

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates) | | | | |
|---|-------------------|---------|-------------------|---------|
| | FY 2016-17 | | FY 2017-18 | |
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | | | | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | | | | |

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill makes changes to the Equal Pay Act. The definition of employer is changed to eliminate the 15 employee minimum and is broadened to cover any occupation.

The number of additional cases that would be filed under the new definition is difficult to determine. Equal pay cases have ranged from between 1% and 3% of the total cases filed with Nebraska Equal Opportunity Commission over the four fiscal years from FY 10 to FY 14. This averages to 18 cases per year. An investigator typically handles 80 cases per year. If with the broadening of the scope the same trend continues, the agency can handle the additional cases within their current resources.

| ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES | | | |
|---|-----|---|-----------------|
| LB: 928 | AM: | AGENCY/POLT. SUB: NE Equal Opportunity Commission | |
| REVIEWED BY: Robin Kilgore | | DATE: 1-19-16 | PHONE: 471-4180 |
| COMMENTS: No basis to disagree with agency estimate of fiscal impact. | | | |

Please complete ALL (5) blanks in the first three lines.

2016

LB⁽¹⁾ 928

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Equal Opportunity Commission

Prepared by: ⁽³⁾ Kathy Bogenreif

Date Prepared: ⁽⁴⁾ 1-14-16

Phone: ⁽⁵⁾ 402-471-4061

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2016-17</u> | | <u>FY 2017-18</u> | |
|--------------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | _____ | _____ | _____ | _____ |
| CASH FUNDS | _____ | _____ | _____ | _____ |
| FEDERAL FUNDS | _____ | _____ | _____ | _____ |
| OTHER FUNDS | _____ | _____ | _____ | _____ |
| TOTAL FUNDS | ===== | ===== | ===== | ===== |

Explanation of Estimate: The NEOC cannot determine what the increase in charge filings will be with the implementation of the statute changes for the Equal Pay Act being proposed by LB928. The expenses attached to these changes cannot be adequately estimated at this time.

The EEOC cannot defer charges filed under Equal Pay with the NEOC because our EEOC contract doesn't include this basis. However, the NEOC is not limited from dual filing Equal Pay charges with the EEOC which gives the NEOC the opportunity to utilize their investigative and enforcement resources.

It's possible that the language changes introduced in LB928 will cause the Nebraska state law to be dissimilar to the federal law and will limit the EEOC enforcement power the NEOC has been utilizing for Equal Pay cases. EEOC will have to review the language in the bill and make this determination.

Because Equal Pay is not a covered basis in our contract with the EEOC, there is no opportunity for additional federal revenue attached to the processing of Equal Pay charges.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2016-17</u> | <u>2017-18</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>16-17</u> | <u>17-18</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| Benefits..... | _____ | _____ | _____ | _____ |
| Operating..... | _____ | _____ | _____ | _____ |
| Travel..... | _____ | _____ | _____ | _____ |
| Capital outlay..... | _____ | _____ | _____ | _____ |
| Aid..... | _____ | _____ | _____ | _____ |
| Capital improvements..... | _____ | _____ | _____ | _____ |
| TOTAL..... | _____ | _____ | _____ | _____ |