

## STUDENT WORKSHEET #4 – “Lilly Ledbetter Fair Pay Act”

Name: \_\_\_\_\_

**Instructions:** Visit the Annenberg Classroom webpage at <http://www.annenbergclassroom.org/page/call-to-act-ledbetter> to watch the video “A Call to Act: Ledbetter v. Goodyear Tire and Rubber Co.” Follow along and answer the questions on the next page as you watch.

QUICK REVIEW: Before watching the video, review the following concepts:

### What are the main duties of the three branches of government?

- LEGISLATIVE BRANCH – The two houses of Congress. They **make** our laws. They draft and approve written legislation, and send to the President for his signature.
- EXECUTIVE BRANCH – The President, Vice-President, and all federal agencies. They **enforce** our laws. This includes the President signing the laws that come from Congress, giving official approval.
- JUDICIAL BRANCH – The Supreme Court and all lower federal courts. They **interpret** our laws. This includes applying the written laws to individual situations in which there is a conflict, i.e. in a lawsuit.

### What is the path of a federal lawsuit?

1. A person or party files suit against another person or party in the **U.S. District Court**. These courts are the trial courts of the federal system. The jury makes the decision, after the judge instructs them on what laws apply to the case.
2. The losing party in the trial can file an appeal in the **U.S. Court of Appeals**, if they think the trial court made a mistake in applying the law.
3. The losing party in the appeal can ask the **U.S. Supreme Court** to review the case, if they think the appeals court made a legal mistake. The U.S. Supreme Court takes only a small number of these cases each year; usually those dealing with important legal issues that affect the entire country.
4. The decision of the U.S. Supreme Court (or the U.S. Court of Appeals if the Supreme Court did not take the case) is usually final. Neither Congress nor the President can reject a U.S. Supreme Court decision. However, if a law or statute is being interpreted differently than Congress intended, **Congress can go back and change the law**. This becomes much more difficult if they would like to change the U.S. Constitution, as changing that requires an Amendment that must be approved by the states. Therefore, the U.S. Supreme Court is considered the final word on Constitutional issues.

Use the video to answer these questions:

1. For how long did Lilly Ledbetter work at Goodyear?
2. How is it possible for someone to be a victim of pay discrimination and not know it?
3. Why did Lilly Ledbetter sue Goodyear in court?
4. What is the Gender Wage Gap?
5. Did Lilly win her trial?
6. Goodyear appealed the decision to the U.S. Court of Appeals for the 11<sup>th</sup> Circuit. Did Goodyear win on appeal? Explain:
7. Lilly asked the U.S. Supreme Court to review her case. Why did they Supreme Court take the case?
8. What question was the Supreme Court asked to decide?
9. What existing laws were being interpreted and applied by the Supreme Court?
  - a. The \_\_\_\_\_ Act of 1963
  - b. The \_\_\_\_\_ Act of 1964, Title \_\_\_\_\_
10. What did the Supreme Court decide?
11. Is a Supreme Court decision absolutely final? Explain:
12. This story did not end after the Supreme Court's decision. Congress wrote a new law to override the old law.
  - a. What is the name of the new law?
  - b. How is it different from the old law?
  - c. Which U.S. President signed it, and when?

## ANSWER KEY

1. For how long did Lilly Ledbetter work at Goodyear? **19 years**
2. How is it possible for someone to be a victim of pay discrimination and not know it? **Pay is often kept a secret, and employees are told not to discuss it.**
3. Why did Lilly Ledbetter sue Goodyear in court? **She found out she was paid less than the men who held similar management positions.**
4. What is the Gender Wage Gap? **Women are paid less for equal jobs and equal work.**
5. Did Lilly win her trial? **Yes**
6. Goodyear appealed the decision to the U.S. Court of Appeals for the 11<sup>th</sup> Circuit. Did Goodyear win on appeal? **Yes** Explain: **The Appeals Court ruled that Lilly had filed her complaint and lawsuit too late. The 180 day statute of limitations had run out on her claim.**
7. Lilly asked the U.S. Supreme Court to review her case. Why did they Supreme Court take the case? **Because it was an important issue of law. Also, lower courts had been ruling according to the "paycheck accrual rule" for years, and the 11<sup>th</sup> Circuit decision went against that. The U.S. Supreme Court will often agree to hear cases for which there have been conflicting rulings in various U.S. Circuit Courts of Appeals.**
8. What question was the Supreme Court asked to decide? **When does the 180 days start to run, according to the law?**
9. What existing laws were being interpreted and applied by the Supreme Court?
  - a. The **Equal Pay Act of 1963**
  - b. The **Civil Rights Act of 1964, Title VII (seven)**
10. What did the Supreme Court decide? **It upheld the 11<sup>th</sup> Circuit decision. The 180 days starts at the intentional decision to discriminate (not at each paycheck).**
11. Is a Supreme Court decision absolutely final? Explain: **The decision of the U.S. Supreme Court (or the U.S. Court of Appeals if the Supreme Court did not take the case) is usually final. Neither Congress nor the President can reject a U.S. Supreme Court decision. However, if a law or statute is being interpreted differently than Congress intended, **Congress can go back and change the law.** This becomes much more difficult if they would like to change the U.S. Constitution, as changing that requires an Amendment that must be approved by the states. Therefore, the U.S. Supreme Court is considered the final word on Constitutional issues. **ALSO – THE VERDICT IN LILLY'S CASE IS FINAL. SHE CAN NEVER ASK ANOTHER COURT TO REVIEW THE CASE AGAIN.****
12. This story did not end after the Supreme Court's decision. Congress wrote a new law to override the old law.
  - a. What is the name of the new law? **The Lilly Ledbetter Fair Pay Act**
  - b. How is it different from the old law? **180 days resets with each discriminatory paycheck.**
  - c. Which U.S. President signed it, and when? **President Obama. 2009.**