

Pay Equity Issues & Insights Blog



Mississippi Reps Propose Pay Equity Law

By *Brian Wadsworth*

Continuing the recent trend in equal pay legislation, four representatives of the Mississippi Legislature introduced House Bill No. 9 earlier this month. Known as the “Evelyn Gandy Fair Pay Act” (named after the first woman to be elected as Lieutenant Governor of Mississippi), the bill seeks to “prohibit wage discrimination against women.”

If signed into law, the bill will prohibit discriminatory “compensation decisions” or “other practices.” An unlawful employment practice would occur “each time wages, benefits, or other compensation is paid, resulting, in whole or in part, from such a decision or other practice.”

In a unique twist, because Mississippi does not have a general anti-discrimination statute that applies to private employers, the bill makes discriminatory compensation decisions and other practices a violation of Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973.

In addition to other relief already provided by law, the bill allows up to two years of back pay where unlawful practices that occur during “the charge filing period” are “similar or related to” unlawful practices “that occurred outside the time for filing a charge.” While it is not clear, the references to “charge” appear to refer to charges filed at the EEOC, as Mississippi does not have a state administrative agency to process discrimination claims.

House Bill No. 9 is not the first attempt by Mississippi Representatives to pass a fair pay act into law. In fact, Mississippi democrats introduced similar bills in the legislature in previous years with no success. If House Bill No. 9 is passed into law, it will become effective immediately. We will continue to monitor its progress.

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