



**Opening Statement for Rep. Bradley Byrne (R-AL), Republican Leader
Subcommittee on Workforce Protections Hearing:
“Paycheck Fairness Act (H.R. 7): Equal Pay for Equal Work”
February 13, 2019**

“Women deserve equal pay for equal work. Congress affirmed this value with the *Equal Pay Act of 1963*, which made it illegal to pay different wages to employees of the opposite sex for equal work. Everyone in this room must continue to uphold and defend this important principle, but the legislation under discussion today, the so-called *Paycheck Fairness Act*, is the wrong approach to ensure that current equal pay protections are fortified.

It may come as a surprise to some that the *Paycheck Fairness Act* offers no new protections against pay discrimination. Let me repeat that: the legislation under discussion today offers no new protections against pay discrimination.

Instead, H.R. 7 imposes a “one-size-fits-all” mandate to one of the most varied and complex workforces in the world. Rather than allowing for informed discussions, the *Paycheck Fairness Act* strictly limits communication between employers and employees on key hiring decisions. Under this bill, the burdens laid on the backs of employers and the lack of clarity for employees are simply unworkable.

The *Paycheck Fairness Act* is not designed to protect women – it is a false promise that creates opportunities and advantages for lawyers – not for working women.

Instead of treating sex discrimination charges with the seriousness they deserve, the *Paycheck Fairness Act* will make it easier for lawyers to pursue lawsuits of questionable validity for the purpose of siphoning off unlimited paydays from settlements and jury awards, lining their own pockets and dragging women through tedious, never-ending legal dramas.

Now, I know my fair share of lawyers, having previously practiced law myself. Many of them are great men and women working on behalf of their clients. But many of them are also all about the bottom line. And let me tell you, the *Paycheck Fairness Act* would be a cash cow for lawyers working on a contingency fee basis, some of whom get 40 percent or more of the award.

The changes to the *Equal Pay Act* in H.R. 7 will also make it extraordinarily difficult, if not impossible, for employers to defend against pay discrimination suits, even when pay differences are the result of legitimate factors like experience, education, and performance.

There remain bad actors in the world that engage in pay discrimination. It's repugnant and illegal, and those bad actors must be held accountable. But if we open the gates to limitless frivolous lawsuits, we do a disservice to genuine victims seeking justice against offending employers.

The best way we can create opportunities for all American workers, especially working women, is through strong economic policy. We know women are reaping the benefits of this strong economy. More than half the jobs created in the last year have gone to women. Those women and the next generation of women in the workforce deserve more than empty promises and deceptively named bills.”

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