

Jay Timmons

Executive Vice President

November 15, 2010

U.S. Senate
Washington, DC 20510

Dear Senators:

The National Association of Manufacturers (NAM), the nation's largest industrial trade association representing small and large manufacturers in every industrial sector and in all 50 states, urges you to oppose S. 3772, the Paycheck Fairness Act of 2010, because of its harmful effect on the economy and jobs.

Manufacturers are strongly committed to equal employment opportunity and support vigorous enforcement of anti-discrimination laws. As employers, we are dedicated to fairness in hiring, compensation and job advancement for all employees. Unfortunately, this legislation will do little to prevent unlawful discrimination but would invite unwarranted and costly litigation against employers at a time when businesses are struggling.

By removing all limits to punitive and compensatory damage awards on claims made under the Equal Pay Act, S. 3772 would expose employers to increased threats of litigation – even when *unintentional* pay disparities may have occurred. Its passage would likely prompt many employers to purchase additional legal liability insurance, increasing their costs and decreasing their ability to raise wages, increase benefits or hire new workers. In fact, it is difficult to imagine a scenario in which the bill would not lead to lower wages and fewer jobs.

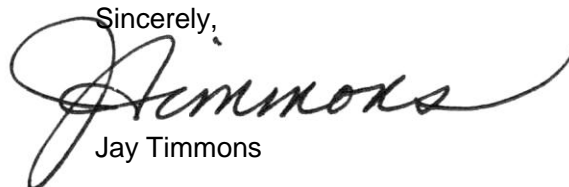
The legislation would invite even more frivolous class-action suits. The Equal Employment Opportunity Commission EEOC found no “reasonable cause” in *over 95 percent* of the more than 93,000 charges of discrimination it received in fiscal year 2009. A study of previous years yields similar results.

American workers are already effectively protected from discrimination through remedies available under existing law. The Equal Pay Act protects men and women from pay disparities in jobs that require equal skill, effort and responsibility and are performed under similar working conditions.

The NAM stands ready to work with you to prevent and mitigate workplace discrimination and to restore economic stability. However, this legislation does not support either of these shared goals.

The NAM's Key Vote Advisory Committee has indicated that votes on S. 3772, including procedural motions, merit designation as Key Manufacturing Votes in the 111th Congress. Thank you for your consideration.

Sincerely,



Jay Timmons