SENATE, No. 1286

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 10, 2020

Sponsored by:
Senator SHIRLEY K. TURNER
District 15 (Hunterdon and Mercer)

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

As introduced.

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

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. The Division of Purchase and Property in the State Department of the Treasury shall require every bidder on a contract or agreement to provide goods or services to the State to submit a report to the division that measures the extent to which men and women employed by that bidder perform the same or comparable work at different rates of pay and the extent to which job titles within that entity may be predominately held by members of the same gender. The division shall develop a system for bidders to use to measure and remedy gender-based pay gaps and gender-based segregation of job titles. The division shall develop uniform reporting instructions and criteria and shall provide prospective bidders with technical assistance in complying therewith. Reports submitted by bidders shall be assigned a rating that indicates the extent to which the bidder is free of gender-based pay inequity and gender-based segregation of job titles. A contract shall be awarded to the bidder whose bid, conforming to the invitation for bids, will be most advantageous to the State, price and other factors, including the rating on this report, considered.

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

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

d. The division shall promulgate, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to effectuate the purposes of this act.

2. This act shall take effect one year next following enactment, except the division may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

STATEMENT

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

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

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