

June 27, 2007

The Honorable George Miller
Chairman
Committee on Education and Labor
Washington, D.C. 20515

Submitted for the
record by Mr. Buck
(HR 2831)

The Honorable Howard P. "Buck" McKeon
Ranking Member
Committee on Education and Labor
Washington, D.C. 20515

Dear Chairman Miller and Ranking Member McKeon:

The undersigned represent small and large employers and human resource professionals from all sectors of the economy. We write to express our opposition to H.R. 2831, the Ledbetter Fair Pay Act of 2007, which is scheduled for mark up before the House Education and Labor Committee on June 27, 2007.

While we strongly oppose unlawful discrimination in any form, the Ledbetter Fair Pay Act virtually eliminates any time limitations for claims of employment discrimination. In doing so, the legislation invites stale claims and frivolous litigation when unwarranted litigation is already an issue under current discrimination laws. In fact, the Equal Employment Opportunity Commission reported that it found reasonable cause in only 5.3% of the over 75,000 charges of discrimination that it received in FY2006 and found *absolutely no cause* for discrimination in over 60% of the charges (amounting to 45,500 "no cause" charges). A study of previous years' statistics yields similar results.

When Congress passed Title VII of the Civil Rights Act, the Age Discrimination in Employment Act and the Americans with Disabilities Act, it created limits on the period of time under which an individual may file an employment charge. These limits promote rapid resolution of employment claims and quick remedial actions by employers where appropriate. The limitations also balance competing interests by providing plaintiffs a reasonable time to file charges while preventing courts and employers from facing stale claims in which the truth is difficult to ascertain because evidence is lost, memories have faded and witnesses have disappeared. We urge that you preserve this balance that has existed in civil rights law for over 40 years.

In addition, we are dismayed that this bill appears to go well beyond the issues raised in the Supreme Court's recent decision in *Ledbetter v. Goodyear Tire & Rubber Co.* It is critical that legislation of this complexity and with the potential for such significant impact be carefully considered and not rushed through only days after its introduction.

For these reasons, we urge you to oppose H.R. 2831, the Ledbetter Fair Pay Act of 2007. Thank you for your consideration of this important issue.

American Bakers Association
American Hotel and Lodging Association
College and University Professional Association for Human Resources
HR Policy Association
International Foodservice Distributors Association
International Franchise Association
International Public Management Association for Human Resources
National Association of Manufacturers
National Association of Wholesaler-Distributors
National Public Employer Labor Relations Association
National Restaurant Association
National Retail Federation
Retail Industry Leaders Association
Society for Human Resource Management
U.S. Chamber of Commerce