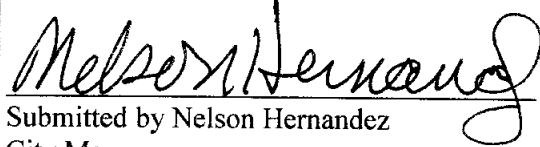




City of Carson Report to Mayor and City Council

May 20, 2014
New Business Consent

**SUBJECT: CONSIDER RESOLUTION NO. 14-046 URGING THE U.S. SENATE TO
RECONSIDER THE PAYCHECK FAIRNESS ACT**


Submitted by Nelson Hernandez
City Manager


Approved by Nelson Hernandez
City Manager

I. SUMMARY

This item is on at the request of Mayor *Pro Tem* Santarina.

On April 9, 2014, the Paycheck Fairness Act failed in the U.S. Senate. The bill was authored by Sen. Mikulski (D-MD). The Paycheck Fairness Act would have amended the portion of the Fair Labor Standards Act of 1938 known as the Equal Pay Act (EPA) to revise remedies for, enforcement of, and exceptions to prohibitions against sex discrimination in the payment of wages. Ultimately, it was meant to protect women from retaliation if they talk about their salary with their co-workers. The City Council is asked to consider supporting Resolution No. 14-046 which urges the U.S. Senate to reconsider the Paycheck Fairness Act (Exhibit No. 1).

II. RECOMMENDATION

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 14-046, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, URGING THE SENATE TO RECONSIDER THE PAYCHECK FAIRNESS ACT"
2. DIRECT staff to transmit an executed copy of the resolution to Congresswoman Janice Hahn, U.S. Senators Dianne Feinstein and Barbara Boxer, State Senators Ted Lieu and Roderick Wright and Assemblymember Isadore Hall, III.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

The Paycheck Fairness Act would attempt to close the gender pay gap by protecting women from retaliation if they talk about their salary with their co-workers. Salary transparency is important because when women know the salary of their colleagues it allows women the information they need to negotiate and ask to be paid fairly and equally to men.

3

Proponents have said that more must be done to close the pay gap between men and women, particularly with much greater participation by women in the workforce since the Equal Pay Act became law. Opponents have said that the proposed new law misdiagnoses the problem, questioning the data cited by its supporters, and would unfairly harm small businesses during the economic recovery. The City of Carson fully discloses salaries without adverse impact and in fact full disclosure provides greater pay equity. Carson has a number of successful and hard-working women that would have clearly benefited from the passage of the Paycheck Fairness Act

Opponents of opposed the bill claimed the measure would mean redundant legislation that is looking to solve a problem that, legally at least, does not exist because discrimination is already outlawed under the EPA. Proponents argued the Paycheck Fairness Act is necessary specifically because the EPA falls short in protecting women.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Resolution No. 14-046. (pgs. 3-4)
2. GovTrack Status of S. 84 The Paycheck Fairness Act. (pgs. 5)

Prepared by: Lisa Berglund, Principal Administrative Analyst

Document 14

TO: Rev05-07-2014

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Public Works
Community Development	Community Services

Action taken by City Council

Date _____ Action _____

RESOLUTION NO. 14-046

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON,
CALIFORNIA, URGING THE U.S. SENATE TO RECONSIDER THE
PAYCHECK FAIRNESS ACT

WHEREAS, on April 9, 2014, the Paycheck Fairness Act failed in the U.S. Senate; and

WHEREAS, the Paycheck Fairness Act would have amended the portion of the Fair Labor Standards Act of 1938 known as the Equal Pay Act to revise remedies for, enforcement of, and exceptions to prohibitions against sex discrimination in the payment of wages; and

WHEREAS, the Paycheck Fairness Act would have attempted to close the gender pay gap by protecting women from retaliation if they talk about their salary with their co-workers; and

WHEREAS, salary transparency is important because when women know the salary of their colleagues it allows women the information they need to negotiate and ask to be paid fairly and equally to men; and

WHEREAS, research is important because when statistics are presented and employers are aware of a disparity, then it gives employers the information they need to actually make the necessary changes in the workplace; and

WHEREAS, the City of Carson has a number of successful and hard-working women that would benefit from the passage of the Paycheck Fairness Act; and

WHEREAS, the City of Carson finds that the Paycheck Fairness Act is a progressive and sound amendment to the Equal Pay Act;

NOW, THEREFORE, BE IT RESOLVED that the City of Carson strongly urges the U.S. Senate to reconsider the Paycheck Fairness Act.

PASSED, APPROVED and ADOPTED this 20th day of May, 2014

Mayor Jim Dear

ATTEST:

EXHIBIT NO. 01



City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

City Attorney



Check out what's new on GovTrack (<https://www.govtrack.us/blog/2014/05/12/govtracks-winter-updates/>). X


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S. 84: Paycheck Fairness Act

Introduced: Jan 23, 2013

Status: Referred to Committee on Jan 23, 2013

Prognosis 1% chance of being enacted

See Instead: [S. 2199 \(/congress/bills/113/s2199\)](#) (same title)

Failed Cloture — Apr 09, 2014

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OVERVIEW

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EXHIBIT NO. 02