

January 9, 2009

I rise in strong support of the H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009.

For nearly 20 years, Lilly Ledbetter worked at a Goodyear Tire facility in Alabama. After learning that she was the lowest paid supervisor--earning 20 percent less than the lowest paid, least experienced man in the same position at Goodyear--she sued the company for pay discrimination. On May 29, 2007, after a series of cases and appeals, the Supreme Court handed down a disturbing 5-4 ruling that fundamentally rewrote protections that American workers have enjoyed for more than 40 years when they were codified in the Civil Rights Act of 1964.

According to Justice Samuel Alito, who wrote the flawed decision, when Ms. Ledbetter failed to file a discrimination case within the statutorily provided 180 days from the initial decision to pay her less than her male colleagues, she was barred from filing a complaint and no relief was available. Despite documenting the sex based evaluation system Goodyear managers used, Lilly Ledbetter was denied justice and the rights afforded to her under the Civil Rights Act.

Justice Alito's opinion runs contrary to decades of civil rights law, and the Lilly Ledbetter Fair Pay Act would restore the law as it was prior to the Court's ill considered decision. This bill would make it clear that when it comes to discriminatory pay, the protections of Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and the Rehabilitation Act extend not only to these discriminatory pay decisions and practices but to every paycheck that results from those pay decisions and practices.

As an original cosponsor of the Lilly Ledbetter Fair Pay Act, I urge my colleagues to support its passage, and I encourage the Senate to work quickly to send it to the President.