

orals
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 12, 2016

TO: THE HONORABLE MAYOR & MEMBERS OF THE CITY COUNCIL

FROM: VICE MAYOR JUSTIN M. WILSON & COUNCILWOMAN REDELLA S. PEPPER

SUBJECT: PAY EQUITY DATA COLLECTION

Late last month Governor McAuliffe vetoed House Bill 1371¹ which would have limited the City's ability to impose a higher minimum wage requirement on City contractors than otherwise provided for under Federal and State laws. In 2000, the City became the first jurisdiction in Virginia² to adopt a "Living Wage" ordinance, ensuring that all City employees and City contractors are paid a wage that is livable for our community.

The City Manager's proposed budget includes an increase in that wage to \$14.13 per hour for the first adjustment since 2008³.

With legislative inaction at the State and Federal levels on wage, benefit and equity reforms, executive branch agencies at the Federal, state and local level have been forced to lead the way on these issues. With our "Living Wage" ordinance in 2002, Alexandria was at the vanguard of this approach.

In April of 2015, the City Manager performed pay equity analysis across the City workforce⁴. Much to the City's credit, it showed that on average women make 96% of their male counterparts. In the public safety area, it actually showed that women make 102% of their male counterparts. Given the national pay equity rate of 79%, the City compares quite favorably.

This spring, the Human Resources Department will expand this analysis to improve the granularity of the data, including job classes, age, years of service and grade. We hope this refined data will be provided to the public annually for analysis and discussion.

As the City government improves the transparency of its pay equity performance, we believe the City should expand what we expect of those companies that do business with the City as well.

¹ <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=161&typ=bil&val=HB1371>

² <https://www.alexandriava.gov/purchasing/info/default.aspx?id=2116>

³ <https://www.alexandriava.gov/budget/info/default.aspx?id=89952>

⁴ "Pay Equity Analysis," Mark B. Jinks, City Manager; Memo to Justin M. Wilson, Vice Mayor; January 20, 2016.

In April of 2014, President Barack Obama directed⁵ the Secretary of Labor to promulgate a new rule directing Federal contractors and subcontractors to provide summary pay equity data for gender and race to the Department of Labor to encourage voluntary compliance with Federal pay laws. The rule was designed to take advantage of existing reporting to minimize the burden on companies, particularly for small businesses.

The Governor's veto of HB 1371 prevents any cloud from being placed over the City's authority in this regard. The City Attorney's recent February 2, 2016 memorandum further clarifies this authority⁶ in providing that the City does have the ability to impose these requirements of contractors in City contracts.

We believe that the Federal action provides a useful model for the City. Accordingly, we request that the City Manager undertake an analysis of implementing this manner of data collection from City contractors and subcontractors and return to the Council with that analysis.

Cc: Mark Jinks, City Manager; Laura Triggs, Deputy City Manager; Kendal Taylor, Director of Finance; Steve Mason, Acting Director of Human Resources; Jean Kelleher, Director of Human Rights; Bernie Caton, Legislative Director; Camille Leverett, Chair, Commission for Women

⁵ <https://www.whitehouse.gov/the-press-office/2014/04/08/presidential-memorandum-advancing-pay-equality-through-compensation-data>

⁶ "Contractor Compensation Data Collection." James L. Banks, Jr, City Attorney, Memorandum; February 2, 2016.