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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2033

01/30/2012 Authored by Downey

The bill was read for the first time and referred to the Committee on Government Operations and Elections

02/08/2012 Adoption of Report: Pass and re-referred to the Committee on State Government Finance

1.1 A bill for an act
1.2 relating to state government; proposing the Equal Pay and Benefits Act;
1.3 providing a method for determining public employee compensation; proposing
1.4 coding for new law in Minnesota Statutes, chapter 15A.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. CITATION.

1.7 This act may be known as the "Equal Pay and Benefits Act."

1.8 Sec. 2. [15A.25] STATE EMPLOYEE COMPENSATION.

1.9 Subdivision 1. Future compensation. (a) The commissioner of management and
1.10 budget must contract for a compensation study for legislative and executive branch
1.11 position descriptions. The study must compare the total compensation, including salary
1.12 and benefits, of each position description with positions in the private sector in which the
1.13 skill, effort, responsibilities, and working conditions are similar. The commissioner must
1.14 report the results of the study by March 1, 2013.

1.15 (b) By July 1, 2013, each legislative and executive branch employer must implement
1.16 compensation for each position for its employees that, as nearly as practicable, is
1.17 comparable to the compensation of private sector positions with similar skill, effort,
1.18 responsibilities, and working conditions, as determined by the commissioner under
1.19 paragraph (a).

1.20 Subd. 2. Contracts. An employer may not:

1.21 (1) enter into a new contract or collective bargaining agreement that changes
1.22 compensation in a manner that conflicts with this section; or

2.1 (2) extend an expired contract or collective bargaining agreement or any other
2.2 arrangement that conflicts with this section.

2.3 Subd. 3. **Relation to other law.** This section supersedes chapter 179A and any
2.4 other law to the contrary. It is not an unfair labor practice under chapter 179A for a public
2.5 employer to take any action required to comply with this section. Executive branch
2.6 employees may not legally strike due to an employer's action that is required to comply
2.7 with this section. Neither an employer nor an exclusive representative may request interest
2.8 arbitration regarding any element of compensation prescribed by this section, and an
2.9 arbitrator may not issue an award that would conflict with this section.

2.10 Subd. 4. **Executive branch.** For purposes of this section, "executive branch" has
2.11 the meaning given in section 43A.02, but does not include the Minnesota State Colleges
2.12 and Universities.

2.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.