

Ledbetter v. goodyear tire and rubber co



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Ledbetter v. Goodyear Tire & Rubber Co. , 05-1074 Summary of one or more of the main legal arguments: It seems this class has made me realize how tricky the justice system can be. I have been coaxed into reading more and more about the law and realizing that everything is not as black and white as it seems.

For this legal research paper I decided to analyze the law concerning pay discrimination. This is a subject dear to my heart, as I believe I witnessed some of this first hand in relation to my wife when she managed a branch of a credit union. Lilly Ledbetter worked at Goodyear's facility in Gadsden, Alabama, for 19 years, beginning in 1979. She first contacted federal authorities in March 1998, alleging sex discrimination. A formal charge was filed three months later.

Ledbetter then took early retirement in November. She claimed she was given poor evaluations and denied raises other workers had been given, all because of her sex. Her lawsuit alleges her starting salary was in line with men performing similar work, but dropped in comparison over the years to the 15 other area managers, all of who were men. Her pay was 15 to 40 percent less than her fellow managers. Both the EEOC and a jury ruled in her favor, and Ledbetter prevailed and was awarded nearly \$4 million dollars in pay and punitive damages, which the judge reduced to \$360, 000.

The jury had found that Goodyear Tire and Rubber Company had discriminated against Lily Ledbetter by downgrading her evaluations because she was a woman in a traditionally male job. Year after year, the company used these unfair evaluations to pay her less than her male

coworkers who held the same job. The jury was outraged by Goodyear's misconduct and awarded back to Ms. Ledbetter to correct this basic injustice and hold the company accountable. However, in 1998, The Supreme Court ruled against her, holding that she had waited too long to file her lawsuit. It ruled that she should have filed her lawsuit within a short time after Goodyear first decided to pay her less than her male colleagues.

Never mind that she didn't know at the outset that male workers were paid more. Never mind that the company discriminated against her for decades and that the discrimination continued with each new paycheck she received. (<http://www.star-telegram.com/business/story/119262.tml>) Personal, but legal opinion/stand on one or more the main legal arguments Requiring employees to file pay discrimination claims within a short time after the employer decides to discriminate makes no sense to me.

Pay discrimination is different from other discriminatory actions because workers generally don't know what their colleagues earn. It is not a case of being told "you're fired" or "you didn't get the job" when workers at least knows they have been denied a job benefit. With pay discrimination, the paycheck comes in the mail, and workers usually have no idea if they are being paid fairly. Common sense and basic fairness require that they should be able to file a complaint within a reasonable time after getting a discriminatory paycheck instead of having to file the complaint soon after the company first decides to shortchange them for discriminatory reasons. The Court's decision in the Ledbetter case I think is not only unfair, it also sets up a bad incentive for workers to file lawsuits before they have investigated whether pay decisions are actually based on discrimination.

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Under the decision, workers who wait to get all the information before filing a complaint of discrimination could be out of time.

As a result, the decision will create unnecessary litigation as workers rush to beat the clock on their equal pay claims. Brief overview of final outcome of lawsuit or current state of lawsuit A divided 5-4 high court upheld the ruling that she only had the federally mandated 180-day window in which to make her initial claim. The decision below is wrong," argued Ledbetter's lawyers in the petition. " The Title VII limitations period does not provide an employer license to continue pay discrimination in perpetuity whenever an employee fails to immediately challenge the initial pay decisions. ([http://docket.](http://docket.medill.northwestern.edu/archives/003741.php)

[medill.northwestern.edu/archives/003741.php](http://docket.medill.northwestern.edu/archives/003741.php)) The EEOC (Equal Employment Opportunity Commission) charging period is triggered when a discrete unlawful practice takes place. Such a " filing deadline protects employers from the burden of defending claims arising from employment decisions long past.

" (<http://money.cnn.com/2007/05/29/news/pay-discrimination/>) Update: George Miller (D-California) and top Democrats just introduced the Lilly Ledbetter Fair Pay Act. ([http://www.house.gov/apps/list/speech/edlabor_dem/rel062207.](http://www.house.gov/apps/list/speech/edlabor_dem/rel062207.html)

[html](http://www.house.gov/apps/list/speech/edlabor_dem/rel062207.html)) " Justice was denied to Ms. Ledbetter, and she now has to live the rest of her life with years of pay discrimination. We cannot allow this injustice to continue for other workers. The fact is that Ms.

Ledbetter was discriminated against with nearly every paycheck she received. The Supreme Court told employers that they could escape responsibility by hiding their decision to discriminate and run out the clock. ” (Miller, George, Chairman of the house and Labor Committee, on June 22nd, 2007) References Sherman, Mark. (2007). Justice limits suits on pay discrimination. Retrieved June 22, 2007, from Ft Worth Star Telegram Web site: [http://www.](http://www.star-telegram.com/business/story/119262.html)

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