

4. The Washington Post, August 20, 2007 Monday, Regional Edition, EDITORIAL COPY; Pg. A14, 265 words.

The Washington Post

August 20, 2007 Monday  
Regional Edition

**SECTION:** EDITORIAL COPY; Pg. A14

**DISTRIBUTION:** Maryland

**LENGTH:** 265 words

**HEADLINE:** Paycheck Fairness Is Not a Burden

**BODY:**

In the Aug. 14 editorial "Fair Pay, the Right Way," The Post acknowledged the flaws in the Supreme Court's unfortunate decision in *Ledbetter v. Goodyear* but argued that a House bill overcorrects the decision and "could unnecessarily burden employers."

The House-passed **Lilly Ledbetter** Fair Pay Act of 2007 would restore the law that the majority of courts and the government applied for many years before the *Ledbetter* decision -- that each discriminatory paycheck restarts the clock on when an employee can challenge pay discrimination. The Post's assertion that a more suitable approach would be to bar claims by employees if they "could have or should have been aware of the discrimination" ignores workplace realities.

This "reasonable person" standard would let many employers off the hook for discrimination and essentially would say tough luck to employees who arguably should have both known of the discrimination and hurried to file a government complaint.

It's hardly easy for an employee to be certain enough that discrimination is taking place to warrant taking the dramatic step of filing a formal complaint. Few employees have concrete information about the pay of peers to compare with their own, let alone whether discrimination played a role in pay decisions. Employers should not get a free pass to discriminate in pay based on the secrecy that they foster.

The House bill rightly restores long-standing protections against workplace discrimination. There is nothing "unnecessarily burdensome" about that.

MARCIA D. GREENBERGER

Co-President

National Women's Law Center

Washington