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**14 BIPARTISAN SENATORS WORK TO OVERTURN SUPREME COURT DECISION ON  
PAY DISCRIMINATION**

***NO AMERICAN SHOULD BE DENIED EQUAL PAY FOR EQUAL WORK --- LEDBETTER  
DECISION UNDERMINES AMERICAN PRINCIPLES***

Washington, DC: Today, a bipartisan group of fourteen Senators, led by Senators Kennedy and Specter introduced a bill to overturn the Supreme Court's recent 5-4 decision in Ledbetter v. Goodyear Tire & Rubber Company, which undermined the basic protection against pay discrimination under the Civil Rights Act of 1964. The decision also undermines pay discrimination claims under the Americans with Disabilities Act and the Age Discrimination in Employment Act. The bill would restore the clear intent of Congress that workers must have a reasonable time to file a pay discrimination claim after they become victims of discriminatory compensation. The bill's co-sponsors are Senators Kennedy, Specter, Harkin, Snowe, Clinton, Mikulski, Obama, Durbin, Dodd, Leahy, McCaskill, Whitehouse, Boxer, Stabenow and Murray.

"It's unacceptable that some victims of ongoing pay discrimination are unable to hold their employers accountable," Senator Kennedy said. "Yet that's what happened to Lilly Ledbetter. I hope that all of us, on both sides of the aisle, can join in correcting this obvious wrong."

The supporters of this bill believe that no American should be denied equal pay for equal work. Employees' ability to provide for their children, save for retirement, and enjoy the benefit of their labor should not be limited by discrimination. The Court's decision undermined these bedrock principles by imposing unrealistically short time limits on such claims. The House Committee on Education and Labor recently passed the bill's House counterpart, and the bill is ready for floor action in the House.

Below is a summary of the bill. A PDF copy of it is available upon request.

**The Fair Pay Restoration Act**

The Fair Pay Restoration Act would clarify that the laws against pay discrimination apply to every paycheck or other compensation a worker receives. The bill's protection would extend to pay discrimination based on race, national origin, gender, religious, age or disability.

The bill overturns Ledbetter v. Goodyear Tire & Rubber Co., a divided Supreme Court held that workers must sue for pay discrimination within 180 days after the original pay-setting decision, no matter how long the unfair pay continues.

Under the case, it doesn't matter if the discrimination is still ongoing today, and the worker initially had no way of knowing that others were being paid more for the same work. So workers receiving an unfairly low wage today could still be out of time to hold the company accountable if they did not discover the discrimination soon after it first began. The Fair Pay Restoration Act will:

**Restores a fair, reasonable time limit for filing pay discrimination claims.** The bill would start the clock for filing pay discrimination claims when compensation is received, rather than when the employer decides to discriminate. Each discriminatory paycheck would restart the clock for filing a pay discrimination claim. As long as workers file their claims within 180 days of a discriminatory paycheck, their charges will be considered timely.

**Retains a fair limit on the amount employers owe.** Under the Kennedy bill, employers would not have to make up for salary differences that occurred decades ago. Current law limits back pay in job discrimination cases to two years before the worker filed a discrimination claim. The bill would not change this two-year limit on back pay.

**Restores Congressional intent.** The bill mirrors language prohibiting discriminatory seniority systems, which was included in the landmark Civil Rights Act of 1991. The 1991 Act was signed by the first President Bush in 1991 with broad bipartisan support, passing the House 381-38 and the Senate 93 to 5.

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