



JANUARY 30, 2009

RELEVANT, CURRENT CASE
SUMMARIES FOR
PROFESSIONAL LINES CLAIMS
PROFESSIONALS

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PLAN Legislation/Regulatory Overview Alert: LILLY LEDBETTER FAIR PAY ACT

January 29, 2009 - Washington, D.C. President Obama Sign Lilly Ledbetter Fair Pay Act of 2009. The first piece of legislation signed by President Obama addresses pay discrimination under Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the Rehabilitation Act. The Lilly Ledbetter Fair Pay Act changes the rules for calculating the statute of limitations for claims of discrimination in compensation under these federal anti-discrimination laws. The new law provides that the statute of limitations begins to run anew each time an employer makes or acts on a discriminatory decision which includes each time an employee receives a paycheck containing the discriminatory wage.

The change in the law was prompted by a 2007 Supreme Court decision in which the court found that Lilly Ledbetter's claims for discrimination were barred because she did not file them within 180 days from the date that the allegedly discriminatory pay decision was made by her employer. Proponents of the law hope that it will create an incentive for employers to correct pay discrimination as they are exposed to greater liability by this expanded time limitation. Employers should be assured that the Act does not impact the two-year limitation on back pay damages currently provided for under Title VII.

To read this recent legislation, [click here.](#)