

## Lilly Ledbetter, Labor Secretary Solis:

# It's time for Congress to pass the Paycheck Fairness Act

By MARIYA STRAUSS

WASHINGTON, D.C. — Saying woman workers have waited for fair and equal pay for far too long, two notable advocates of the cause — Labor Secretary Hilda Solis and pay equity campaigner Lilly Ledbetter — told Americans that it's past time to pass the Paycheck Fairness Act.

In a live event broadcast on the U.S. Labor Department's website Sept. 21, the two urged lawmakers to approve the legislation, now stalled, to give female workers more weapons to fight pay discrimination.

Such pay discrimination is the big reason women earn only 77 cents for every dollar a male worker with comparable qualifications and experience earns. And 19 years of pay discrimination led Ledbetter all the way to the U.S. Supreme Court — which rejected her case, saying employers cannot be sued under Title VII of the Civil Rights Act over pay discrimination if the claims are based on decisions made by the employer 180 days ago or more.

Congress later approved the Lilly Ledbetter Act, restoring a worker's right to sue companies for pay discrimination on the basis of sex, race, religion or other factors.

The Paycheck Fairness Act would amend the 1938 Fair Labor Standards Act (FLSA) to update the sex discrimination prohibition language and to include liability and punitive damages for employers who pay women less than men for doing the same work. It would also forbid employers from retaliating against women who ask about, discuss or disclose their own wages or the wages of another employee.

Ledbetter, a grandmother from Gadsden, Ala., who has championed pay equality for women following her nine-year fight to recover hundreds of thousands of dollars in lost income from her job at Goodyear, said on the webcast that young women entering the workforce often do not anticipate getting unequal pay.

"The women are shocked. They cannot believe that we still are not compensated equally," she said. Ledbetter urged young women to "do their research on their prospective employers." And she encouraged them to make sure they don't accept a situation where they earn less than their male counterparts, because, she said, it is difficult to recoup lost income retroactive to the starting salary.

Women shouldn't "assume they can

start with less and catch up later," she said. "They will never catch up."

Solis spoke about the need for more data on how pay inequity impacts women of color, and about the harsh effect of sex discrimination on low-wage working women.

"I think in many cases low-wage workers are in a situation where they can't speak up," Solis said. "The work they do is often the work that other people won't do. Home care and other service-sector jobs where women are

becoming the majority. If we can make sure that they get those benefits that they all deserve, I think that will go a long way toward helping all working class people at that lower end."

Responding to questions from the audience, Solis had a veiled warning for employers who might wish to fight passage of the bill: "If you feel that you're always under the gun and you can't freely talk about those issues," she said, "I don't know how productive employees are going to be."

Solis had a clearer message for those who would oppose it on the grounds that employees can simply use existing anti-discrimination laws to sue for the wages denied to them: "It's about preventing injustices in the workplace," she said. "In the end, where there are negative outcomes, who ends up paying? We do. Taxpayers do."

*(Editor's Note: Mariya Strauss wrote this article for the International Labor Communications Association and Press Associates Inc.)*

## DCTU bargaining in Portland enters mediation

Employees at the City of Portland rallied in front of City Hall Sept. 29, calling for a fair contract. Bargaining has been moving at a snail's pace, and last week the District Council of Trade Unions (DCTU), which negotiates on behalf of eight union locals, was forced into mediation.

The first session was Sept. 23, and it didn't go well.

According to union bargaining committee members, after waiting nearly seven hours for a proposal from the city, the session ended abruptly when they were handed "one of the most regressive bargaining proposals in the history of

DCTU/City of Portland bargaining."

Members of the bargaining committee believe the City is not interested in settling the contract and is forcing the unions to move to a strike.

The City is pushing for significant changes in contracting-out language and major adjustments in shift times, seniority, and overtime pay. It wants to freeze all step increases in 2011-12, with no cost-of-living raises this year, and possibly 1 to 5 percent COLAs in the next two years. And it is refusing to guarantee inclusion of dependents in the cost of health care under new federal health care legislation.

The parties are required to engage in mediation for a minimum of 15 days. The last session was held Sept. 30, after this issue went to press.

Bargaining can continue until one or both parties declare an impasse, after which the parties have seven days to submit their final offers to the State Employment Relations Board. After that, both parties enter into a mandatory 30-day cooling-off period. Bargaining may continue during this time. After the 30-day period, the City may submit a final offer and the DCTU may call for a strike vote, with 10 days notice before walking out.

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