

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS



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LEGISLATIVE ALERT!

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January 7, 2009

Dear Representative:

The AFL-CIO urges you to vote for the Ledbetter Fair Pay Act (H.R.11) and the Paycheck Fairness Act (H.R.12), important pieces of legislation that would ensure that victims of workplace discrimination have the ability to seek effective remedies and would also help deter wage discrimination. Passing these vital measures in tandem would promote workplace fairness for all.

The Ledbetter Fair Pay Act would restore the longstanding protections against pay discrimination which were recently eviscerated by the Supreme Court's 5-4 ruling in Ledbetter v. Goodyear Tire & Rubber (2007). H.R. 11 would amend federal anti-discrimination laws to reinstate the "paycheck accrual rule," which the Equal Employment Opportunity Commission (EEOC) and the courts followed for decades, by clarifying that an unlawful discriminatory practice occurs whenever workers receive compensation based on a similar or related discriminatory decision or practice. If the *Ledbetter* decision is allowed to stand, employees who are unable to challenge discrimination within this short limitations period will lose their ability to do so, and they will have no choice but to find other employment or endure the discriminatory consequences of the original compensation decision. H.R. 11 would restore workers' ability to challenge discrimination and assert their rights.

The Paycheck Fairness Act (H.R.12) would address the persistent wage gap between men and women by eliminating loopholes that hinder the effectiveness of the Equal Pay Act of 1963, which made it illegal for employers to pay unequal wages to male and female employees who perform work requiring equal effort, skill, and responsibility. This comprehensive legislation would require employers to demonstrate that wage gaps between men and women doing the same work are truly a result of factors other than sex, and would prohibit retaliation against workers who share salary information or inquire about their employer's wage practices. H.R.12 would also conform Equal Pay Act remedies and class action procedures to those available for other civil rights claims, and strengthen the government's ability to identify and remedy systematic wage discrimination.

We believe passing these bills in tandem is critical to the overall goal of achieving pay equity for all, and we urge you to support both of these vital measures.

Sincerely,

William Samuel, Director
GOVERNMENT AFFAIRS DEPARTMENT