



January 7, 2009

United States House of Representatives
Washington, DC 20515

Dear Member of Congress:

On behalf of the hundreds of thousands of members of People For the American Way, we write in support of the Lilly Ledbetter Fair Pay Act of 2009 (H.R. 11) and the Paycheck Fairness Act (H.R. 12). We urge you to vote in favor of these bills and to oppose any motion to recommit that may be offered.

H.R. 11 would address the troubling ruling in *Ledbetter v. Goodyear Tire & Rubber Company*, in which the Supreme Court held that employees who are subjected to pay discrimination must bring a complaint within 180 days of the initial discriminatory compensation decision and that each paycheck that is lower because of such discrimination does not restart the clock. H.R. 11 reiterates Congress' intent to hold employers accountable for their discriminatory practices and to allow employees a fair chance to challenge unlawful pay discrimination. In particular, People For the American Way is supportive of the recognition in H.R. 11 that the Supreme Court majority's opinion ignored the realities of the workplace and the realities of pay discrimination. For instance, the provision under Section 3 of H.R. 11 eliminates the need to file repeated and redundant charges, which only burdens the Equal Employment Opportunity Commission (EEOC) and makes it more difficult for employees to challenge similar instances of employer discrimination in compensation.

While you must pass H.R. 11 to restore the rights taken away by the *Ledbetter* ruling, we are equally supportive of H.R. 12 because it moves us forward and gives the new Administration the tools necessary to enforce equity in the workplace and prevent further disturbing incidents. H.R. 12 would ensure that employers would not have the incentive to continue to discriminate against workers like Lilly Ledbetter, and in doing so actually increases employer incentives for pay equity. H.R. 12 would also prohibit retaliation against workers who ask about employers' wage practices and increase educational outreach to employers and employees about proper pay practices.

Together, H.R. 11 and H.R. 12 would be tremendously effective in making sure civil rights are honored in the workplace and women are not paid less than men for the same work. We cannot afford for these bills not to be passed. The Supreme Court's decision in *Ledbetter* has been devastating not only in sex discrimination cases in the workplace, but also in schools and colleges and various other contexts, including housing and age discrimination. As Justice Ruth Bader Ginsburg stated in *Ledbetter*, we cannot allow such a "cramped interpretation" of the law to limit congressional intent and undo years of civil rights laws. In this unsteady economy, people who are struggling to pay their bills shouldn't have to worry about whether they are being treated equally in the workplace.

For these reasons and more, we strongly urge you to support both the Lilly Ledbetter and Paycheck Fairness Acts and to vote no on any motion to recommit.

Sincerely,

Kathryn Kolbert
President

Tanya Clay House
Director, Public Policy