



Dear Senator:

On behalf of the Society for Human Resource Management<sup>[1]</sup> and College and University Professional Association for Human Resources<sup>[2]</sup>, we urge you vote in favor of the Hutchison Amendment to S. 181, the Lilly Ledbetter Fair Pay Act of 2009. As you may know, this amendment would substitute S. 166, the Title VII Fairness Act, for S. 181.

As representatives of human resource (HR) professionals, our members vigorously oppose pay discrimination. HR professionals have a long tradition of working to eliminate all unlawful discrimination practices in the workplace. Pay discrimination is a serious issue, and we have worked with members of Congress and their staffs to help address shortcomings in federal employment laws. However, the Lilly Ledbetter Fair Pay Act of 2009, as currently drafted, would drastically change the uniform statute of limitations on employment discrimination claims.

By virtually eliminating the limitations for filing claims, S. 181 would remove incentives for prompt filing of claims and unnecessarily allow such delays. The Hutchison Amendment, on the other hand, would require that parties promptly file claims when they have a reasonable suspicion that unlawful discrimination may have occurred. In cases where an employee has no reason to suspect unlawful discrimination but subsequently suspects that discrimination has occurred, that employee would retain the right to bring a discrimination claim even if the timeframe under current law has expired.

In short, we support the Hutchison Amendment because it upholds the goal of providing courts, employers and employees with the tools needed to quickly remedy discrimination by encouraging prompt filing of claims, while also ensuring time limitations do not unjustly deny an individual's right to bring a pay discrimination claim. S. 166 strikes a balance between the interest of employees and employers in such cases and for this reason, we ask you to vote in favor of the Hutchison Amendment to S. 181.

---

<sup>[1]</sup> The Society for Human Resource Management (SHRM) is the world's largest association devoted to human resource management. As an influential voice, the Society's mission is also to advance the human resource profession to ensure that HR is recognized as an essential partner in developing and executing organizational strategy. Founded in 1948, SHRM has more than 250,000 members in over 140 countries, and more than 575 affiliated chapters.

<sup>[2]</sup> CUPA-HR serves as the voice of human resources in higher education, representing more than 10,000 HR professionals at over 1,600 colleges and universities across the country, including 85 percent of all U.S. doctoral institutions, 70 percent of all master's institutions, more than half of all bachelor's institutions and 465 community colleges. Higher education employs 3.3 million workers nationwide, in every state in the country.