



General Assembly

January Session, 2009

Proposed Bill No. 362

LCO No. 1848

Referred to Committee on Labor and Public Employees

Introduced by:
SEN. CALIGIURI, 16th Dist.

AN ACT CONCERNING EQUAL PAY FOR EQUAL WORK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 That title 31 of the general statutes be amended to require that, if
2 an employee can demonstrate that its employer discriminates between
3 employees on the basis of sex by paying wages to employees at that
4 business at a rate less than the rate at which the employer pays wages
5 to employees of the opposite sex in such business for equal work on
6 the jobs, the performance of which requires equal skill, effort and
7 responsibility, and which are performed under similar working
8 conditions, such employer must demonstrate that such differential in
9 pay is made pursuant to (1) a seniority system; (2) a merit system; (3) a
10 system which measures earnings by quantity or quality of production;
11 or (4) a differential based on a bona fide factor other than sex, such as
12 education, training or experience. Said bona fide factor defense shall
13 apply only if the employer demonstrates that such factor (A) is not
14 based upon or derived from a sex-based differential in compensation;
15 (B) is job related with respect to the position in question; and (C) is
16 consistent with business necessity. Such defense shall not exist where
17 the employee demonstrates that an alternative employment practice

18 exists that would serve the same business purpose without producing
19 such differential and that the employer has refused to adopt such
20 alternative practice.

Statement of Purpose:

To require equal pay for equal work.