

## **GROWING & STRENGTHENING AMERICA'S MIDDLE CLASS**

### **EDUCATION & LABOR LEGISLATIVE VICTORIES IN THE 111<sup>TH</sup> CONGRESS**



**111<sup>TH</sup> CONGRESS**

**THE HONORABLE GEORGE MILLER  
CHAIRMAN  
COMMITTEE ON EDUCATION AND LABOR  
UNITED STATES HOUSE OF REPRESENTATIVES**

**May 22, 2009**

## **EDUCATION AND LABOR LEGISLATIVE VICTORIES**

*Education and Labor Committee Members are working hard in the 111<sup>th</sup> Congress to preserve and protect America's middle class, getting key measures passed through the House and signed into law.*

### **Preserving Workers' Wages**

- ✓ Lilly Ledbetter Fair Pay Act (*signed into law*)
- ✓ Paycheck Fairness Act (*passed by House*)

### **Saving Jobs, Helping Schools**

- ✓ American Recovery and Reinvestment Act (*signed into law*)
- ✓ 21<sup>st</sup> Century Green High-Performing Public School Facilities Act (*passed by House*)

### **New Era of National Service and Volunteerism**

- ✓ Edward M. Kennedy Serve America Act (*signed into law*)

### **Stopping Child Abuse at Residential Programs for Teens**

- ✓ Stop Child Abuse in Residential Programs for Teens Act of 2009 (*passed by House*)

### **And More Measures Introduced...**

## **PRESERVING WORKERS' WAGES**

### ***Lilly Ledbetter Fair Pay Act: Ensuring that Victims of Pay Discrimination Are Treated Fairly (Signed into Law)***



*President Obama hands Rep. George Miller a pen after signing the Lilly Ledbetter Fair Act, which Miller authored.*

On January 29, 2009, President Obama signed the Lilly Ledbetter Fair Pay Act into law. The measure, which passed the House by a vote of 250-177 on January 27, 2009, overturned a Supreme Court ruling that made it harder for workers to pursue pay discrimination claims. The legislation is named after Lilly Ledbetter,

whose pay discrimination claim was denied by a 5-4 Supreme Court decision on May 29, 2007. The court said she had waited too long to sue for pay discrimination, despite the fact that she filed a charge with the U.S. Equal Employment Opportunity Commission as soon as she received an anonymous note alerting her to pay discrimination. The court ruled that since she did not raise a claim within 180 days of the employer's decision to discriminate, she could not receive back pay. The Lilly Ledbetter Fair Pay Act would clarify that every paycheck or other compensation resulting, in whole or in part, from an earlier discriminatory pay decision constitutes a violation of the Civil Rights Act. The legislation would also make it clear that employees who are victims of discrimination are entitled to up to two years of back pay, as already provided in the Civil Rights Act.

## ***Paycheck Fairness Act (Passed by House)***

On January 9, 2009, the House passed the Paycheck Fairness Act by a vote of 256-163 to help end the discriminatory practice of paying men and women unequally for performing the same job. Loopholes created by courts and weak sanctions in the law have allowed many employers to avoid liability for engaging in gender-based pay discrimination. The bill, which was introduced by Rep. Rosa DeLauro, will strengthen the Equal Pay Act and close the loopholes that have allowed employers to avoid responsibility for discriminatory pay. Although the wage gap between men and women has narrowed since the passage of the landmark Equal Pay Act in 1963, gender-based wage discrimination remains a significant problem for women in the U.S. workforce. According to the U.S. Census Bureau, women only make 78 cents for every dollar earned by a man. The Institute of Women's Policy Research concluded that this wage disparity will cost a woman anywhere from \$400,000 to \$2 million over her lifetime in lost wages.

## **SAVING JOBS, HELPING SCHOOLS**

### ***Providing Billions in Emergency Relief to Save and Create Jobs, Help Schools (Signed into Law)***

President Obama signed the American Recovery and Reinvestment Act into law on February 17, 2009 to save and create millions of jobs, invest in education and get the economy moving forward again. Passed by the House on February 13, 2009 by a vote of 246-183, the law provides:

- A \$53.6 billion state stabilization fund to help states prevent cutbacks, layoffs, create jobs by modernizing schools and colleges and meet other needs.

- \$13 billion in Title I – which goes to educate low-income students – for school districts and \$12.2 billion in IDEA funding to help districts educate students with disabilities.
- \$2.1 billion for Head Start and Early Head Start
- \$2 billion for Child Care Development Block Grants to provide child care services to an additional 300,000 low-income children while their parents are at work.
- \$500 increase in the Pell Grant scholarship for the next school year
- A new \$2,500 tuition tax credit to help an additional four million students families pay for college.
- Almost \$4 billion for job training programs
- \$500 million to help prepare Americans with disabilities for employment.
- \$120 million to provide community service jobs to an additional 24,000 low-income older Americans.
- \$500 million to help states place unemployed workers in open jobs.
- A 65 percent subsidy toward COBRA premiums for up to nine months for workers who recently lost their jobs.

### ***Modernizing America's School Facilities (Passed by House)***

On May 14, 2009, the House passed the 21<sup>st</sup> Century Green High-Performing Public School Facilities Act, by a vote of 275-155, to invest in modernizing public school buildings across the country. The measure invests \$6.4 billion in school repair and renovation projects for fiscal year 2010 that would create safer, healthier, and more energy-efficient learning environments for students. It would create clean energy jobs that will help put workers in hard-hit industries back to work, and make investments in Gulf Coast schools as they continue to rebuild following Hurricanes Katrina and Rita and schools in other areas recovering from natural disasters. According to calculations by the Economic Policy Institute, the legislation would support 136,000 jobs.

## ***NEW ERA OF NATIONAL SERVICE AND VOLUNTEERISM***

### ***Renewing and Improving National Service and Volunteer Programs (Signed into Law)***



With Americans facing unprecedented challenges in their communities, the U.S. House of Representatives passed legislation on March 31, 2009 that will launch a new era of national service and volunteerism to help the nation emerge stronger from the economic crisis. The Edward M. Kennedy Serve America Act, which was signed into law by President Obama on April 21, 2009, was approved by an overwhelming bipartisan vote of 275 to 149. The law creates 175,000 new service opportunities and rewards Americans for commitment. Among other things, it would create new service corps to meet key needs in low-income communities, provide incentives for middle and high school students to engage in service, boosts opportunities for disadvantaged and foster youth, Native Americans and older Americans.

## ***STOPPING CHILD ABUSE AT RESIDENTIAL PROGRAMS FOR TEENS***

### ***Keeping Kids Safe (Passed by House)***

The House passed the Stop Child Abuse in Residential Programs for Teens Act of 2009 on February 23, 2009 by a vote of 295-102. The Government Accountability Office found thousands of allegations of child abuse and neglect at residential programs for teens – including therapeutic boarding schools, wilderness camps, boot camps, and behavior modification facilities – between 1994 and 2007. Tragically, in a number of cases, this

abuse and neglect led to the death of a child. To address this urgent problem, this measure would establish minimum health and safety standards for preventing child abuse and neglect at teen residential programs. It prohibits physical, mental, and sexual abuse and requires programs to provide children with adequate food, water, rest, and medical care. The bill allows for civil penalties against programs that violate the new standards. It also requires states, within three years, to take on the role of setting and enforcing standards for both private and public youth residential programs. The legislation would also help ensure that parents have the information about teen residential programs that they need to make safe choices for their children.

### **OTHER BILLS INTRODUCED BY COMMITTEE MEMBERS**

#### ***Legislation to Expose Hidden 401(k) Fees***

The current economic crisis has heightened the need for legislation that will provide American workers with clear and complete information about Wall Street fees taken from their 401(k)-style accounts. The 401(k) Fair Disclosure for Retirement Security Act, introduced by Chairman George Miller and Rep. Robert Andrews, will help workers shop around for the best retirement options by requiring simple fee disclosure on the investment options contained in their employer's 401(k) plan.

#### ***Employee Free Choice Act***

The Employee Free Choice Act would help enable workers to bargain for better wages, benefits, and working conditions by restoring their rights to form unions. The bipartisan measure simply gives workers the choice of whether to form a union either through majority signup or an NLRB election.

### ***Bill to Reform Nation's Worker Health and Safety Law***

Led by Rep. Lynn Woolsey, chair of the Workforce Protections Subcommittee, committee Democrats introduced the Protecting America's Workers Act to help the nation's health and safety agencies to hold unscrupulous employers accountable for exposing their workers to preventable hazards.

### **EDUCATION & LABOR LEGISLATION**

#### ***Signed Into Law:***

<b>Bill</b>	<b>Date Signed</b>	<b>Date Passed House</b>
Lilly Ledbetter Fair Pay Act	January 29, 2009	January 27, 2009 250-177
Children's Health Insurance Program Reauthorization Act of 2009	February 4, 2009	February 4, 2009 290-135
Edward M. Kennedy Serve America Act (formerly the Generations Invigorating Volunteerism and Education Act)	April 21, 2009	March 31, 2009 275-149

#### ***Passed by House:***

<b>Bill</b>	<b>Date Passed</b>	<b>Vote Tally</b>
Paycheck Fairness Act	January 9, 2009	256-163
Airline Flight Crew Technical Corrections Act	February 9, 2009	Voice vote
Stop Child Abuse in Residential Programs for Teens Act of 2009	February 23, 2009	295-102
21 <sup>st</sup> Century Green High-Performing Public School Facilities Act	May 14, 2009	275-155

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