

# HOUSE RESEARCH

## Bill Summary

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### Article 1: Women's Economic Security Act

#### 1 Section

1 **Citation.** Specifies that the act is to be known as the Women's Economic Security Act.

### Article 2: Economic Security

2 **Equal pay certificate of compliance.** Inserts a cross-reference in the data practices act, stating that access to data relating to equal pay certificates of compliance is governed by section 6 of this article.

3 **Membership.** Adds a non-voting, advisory member to the Governor's Workforce Development Council to represent those with expertise in assisting women to obtain high-wage, high demand, nontraditional jobs.

4 **Women in high wage, high demand, nontraditional jobs grant program.** Establishes a grant program to increase the number of women in high wage, high demand non traditional occupations and sets the permitted use of grant funds.

5 **Quit.** Adds sexual assault and stalking to the list of reasons that provide an exception to the denial of unemployment benefits to applicants that quit employment.

## Section

**6 Employment misconduct defined.** Adds that conduct that was a consequence of sexual assault and stalking are not employment misconduct.

**7 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 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.

**8 High wage, high demand, nontraditional jobs program appropriation.** Provides an appropriation.

**9 Women entrepreneurs business development appropriation.** Provides an appropriation

## Section

for a grant program to Women Venture and the Women's Business Center of Northeastern Minnesota to promote the creation and expansion of women-owned businesses in Minnesota.

- 10 Women and high wage, high demand, nontraditional jobs apprenticeships; appropriation.** Provides funding for apprenticeship program activities to educate, promote, assist and support women in high wage, high demand, nontraditional job apprenticeship programs.
- 11 Report; Retirements savings plan.** Directs the commissioner of management and budget to report to the legislature by January 1, 2015 on the potential for a state administered retirement saving plan for those without access to automatic enrollment payroll deduction IRAs or other similar retirement savings plans.
- 12 Retirement savings plan; appropriation.** Provides funding for the report required under section 11.
- 13 Report; pay equity.** Directs the commissioner of human rights to report to the legislature on the number of pay equity certificates issues by the department by January 31, 2016.
- 14 Appropriation; pay equity.** Provides ongoing funding to the department of human rights for implementing the pay equity provisions of the act.

## **Article 3: Labor Standards and Wages**

- 15 Employee.** Modifies the definition of employee to align with definitions under the federal family and medical leave act.
- 16 Pregnancy and parenting leave.** Provides for 12 weeks of leave for pregnancy and parenting.
- 17 Sick leave benefits; care of relatives.** Expands the use of personal sick leave to cover the care of grandchildren and in circumstances of domestic abuse, sexual assault, and stalking.
- 18 Pregnancy accommodations.** Requires employers to provide reasonable accommodations for employees for conditions related to pregnancy, childbirth or related health conditions if the employee requests accommodation. Also requires employers to temporarily transfer a pregnant female employee to a less strenuous or hazardous position for the duration of the pregnancy if the transfer does not impose an undue hardship on the employer. Prohibits retribution.
- 19 Relationship to other leave.** Specifies that parental or pregnancy leave may be reduced by any period of paid parental, disability, personal, medical or sick leave, accrued vacation or leave taken for the same purpose under federal law.

## Section

### **Article 4: Employment protections**

- 20**      **Nursing mothers.** Modifies language related to nursing mothers to add that the space must be shielded from view and free from intrusion and must include access to an electrical outlet. Makes a violation subject to the human rights act.
- 21**      **Family caregiver.** Defines family caregiver as a person who cares for another person that is related by blood, marriage or legal custody or with whom the person lives in a familial relationship.
- 22**      **Labor organization.** Prohibits labor organizations from discrimination against family caregivers or on the basis of familial status.
- 23**      **Employer.** Prohibits employers from discrimination against family caregivers or on the basis of familial status.
- 24**      **Employment agency.** Prohibits employment agencies from discrimination against family caregivers or on the basis of familial status.
- 25**      **Employer, employment agency or labor organization.** Prohibits requests for information about a person's familial status or status as a family caregiver.
- 26**      **Nursing mothers.** Provides a cross reference in the human rights act to section 1.
- 27**      **Wage disclosure protection.** Prohibits employers from requiring nondisclosure of a person's wages as a condition of employment, requiring them to sign a waiver of rights for disclosure of wage information, or from taking an adverse employment action for disclosing wages. Provides for safeguards for proprietary information, trade secret information and other information.

### **Article 5: Early Childhood**

- 1**      **Administration.** Directs the commissioner of education to establish a target for the average scholarship amount per child based on results of a rate survey.