The Union obtained the following pay scales showing both salary and equivalent hourly wage:

- a. General Government Unit wage scale for pay ranges 5 through 27.
- b. Public Safety Officers wage scale for pay ranges 71 through 79.
- c. Labor Trades and Crafts wage scale for pay ranges 50 through 60.

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FAIRBANKS OFFICE  
315 Barnette Street, Suite 104  
Fairbanks, AK 99701  
(907) 452-2300 FAX (907) 452-2307  
TOLL free: 800-478-2305

d. Partially Exempt wage scale for pay ranges 28 and 29.

Minimal differences exist between the General Government Unit wage scale and other State wage scales using ranges 5 through 27 such as the Supervisory Unit and Confidential Employees Unit scales. The General Government Unit scale is applied to a majority of state employees and all members of ASEA AFSCME #52.

A data base was created on Microsoft Works capturing:

1. Job Classification
2. Job Classification Code
3. Total Employees in Job Classification
4. Total Men in Job Classification
5. Total Women in Job Classification
6. Percentage Men in Job Classification
7. Percentage Women in Job Classification
8. Pay Range for Job Classification
9. Minimum Wage Per Hour for Pay Range
10. Maximum Wage Per Hour for Pay Range

The data base was transferred to Microsoft Works spreadsheets for sorting, reporting, and charting.

#### INITIAL ANALYSIS:

1041 records were captured in the data base. Of these total job classifications, 123 had no employees paid 10/15/91. An additional 46 job classes held 204 employees for which the Union was unable to determine a pay range. These 204 employees represent 1.65% of the total employees paid.

The remaining 872 job classifications contained 12,182 employees paid on the 10/15/91 payroll.

#### A. Sex Dominated Job Classifications

The Union decided that 70% of either men or women in a job class would define a job class as either "male dominated" or "female dominated." 70% was chosen as the definition because 70% was the defining percentage in Washington State courts.

The Union found 254 female dominated job classifications containing 4,365 employees. 415 job classification were male dominated and contained 4,861 employees. There are 203 job classes containing a 31% to 69% gender balance. Gender balanced classes contain 2,956 employees.

For the October 15, 1991 payroll, 76% of State employees were in gender dominated job classifications.

### 3. Wages

The male dominated, gender balanced, and female dominated job classifications sub-groupings were each sorted by wage. The Union found the following relationships among the wages (assuming the male dominated job maximum wage equals \$1.00):

Job Class Category	Number Job Classes	Number Workers	Median Minimum Hourly Wage	Median Maximum Hourly Wage	Percent Total Workers
Female Dominated	254	4365	\$ .50	\$ .66	36%
Gender Balanced	203	2956	\$ .73	\$ 1.00	24%
Male Dominated	415	4861	\$ .73	\$ 1.00	40%

(Female Median = Range 12 GGU, Other Median = Range 16 GGU)

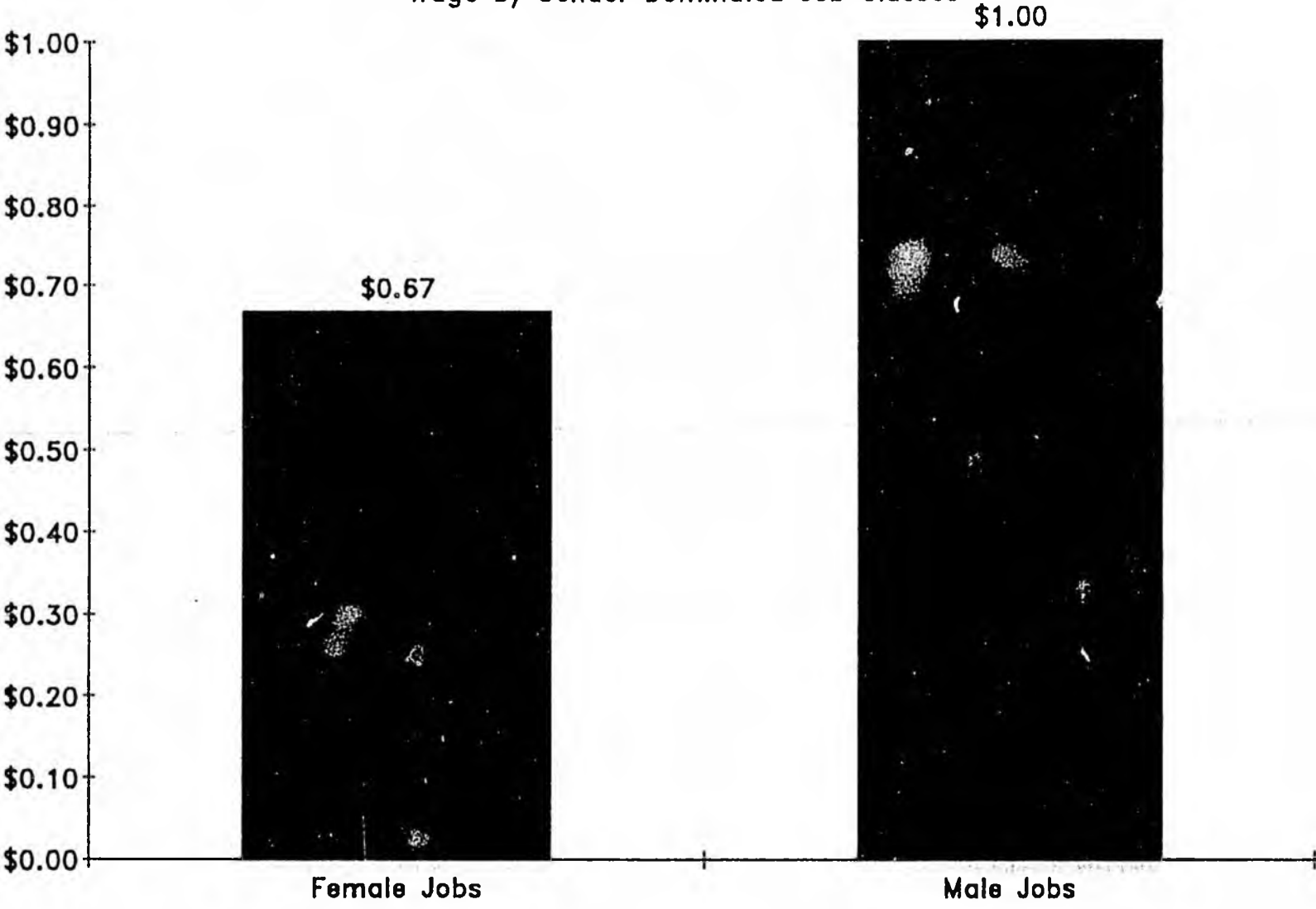
By striking a mean between the minimum and the maximum hourly rates in the median pay ranges, the Union finds:

For every dollar earned in a male dominated job, an employee earns 67 Cents in a female dominated job.

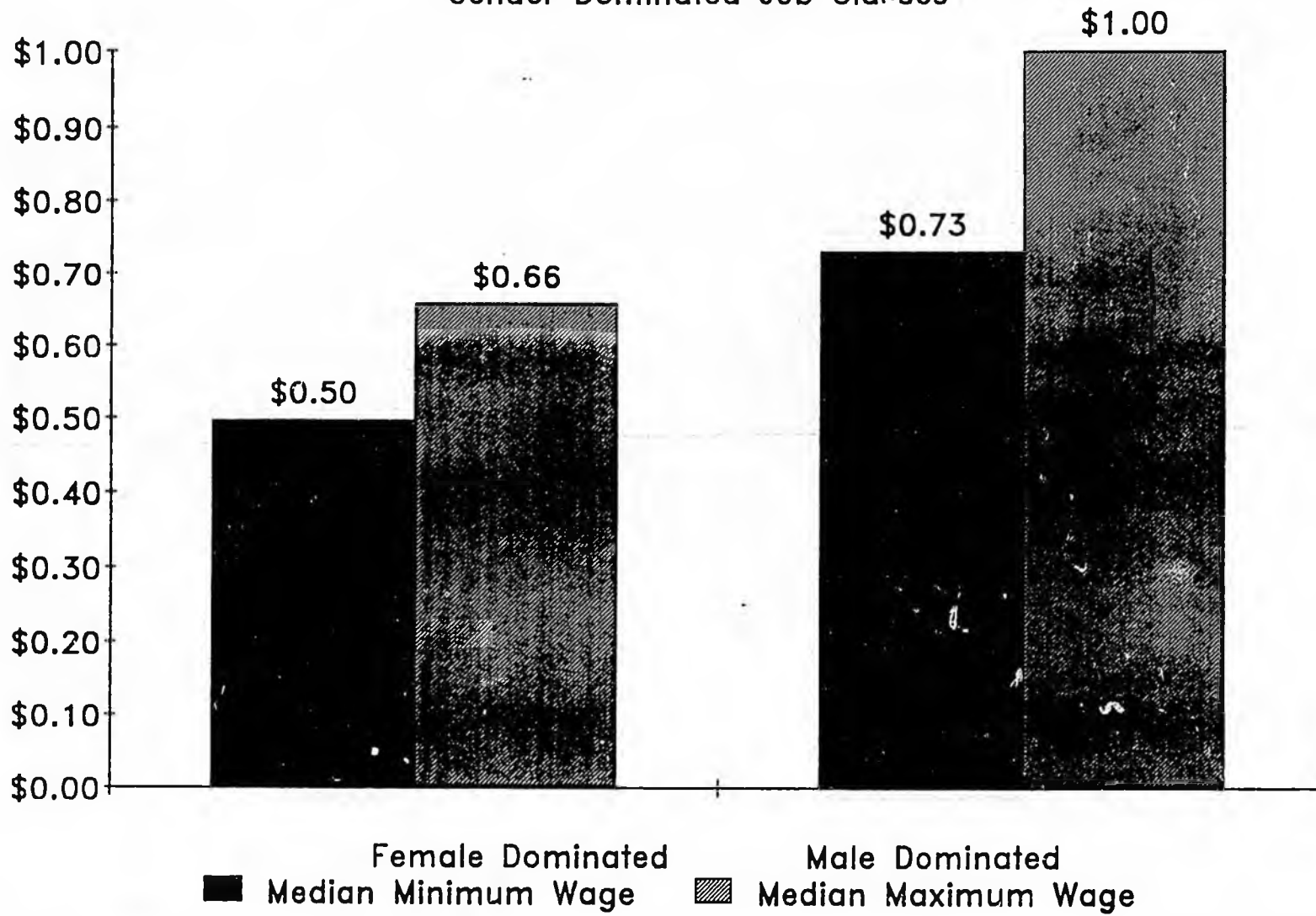
#### CONCLUSION:

The ASEA AFSCME #52 Women's Issues was correct in suggesting sex discrimination in the State of Alaska pay system. Further study, such as that proposed in HB 99 will determine the extent to which comparable worth pay will end this apparent sex discrimination.

State of Alaska, October 1991 Payroll  
Wage By Gender Dominated Job Classes



State of Alaska 10/15/91 Payroll  
Gender Dominated Job Classes



PLEASE MICROFILM TOP PAGE ONLY

DOCUMENTS WHICH HAVE NOT BEEN  
FILMED BUT ARE AVAILABLE IN THE  
ORIGINAL FILE INCLUDE:

- letters of support
- miscellaneous reports regarding  
pay equity
- news clippings