

Bill No. 4924-09

No. 29-09-CR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, Division 1, Administrative Code by adding a new Article 1016, entitled "Gender and Race Equity Audit," authorizing, and establishing a protocol to undertake, a Gender and Race Equity Audit of the workforce of the County of Allegheny, to be completed and published by December 31, 2010, and every five (5) years thereafter.

Whereas, Allegheny County will examine wage equity issues related to the current Classification Plan and practices associated therewith by conducting an audit;

Whereas the audit will address wage disparities as they currently relate to gender and race in order to seek solution to any systemic problems where discovered;

Whereas, Allegheny County employees performing the same work should receive the same pay regardless of gender or race.

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

SECTION 2. Amendment of Allegheny County Code of Ordinances to provide for a Gender and Race Equity Audit.

The County Council of Allegheny County does hereby amend the Allegheny County Code of Ordinances, Division 1, Administrative Code, to add a new Article 1016, entitled "Gender and Race Equity Audit," as follows:

ARTICLE 1016
Gender and Race Equity Audit

§ 5-1016.01. Purpose.

The Gender and Race Equity Audit shall be a detailed analysis of payroll data by the gender and race of employees and of human resource policies and practices to identify where gender and race pay differences and gender and race pay issues exist. A pay equity audit is an important first step in

addressing workplace gender and race issues, as it provides information and data specific to the County workforce. After undertaking a pay equity audit, the County will be better able to identify where gender and race pay inequities exist within the workplace and can then adopt strategies to remove barriers to workforce participation and career progression for all employees. Identifying those areas where there are larger than average gender and race pay gaps can facilitate the development of targeted pay equity strategies.

§ 5-1016.02. Procedure.

- A. The County Manager and the Director of the Department of Human Resources, or their designees, shall, in accordance with the schedule promulgated herein and in the sound exercise of their sole discretion, conduct a Gender and Race Equity Pay Audit.
- B. The Gender and Race Equity Pay Audit should address the following areas of inquiry:
 1. A recruitment self-audit that will determine whether the County's hiring process seeks gender and race diversity in the qualified applicant pool for open positions.
 2. An evaluation of the County's compensation system for internal quality to determine whether the County:
 - a. follows a method to determine salaries and benefits;
 - b. retains written position descriptions;
 - c. seeks employee input to develop consensus for position descriptions;
 - d. follows a consistent performance evaluation system that scores or assigns jobs according to a grading system of standards that are consistent across gender and race; and
 - e. utilizes a method for ensuring consistent pay for employees with substantially similar levels or experience and education who hold jobs calling for substantially similar degrees of skill, effort, responsibility and working conditions, even though job titles may be different.
 3. An evaluation of the County's compensation system for competitiveness to determine whether the County:
 - a. has a method to determine the market rate for any given job and ensures that market rates are applied consistently; and
 - b. would benefit from a fresh approach that updates position descriptions; assesses skill, effort, responsibility and working conditions of various jobs; assigns grades or scores; and ensures consistent application of market rates and external competitiveness;
 - c. assigns consistent compensation to jobs within similar grades or scores;

- d. uses market rates and other external competitiveness factors consistently;
- 4. An evaluation of whether the County should conduct a new job evaluation system by determining if the County:
 - a. has up-to-date position descriptions for all occupations;
 - b. has established criteria for assigning values to skill, effort, responsibility and working conditions of jobs;
 - c. challenges basic assumptions about the value of skills before assigning points or grades;
 - d. ensures agreement among worker representatives and management on criteria to evaluate jobs;
 - e. assigns scores or grades to jobs and allows worker input;
 - f. compares the County's system with market rates and other external competitiveness factors;
 - g. considers whether the market has undercompensated certain occupations or professions;
 - h. assigns consistent compensation to jobs within similar grades or scores; and
 - i. uses market rates and other external competitiveness factors consistently.
- 5. An examination of the County's compensation system that compares job grades or scores to determine:
 - a. how pay compares for positions with similar grades or scores;
 - b. whether, on average, women and minorities are paid similarly to men and non-minorities within the same grade or job score and whether there are legitimate reasons for any disparities in pay between jobs with similar grades or scores;
 - c. whether corrections can be made to ensure consistency in assigning grades or scores;
 - d. how long do men, women and minorities stay within job grades or scores before moving up;
 - e. whether men or non-minority workers move up faster;
 - f. the reasons that some workers move up faster; and

- g. the actions that the County can take to ensure that all workers have equal opportunity for advancement.
- 6. A review of data for personnel entering the employ of the County to determine:
 - a. at what grades or positions do men, women and minorities typically enter County employment and, within those grades and positions, are salaries consistent, or do men, women and minorities enter at different pay levels;
 - b. whether negotiations affect entry-level salaries to determine if men and non-minorities are able to negotiate higher starting salaries than women or minorities;
 - c. a comparison of the salary for new hires against those already working in the County in the same grades or positions, focusing on whether men, women and minorities entering the County get paid higher or lower than those who already hold the same positions or grades and whether there are differences by gender or race; and
 - d. whether changes are needed to ensure that new hires are treated consistently and incorporated into existing compensation systems on a compatible basis.
- 7. An assessment of how raises are awarded to determine whether:
 - a. there is a consistent method of evaluating performance for all workers; and
 - b. men, non-minorities, women and minorities receive consistent raises based on similar performance standards.
- 8. An evaluation of employee training, development and promotion opportunities by examining how workers are selected for participation in training opportunities or special projects that lead to advancement and whether there are differences by race or gender.

C. Upon completion of the Gender and Race Equity Pay Audit, the County Manager and the Director of the Department of Human Resources, or their designees, shall prepare a report that details the results of the Gender and Race Equity Pay Audit and provide a copy of such report to the County Executive and County Council.

§ 5-1016.03. Audit Schedule.

The initial Gender and Race Equity Pay Audit shall be completed on or before December 31, 2010. Subsequent Gender and Race Equity Pay Audits shall be completed every five (5) years, on or before December 31 of each such year.

SECTION 3. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

SECTION 4. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

PRIMARY SPONSOR: CHIEF EXECUTIVE

CO-SPONSORS: COUNCIL PRESIDENT RICH FITZGERALD, CLEARY, GREEN, BURN, FUTULES, DEFAZIO, FINNERTY & MACEY

Enacted in Council, this 1st day of July, 2009
Council Agenda No. 4904-09


Rich Fitzgerald
President of Council

Attest: 
Allegheny County Council

Chief Executive Office July 6, 2009

Approved: 
Dan Onorato
Chief Executive

Attest: 
Donna Beltz
Executive's Secretary

SUMMARY OF LEGISLATION
GENDER AND RACE EQUITY AUDIT ORDINANCE
SUBMITTED FOR COUNCIL MEETING JUNE 16, 2009

The County Manager and the Director of the Department of Human Resources, or their designees, shall complete on or before December 31, 2010 a Gender and Race Equity Pay Audit.

The Gender and Race Equity Audit shall be a detailed analysis of payroll data by the gender and race of employees and of human resource policies and practices to identify where gender and race pay differences and issues exist. A pay equity audit is an important first step in addressing workplace gender and race issues, as it provides information and data specific to the County workforce. After undertaking a pay equity audit, the County will be better able to identify where gender and race pay inequities exist within the workplace and can then adopt strategies to remove barriers to workforce participation and career progression for all employees. Identifying those areas where there are larger than average gender and race pay gaps can facilitate the development of targeted pay equity strategies.

Gender and Race Equity Pay Audits shall be completed every five (5) years, on or before December 31 of each such year.

Upon completion of the Gender and Race Equity Pay Audit, the County Manager and the Director of the Department of Human Resources, or their designees, shall prepare a report that details the results of the Gender and Race Equity Pay Audit and provide a copy of such report to the County Executive and County Council.

The Allegheny County Executive requests that the Council of the County of Allegheny:

- (a) consider an ordinance amending the Allegheny County Code of Ordinances to provide for a Gender and Race Equity audit
- (b) direct the appropriate public officials of the County to proceed with an audit as detailed within the ordinance

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Allegheny County Council

FROM: James M. Flynn, Jr.
County Manager

DATE: June 11, 2009

RE: Proposed Ordinance

Attached is an Ordinance amending the Allegheny County Code of Ordinances, Division 1, Administrative Code by adding a new Article 1016, entitled "Gender and Race Equity Audit," authorizing, and establishing a protocol to undertake, a Gender and Race Equity Audit of the workforce of the County of Allegheny, to be completed and published by December 31, 2010, and every five (5) years thereafter.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.

ALLEGHENY COUNTY COUNCIL

109 JUN 11 AM11:07