

ASSEMBLY, No. 883

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblywoman ELIZABETH MAHER MUOIO

District 15 (Hunterdon and Mercer)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

SYNOPSIS

Requires bidder on State contract to be evaluated on report of its gender-based pay equity and job equality standards for its employees.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT requiring bidder on State contract to be evaluated on report
2 of its gender-based pay equity and job equality standards for its
3 employees and supplementing Title 52 of the Revised Statutes
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. a. The Division of Purchase and Property in the State
9 Department of the Treasury shall require every bidder on a contract
10 or agreement to provide goods or services to the State to submit a
11 report to the division that measures the extent to which men and
12 women employed by that bidder perform the same or comparable
13 work at different rates of pay and the extent to which job titles
14 within that entity may be predominately held by members of the
15 same gender. The division shall develop a system for bidders to use
16 to measure and remedy gender-based pay gaps and gender-based
17 segregation of job titles. The division shall develop uniform
18 reporting instructions and criteria and shall provide prospective
19 bidders with technical assistance in complying therewith. Reports
20 submitted by bidders shall be assigned a rating that indicates the
21 extent to which the bidder is free of gender-based pay inequity and
22 gender-based segregation of job titles. A contract shall be awarded
23 to the bidder whose bid, conforming to the invitation for bids, will
24 be most advantageous to the State, price and other factors, including
25 the rating on this report, considered.

26 b. The provisions of this section shall not apply to any contract
27 when the public exigency requires the immediate delivery of goods
28 or performance of services.

29 c. The provisions of this section shall not apply to any contract
30 that is paid for in whole or in part with federal funds if application
31 thereto would affect eligibility to receive those funds.

32 d. The division shall promulgate, pursuant to the
33 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
34 seq.), rules and regulations to effectuate the purposes of this act.
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36 2. This act shall take effect one year next following enactment,
37 except the division may take any anticipatory administrative action
38 in advance as shall be necessary for the implementation of this act.
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42 STATEMENT

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44 This bill would require the Division of Purchase and Property in
45 the State Department of the Treasury to require every bidder on a
46 contract or agreement to submit a report to the division that
47 measures the extent to which men and women employed by that
48 bidder perform the same or comparable work at different rates of
pay and the extent to which job titles within that entity may be

1 predominately held by members of the same gender. The division
2 will develop a system for bidders to use to measure and remedy
3 gender-based pay gaps and gender-based equality within job titles.
4 The division will develop uniform reporting instructions and criteria
5 and provide prospective bidders with technical assistance in
6 complying therewith. Reports submitted by bidders will be
7 assigned a rating that indicates the extent to which the bidder is free
8 of gender-based pay inequity and inequality within job titles. A
9 contract will be awarded to the bidder whose bid, conforming to the
10 invitation for bids, will be most advantageous to the State, price and
11 other factors, including the rating on this report, considered.

12 The bill's provisions will not apply to any contract when the
13 public exigency requires the immediate delivery of goods or
14 performance of services or to any contract that is paid for in whole
15 or in part with federal funds if application thereto would affect
16 eligibility to receive those funds. The division will adopt rules and
17 regulations to effectuate the bill's purpose. The bill will take effect
18 one year after enactment but the division may take any anticipatory
19 administrative action in advance as may be necessary for its
20 implementation.