

By: Representatives Baria, Hughes, Karriem,
Crawford

To: Workforce Development;
Judiciary A

HOUSE BILL NO. 9

1 AN ACT TO CREATE THE "EVELYN GANDY FAIR PAY ACT"; TO PROVIDE
2 THAT THE LEGISLATURE DISCOURAGES WAGE DISCRIMINATION AGAINST
3 WOMEN; TO CLARIFY WHEN AN UNLAWFUL EMPLOYMENT PRACTICE OCCURS; TO
4 CLARIFY THE REMEDIES FOR SUCH DISCRIMINATION; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** This act shall be known as the "Evelyn Gandy Fair
8 Pay Act."

9 **SECTION 2.** The Mississippi Legislature finds that Edythe
10 Evelyn Gandy was the first female elected to a statewide office as
11 State Treasurer, she was the first female Insurance Commissioner,
12 and the first female Lieutenant Governor. Her election as the
13 first female Lieutenant Governor was groundbreaking because she
14 was the first woman in the United States to hold such a seat in
15 state government. In each office to which she was elected, she
16 was paid the same as any male predecessor. Her achievements are
17 evidence that women are just as competent and effective as men.

18 We recognize the importance of taking the necessary measures
19 to prohibit wage discrimination against women, because we believe



20 it is fair that women be paid the same amount that a man in the
21 same job position would be paid for the same work.

22 **SECTION 3.** (1) An unlawful employment practice occurs, with
23 respect to discrimination in compensation in violation of Title
24 VII of the Civil Rights Act of 1964, the Age Discrimination in
25 Employment Act of 1967, the operation of the Americans with
26 Disabilities Act of 1990 and the Rehabilitation Act of 1973, when
27 a discriminatory compensation decision or other practice is
28 adopted, when an individual becomes subject to a discriminatory
29 compensation decision or other practice, or when an individual is
30 affected by application of a discriminatory compensation decision
31 or other practice, including each time wages, benefits, or other
32 compensation is paid, resulting, in whole or in part, from such a
33 decision or other practice.

34 (2) In addition to any other relief authorized by state or
35 federal law and notwithstanding any provision of state law to the
36 contrary, liability may accrue and an aggrieved person may obtain
37 relief as provided by law, including recovery of back pay for up
38 to two (2) years preceding the filing of the charge, where the
39 unlawful employment practices that have occurred during the charge
40 filing period are similar or related to unlawful employment
41 practices with regard to discrimination in compensation that
42 occurred outside the time for filing a charge.

43 **SECTION 4.** This act shall take effect and be in force from
44 and after its passage.

