



## CONNECTICUT

**TESTIMONY OF  
NATIONAL FEDERATION OF INDEPENDENT BUSINESS (NFIB)  
CONCERNING  
HB-5591; AAC PAY EQUITY IN THE WORKFORCE  
BEFORE THE  
LABOR & PUBLIC EMPLOYEES COMMITTEE  
FEBRUARY 16, 2017**

*A non-profit, non-partisan organization founded in 1943, NFIB is Connecticut's and the nation's leading small-business association. In Connecticut, NFIB represents thousands of members and their employees. NFIB membership is scattered across the state and ranges from sophisticated high technology enterprises to "Main Street" small businesses to single-person "Mom & Pop" shops that operate in traditional ways. NFIB's mission is "To promote and protect the right of its members to own, operate, and grow their businesses." On behalf of those small- and independent- job-providers in Connecticut, NFIB/Connecticut offers the following comments:*

**NFIB/Connecticut** supports gender pay equity as has been the longstanding law in Connecticut. But House Bill 5591 does not appear to be about enforcing the legal requirements of pay equity, which already exist and are protected by state and federal laws. Rather, NFIB/Connecticut is concerned that this bill may serve to open up small business owners to additional litigation. While only in proposed bill form at the moment, this bill seeks to require all employers to provide equal pay based upon "comparable" duties. Small business owners are concerned that this would be a disconcerting shift away from the current "equal pay" merit/seniority/incentive based system and could expose them to litigation challenging whether or not they applied the correct worth to different jobs. Additionally, it is unclear from the bill as to how, and by whom, such a standard would even be determined. Would it ultimately be left up to government bureaucrats or the courts to decide? Neither would be a welcome scenario for small business owners who struggle to maintain compliance with ever-changing workplace laws and regulations, often without the assistance of a full-time human resources or legal department. While no doubt well intended, this bill unfortunately may or may not close a wage gap created by gender bias or perhaps even other factors which are not accounted for in the legislation at present, but in the midst could adversely impact small business owners.

Small business owners often talk about the costs and uncertainty of doing business Connecticut, both real and perceived. Unfortunately, this bill potentially threatens to again add to those costs and uncertainties for many small businesses by micromanaging their personnel operations beyond current state and federal legal requirements and increasing exposure to potentially frivolous lawsuits. While pay equity is a goal that NFIB/CT and our members support and share with the proponents of this legislation, rather than enacting new laws, a more appropriate focus for the legislature may be to examine better ways to enforce the current laws to ensure gender pay equity in Connecticut. Therefore, NFIB/CT suggests no action on House Bill 5591 at this time.

Thank you for the opportunity to comment and for your consideration of NFIB's concerns on behalf of small business. For any questions or additional information, please contact Andy Markowski, NFIB/Connecticut State Director, at 860-248-NFIB.