87R10556 JSC-D

By:  Morales Shaw H.B. No. 2972

A BILL TO BE ENTITLED

AN ACT

relating to unlawful employment practices with respect to discrimination in payment of compensation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 21.202, Labor Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a)  Except as otherwise provided by Subsection (a-1), a [~~A~~] complaint under this subchapter must be filed not later than the 180th day after the date the alleged unlawful employment practice occurred.

(a-1)  With respect to an allegation of discrimination in payment of compensation in violation of this chapter, an unlawful employment practice occurs each time:

(1)  a discriminatory compensation decision or other discriminatory practice affecting compensation is adopted;

(2)  an individual becomes subject to a discriminatory compensation decision or other discriminatory practice affecting compensation; or

(3)  an individual is adversely affected by application of a discriminatory compensation decision or other discriminatory practice affecting compensation, including each time wages affected wholly or partly by the decision or other practice are paid.

SECTION 2.  Section 21.258, Labor Code, is amended by adding Subsection (d) to read as follows:

(d)  Liability may accrue, and an aggrieved person may obtain relief as provided by this subchapter, including recovery of back pay for the period allowed under this section, if the unlawful employment practices that have occurred during the period for filing a complaint are similar or related to unlawful employment practices with regard to discrimination in payment of compensation that occurred outside the period for filing a complaint.

SECTION 3.  Sections 21.202 and 21.258, Labor Code, as amended by this Act, apply only to a discriminatory compensation decision or other discriminatory practice affecting compensation that occurs on or after the effective date of this Act.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.