



April 7, 2011

**Commemorate Equal Pay Day - Co-Sponsor the Paycheck Fairness Act**

Dear Member of Congress:

On behalf of the American Civil Liberties Union (ACLU), its over half a million members, fifty-three affiliates nationwide, and countless additional supporters and activists, we urge you to be an original co-sponsor of the Paycheck Fairness Act. On April 12, 2011, Equal Pay Day, Senator Barbara Mikulski and Representative Rosa DeLauro plan to reintroduce this important legislation.

The Paycheck Fairness Act provides a much needed update to the Equal Pay Act of 1963 – a law that has not been able to achieve its promise of closing the wage gap because of limited enforcement tools and inadequate remedies. Specifically, the Paycheck Fairness Act would:

- require employers to demonstrate that wage differences between men and women doing the same work have a business justification and stem from factors other than sex;
- prohibit retaliation against workers who inquire about their employers' wage practices or disclose their own wages, while also protecting certain confidential wage information;
- level the playing field by ensuring that women can obtain the same remedies as those subject to discrimination on the basis of race or national origin;
- encourage proactive enforcement of equal pay laws by re-instating the collection of wage-related data and providing for training for the workers who enforce our equal pay laws; and
- provide important safeguards for businesses, including:
  - providing an exemption for small businesses;
  - instituting a six months waiting period from the time of enactment and requiring the Department of Labor to assist small businesses with compliance; and
  - recognizing employers for excellence in their pay practices and strengthening federal outreach and assistance to all businesses to help improve equal pay practices.

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There should be little doubt that additional improvements are still necessary. According to the U.S. Census Bureau, women who work full time still earn, on average, only 77 cents for every dollar men earn.<sup>1</sup> African American women were paid only 62 cents and Latinas only 53 cents, as compared to white men. This injustice is particularly troubling in today's difficult economy where almost 40 percent of women are acting as the primary breadwinners in their households.

So, it is not surprising that Americans across the political spectrum strongly support a new law to strengthen our equal pay efforts. According to a nationwide poll, support at home for the Paycheck Fairness Act is overwhelming. In the poll of registered voters, **84% said they support** a new law that would provide women more tools to get fair pay in the workplace.<sup>2</sup> High levels of support for this bill held true regardless of political party, gender, race, ethnicity, or region of the country. For example, **77% of Republicans support it, along with 91% of Democrats and 87% of Independents.** Large majorities of **both men and women support the law as well – 81% and 87% respectively.**

This bill is a measure that the American public – across the country and across parties – overwhelmingly supports. We strongly urge you to support equal pay, by contacting the offices of Senator Mikulski or Representative DeLauro and becoming a co-sponsor of the Paycheck Fairness Act today.

If you have questions or need additional information, please contact Deborah J. Vagins at (202) 715-0816 or [dvagins@dcaclu.org](mailto:dvagins@dcaclu.org).

Sincerely,



Laura W. Murphy  
Director



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<sup>1</sup> NWLC calculations from U.S. Census Bureau, Current Population Survey, 2010 Annual Social and Economic Supplement, Table PINC-05: Work Experience in 2009 – People 15 Years Old and Over by Total Money Earnings in 2009, Age, Race, Hispanic Origin, and Sex, *available at* <http://www.census.gov/hhes/www/cpstables/032010/perinc/toc.htm> (last visited Sept. 29, 2010).

<sup>2</sup> For more poll results, *see* Paycheck Fairness Act Coalition 2010 Polling Data, *available at* <http://www.aclu.org/womens-rights/paycheck-fairness-act-coalition-polling-data-graphs-2010>.