

Adam J. Bello
County Executive

EXECUTIVE ORDER

WHEREAS, the Federal Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964 and Federal Executive Order 11246 of September 24, 1965 (Equal Employment Opportunity) (together "Federal Equal Pay Law"), require that men and women in the same workplace be given equal pay for equal work; and

WHEREAS, the laws of the State of New York, including Section 194 of New York State Labor Law ("New York State Equal Pay Law"), prohibit compensating men and women differently for the same work; and

WHEREAS, despite recent advances, recent New York State Department of Labor data shows that on average, a full-time working woman in New York State still earns the equivalent of 89 cents for every dollar that a man earns; and

WHEREAS, the pay gap is recognized as being even greater among African-American women, who are paid the equivalent of 64 cents on the dollar, and Latina women, who are paid the equivalent of 55 cents on the dollar; and

WHEREAS, women make up approximately fifty-two percent (52%) of Monroe County's population; and

WHEREAS, this pay disparity continues to threaten women and their families within our community, jeopardizing families' lifelong economic security and further reducing their earnings through Social Security and other post retirement plans; and

WHEREAS, poverty is recognized as a leading cause of or contributing factor to many social problems, including but not limited to substance abuse, domestic violence, child abuse, improper nutrition, obesity, and lack of proper health care; and

WHEREAS, the impact of pay differentials is exacerbated as workers age, causing underpaid workers to disproportionately rely upon various forms of public support in their retirement years; and

WHEREAS, pay inequity can significantly impact the County, necessitating the provision of various public subsidies for low income residents and leading to the lack of receipt of income by women which would be spent in our local economy; and


WHEREAS, through the enforcement of current state and federal laws that ban unequal pay for equal work, Monroe County can help ameliorate the many negative consequences of pay inequality, thereby

improving the lives of those who might otherwise be underpaid, strengthening families, and protecting children.

NOW, THEREFORE, I ADAM J. BELLO, Monroe County Executive, by virtue of the authority vested in me by Monroe County Charter § C3-2, do hereby order as follows:

1. It is ordered that on and after August 13, 2020, all Monroe County offices, departments and administrative units, including but not limited to the Division of Purchasing and Central Services, shall fully implement a requirement in all non-governmental county contracts that the contractor submit a Monroe County Equal Pay Certification which certifies the contractor's compliance with Federal Equal Pay Law and New York State Equal Pay Law (together, the "Equal Pay Laws"). Such certification shall be required prior to execution of the contract; and it is,
2. Further ordered that such certification shall include a representation by the contractor that it has not been the subject of an adverse finding under the Equal Pay Laws within the previous five years and shall include disclosure of any currently pending claims against the contractor; and it is,
3. Further ordered that violation of any provision of the Equal Pay Laws during the effective period of such a contract or the filing of a false or misleading Monroe County Equal Pay Certificate may constitute grounds for immediate termination of such a contract; and it is,
4. Further ordered that violation of any provision of the Equal Pay Laws during the effective period of such a contract or the filing of a false or misleading Monroe County Equal Pay Certificate may constitute grounds for determining a contractor is not qualified to participate in future County contracts; and it is,
5. Further ordered that the Law Department prepare a Monroe County Equal Pay Certification for use by Monroe County offices, departments and administrative units and assure compliance with this Executive Order in the contract approval process; and it is,
6. Further ordered that the Division of Purchasing and Central Services establish a procedure for compliance monitoring and periodic auditing of certification records; and it is,
7. Further ordered that the Department of Human Resources shall conduct an internal review to ensure County compliance with Equal Pay Laws and equity in pay to Monroe County employees.

SO ORDERED, under my hand in the County of Monroe this 13th day of August, in the year two thousand twenty.

By 
Adam J. Bello
Monroe County Executive