

HOUSE JOINT RESOLUTION NO. 51
INTRODUCED BY BECKER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF AND RECOMMENDATIONS FOR STRATEGIES TO ADDRESS THE ECONOMIC CONDITIONS OF WOMEN IN MONTANA, INCLUDING NATIVE AMERICAN WOMEN.

WHEREAS, women working full-time and year-round in Montana in 2005 earned 72.9 cents for every dollar that a man earned in Montana, which is less than the national ratio of 77 cents earned by a woman to each dollar earned by a man, and Native American women earned 66.7% of the amount earned by non-Hispanic white men, based on 2000 census data, according to the Institute for Women's Policy Research; and

WHEREAS, even in state government, where efforts are made to be gender-neutral, Montana female state employees on average earned 81.5 cents to every dollar earned by their male counterparts, according to a Department of Administration January 2007 report; and

WHEREAS, women owned 30% of all U.S. businesses in 2002 but in Montana the ratio was 24.4%, according to the U.S. Census Bureau's 2002 Survey of Business Owners: Women-Owned Firms, which also noted that the growth in women-owned firms between 1997 and 2002 was 9% in Montana, compared with 20% nationally; and

WHEREAS, of all businesses in Montana, the U.S. Census Bureau reported that in 2002 only 2% were Native American-owned, with no data available on the percentage owned by Native American women; and

WHEREAS, the Legislature in 1983 passed a law requiring the Department of Administration to work toward a standard of equal pay for comparable worth and in recent years has recognized the use by state agencies of new pay bands intended in part to provide greater flexibility in pay and that use only one gender-neutral factor based on job complexity instead of seven separate factors of classification, which presents an opportunity to conduct market analyses of job complexity on the basis of comparable skills instead of equating certain skills with "women's work" or "men's work"; and

WHEREAS, the rising economic tide increasing state revenue has not necessarily improved the lot of Montana women whose median annual earnings of \$24,800 in 2005, as calculated by the Institute for Women's Policy Research, tied with Arkansas for the worst rating among all states and were significantly lower than the \$36,200 median household income projected by the U.S. Census Bureau for Montana in 2004-2005 when

Montana dropped in rank to 49th place nationally; and

WHEREAS, even in state government, a Department of Labor and Industry analysis in 2006 indicated a continued, unexplained gap of \$1,010 between pay for men and women after taking into account variables such as tenure, race, marital status, union affiliation, pay grade, and full-time or part-time status; and

WHEREAS, the Department of Administration reported in 2007 that, despite roughly equal numbers of male and female full-time employees, women represent only 33% of the officials and administrators in state government and more than 75% of technicians and office or clerical workers, while the Institute for Women's Policy Research indicated in a 2006 report that just 30.3% of Montana women worked in professional or managerial occupations in the overall workforce compared with 35.5% nationwide, a ratio that earned the state a 41st place ranking among all the states and the District of Columbia; and

WHEREAS, the economic conditions for Native American women are far lower than for white women in Montana, with just 58.8% of the Native American female population above poverty level in 1999, compared with the 87.2% of white women above poverty level, as reported by the Institute for Women's Policy Research, and the opportunity for work-related improvement is low on reservations where unemployment rates generally are higher than elsewhere in Montana; and

WHEREAS, the question of why more men than women are in some jobs involves issues related to education, job tenure, and other economic factors that may best be addressed by developing comprehensive state-directed strategies aimed at improving the application of overall economic assistance and public assistance dollars.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

(a) examine policies and strategies that the Legislature and the state could adopt to address the pay equity gap between men and women, including strategies affecting tenure such as leave policies or the availability and use of day-care services for children or elderly dependents;

(b) provide guidelines for and oversight of the conduct of market analysis studies to further implement sections 2-18-208 and 2-18-209, MCA, so that comparable worth based on gender-neutral skills are used across occupational groups in each broadband pay plan adopted by state agencies;

(c) analyze the benefits of various educational and economic development strategies to determine

whether the impact of existing assistance disparately favors certain regions, genders, races, and employment sectors;

(d) work with the private sector, Montana university system, and nonprofit organizations to determine best practices for implementing pay equity and comparable worth policies;

(e) collect data on participation in state and federal procurement by businesses owned by women and Native Americans and determine what, if any, policies are needed to provide equal access to procurement contracts; and

(f) assess practices in other states to determine whether changes in existing educational and economic development policies could lower the overall cost to the state of public assistance and offset the impacts of poverty on women, particularly Native American women, by better targeting economic assistance in the forms of more grants for educational purposes or to women-owned businesses.

(2) That if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

(3) That all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2008.

(4) That the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 61st Legislature.

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