

Equal Pay for Equal Work and The Lilly Ledbetter Fair Pay Act

On April 20th, the 110th day of 2010, people across America observed Equal Pay Day, which marked the 110 extra days per year that women in the United States must work in order to earn what men earned in 2009. On average, a woman in America makes 77 cents for every dollar that a man makes. For African American women and Latinas these numbers are even lower. Over the course of her career, the average woman can expect to lose \$700,000 as a result of wage discrimination. Although 47 years have passed since the passage of the Equal Pay Act, which made equal pay for equal work the law, women in Colorado, and across the country, still face widespread wage discrimination.

After 19 years working for the Goodyear Tire Company, Lilly Ledbetter discovered that she was paid 20% less than her male counterparts. The knowledge began a decade long fight for equal pay for equal work that went all the way to the Supreme Court, and resulted in the Lilly Ledbetter Fair Pay Act; the first piece of legislation signed by President Obama.

The Lilly Ledbetter Fair Pay Act, which was signed into law on Jan. 29, 2009, restores the protection against pay discrimination that was taken away by the 2007 Supreme Court decision in *Ledbetter v. Goodyear Tire & Rubber Co.* The Ledbetter Act reinstates prior law and helps to ensure that individuals subjected to unlawful pay discrimination are able to effectively assert their rights under federal anti-discrimination laws. In *Ledbetter v. Goodyear Tire and Rubber Co.*, the Supreme Court ruled that employees cannot challenge wage discrimination if the employer's original decision to pay discriminatory wages occurred more than 180 days before, even when the employee continues to receive paychecks that have been discriminatorily reduced.

The Lilly Ledbetter Fair Pay Act makes clear that pay discrimination claims on the basis of sex, race, national origin, age, religion and disability can be renewed whenever an employee receives a discriminatory paycheck, as well as when a discriminatory pay decision or practice is adopted. This means that a woman who believes that she has been the victim of wage discrimination can take legal action up to 180 days after her last discriminatory paycheck or other discriminatory pay decision.

If you are a working woman who has experienced wage discrimination based on your gender, there are legal options available to you to address and rectify this unjust wage disparity. Contact an attorney who specializes in gender-based wage compensation cases to more thoroughly review your situation and options.