

By: Representatives Clarke, Summers, Stamps,
Bailey, Bell (65th), Brown (70th), Denton,
Gibbs (72nd), Hudson, McCray, Porter, Taylor,
Thompson

To: Workforce Development;
Judiciary A

HOUSE BILL NO. 1278

1 AN ACT TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE A
2 WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF THE
3 OPPOSITE SEX IN THE SAME ESTABLISHMENT IS PAID FOR EQUAL WORK ON A
4 JOB, THE PERFORMANCE OF WHICH REQUIRES EQUAL SKILL, EFFORT AND
5 RESPONSIBILITY, AND WHICH IS PERFORMED UNDER SIMILAR WORKING
6 CONDITIONS; TO PROVIDE THAT AN EMPLOYEE MAY FILE A PETITION IN THE
7 PROPER CIRCUIT COURT; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) No employer may pay an employee a wage at a
10 rate less than the rate at which an employee of the opposite sex
11 in the same establishment is paid for equal work on a job, the
12 performance of which requires equal skill, effort and
13 responsibility, and which is performed under similar working
14 conditions, except where payment is made pursuant to a
15 differential based on:

16 (a) A seniority system;

17 (b) A merit system;

18 (c) A system which measures earnings by quantity or
19 quality of production; or

20 (d) Any factor other than sex.



21 (2) Subsection (1) of this section creates an actionable
22 right in Mississippi for any person who is an employee and who
23 believes that such person's employer has violated the provisions
24 of subsection (1) of this section. Any employee who is aggrieved
25 under subsection (1) of this section may file a petition in the
26 proper circuit court in Mississippi.

27 If an employer is found to have violated the provisions of
28 subsection (1) of this section, the employee shall be awarded
29 reasonable remedies as provided by federal law for violations of
30 Title VII or Title IX.

31 **SECTION 2.** This act shall take effect and be in force from
32 and after July 1, 2021.

