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1 (1) **Pay Equity Business.** A business is eligible for a pay
2 equity preference if it maintains an overall deviation and position-specific
3 deviations between the salaries paid to men and the salaries paid to women
4 for comparable positions at the percentages provided by Administrative
5 Instruction. The Chief Administrative Officer may annually adjust the average
6 and position-specific deviations contained in this article by issuing an
7 Administrative Instruction and a notification to City Council. For purposes of
8 this section, comparable positions are those listed in the Job Classification
9 Guide 2019 (or as may be updated and amended from time to time) published
10 by the federal Equal Employment Opportunity Commission.

11 (2) **Certification.** The City shall certify any business that
12 demonstrates that it has satisfied the requirements of subsection (1) above as
13 a Pay Equity Business. The certification process shall be as provided by
14 Administrative Instruction. Certificates shall be valid for one year from the
15 date of issuance. The City will continue to honor existing certificates until
16 their dates of expiration.

17 (C) **Limitation.** The total amount of all preferences, including the pay
18 equity preference, is limited by § 5-5-17(E).

19 (D) **Rules and Regulations.** The Mayor or his designated representative
20 shall enforce this section and may prescribe reasonable rules and regulations
21 to carry out the intent and purpose of this section.”

22 **SECTION 2. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
23 clause, word or phrase of this Ordinance is for any reason held to be invalid
24 or unenforceable by any court of competent jurisdiction, such decision shall
25 not affect the validity of the remaining provisions of this Ordinance. The
26 Council hereby declares that it would have passed this Ordinance and each
27 section, paragraph, sentence, clause, word or phrase thereof irrespective of
28 any provision being declared unconstitutional or otherwise invalid.

29 **SECTION 3. COMPILATION.** SECTION 1 of this Ordinance shall be
30 incorporated in and made part of the Revised Ordinances of Albuquerque,
31 New Mexico, 1994.

32 **SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect five days
33 after publication by title and general summary.

1 PASSED AND ADOPTED THIS 19th DAY OF February, 2020
2 BY A VOTE OF: 8 FOR 0 AGAINST.

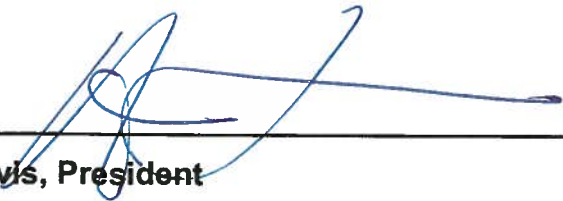
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Patrick Davis, President
City Council

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APPROVED THIS 4 DAY OF March, 2020

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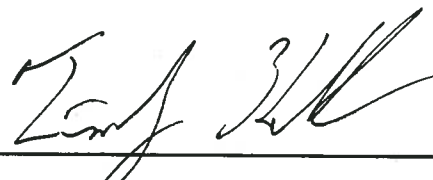
Bill No. O-19-88

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Timothy M. Keller, Mayor
City of Albuquerque

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ATTEST:

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Ethan Watson, Acting City Clerk

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