



July 23, 2009

United States Senate
Washington, DC 20510

Co-Sponsor The Paycheck Fairness Act, S. 182
It's Common Cents – Close the Wage Gap for Women

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Dear Senator:

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 co-sponsor S. 182, the Paycheck Fairness Act, a bill intended to finally secure equal pay for equal work for all American workers.

At the beginning of this Congress, the House of Representatives overwhelmingly passed the Paycheck Fairness Act with bipartisan support. We hope you will add your support to S. 182 and send the message to your constituents that wage gaps unfairly based on gender are no longer tolerable.

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. There should be little doubt that additional improvements are necessary. Today, according to the U.S. Census Bureau women who work full time still earn, on average, only 78 cents for every dollar men earn.¹ The statistics are even worse for women of color.

Specifically, the Paycheck Fairness Act would update the Equal Pay Act by taking several important steps toward remedying pay discrimination, including:

- requiring employers to demonstrate that wage differences between men and women doing the same work have a business justification and stem from factors other than gender.
- prohibiting retaliation against workers who inquire about their employers' wage practices or disclose their own wages. It is important to note, however, that employees with access to colleagues' wage information in the course of their work, such as human resources employees, may still be prohibited from sharing that information.

¹ See U.S. CENSUS BUREAU AND THE BUREAU OF LABOR STATISTICS, ANNUAL DEMOGRAPHIC SURVEY, TABLE PINC-05, WORK EXPERIENCE IN 2007 (August 2008), http://pubdb3.census.gov/macro/032008/perinc/new05_000.htm.

- permitting reasonable comparisons between employees within clearly defined geographical areas to determine fair wages.
- strengthening penalties for equal pay violations. The bill's measured approach levels 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.
- authorizing additional training for EEOC staff to better identify and handle wage disputes. It would also require the U.S. Department of Labor to reinstate important activities, such as directing educational programs to assist women in the workforce, providing technical assistance to employers, recognizing the achievements of businesses that address the wage gap, collecting wage-related data, and conducting and promoting research about pay disparities between men and women.

There is no better time than now to support fair pay legislation when employees need to bring home every dollar they rightfully earn. Due to rising unemployment rates, families are relying more than ever on women's income – making pay equity even more necessary, not only to families' economic security, but also to the nation's economic recovery.

S. 182 brings the Equal Pay Act's principles and practices in line with the nation's other civil rights laws and is an important and reasonable approach in the effort to finally close the wage gap in the workplace. We urge you to cosponsor S. 182 today.

If you have questions or need additional information, please contact Deborah J. Vagins at (202) 715-0816 or dvagins@dcaclu.org. To cosponsor the bill, contact David Kronig in Sen. Christopher Dodd's office at David.Kronig@dodd.senate.gov or 224-2823.

Sincerely,



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