

**ORAL STATEMENT OF LILLY LEDBETTER  
BEFORE THE SENATE JUDICIARY COMMITTEE ON  
JULY 1, 2010**

Thank you, Mr. Chairman and members of the Committee. My name is Lilly Ledbetter. It is an honor to be here today. I am not a lawyer, but I do know two things: I know that the Supreme Court's decisions have a profound effect on everyday Americans. And I've learned that *who* is on the Supreme Court makes all the difference.

I never in a million years would have thought that one day I would end having my fate decided by the Supreme Court, but I did. It all started in 1979, when Goodyear hired me to work as a supervisor in their tire plant in Gadsden, Alabama. I worked hard and I was good at my job, but Goodyear did not make it easy.

I was one of only a few female supervisors, and I faced discrimination and sexual harassment by people who didn't want women working there. At the end of my career, someone left an anonymous note in my mailbox at work, showing how much I got paid compared with the male managers. I was actually earning twenty percent less than the lowest paid male supervisor in the same position. On my next day off, I filed a complaint with the EEOC.

Goodyear tried to say I was a poor worker and that's why they had given me smaller raises than the men. But after hearing all the evidence, the jury didn't believe them. It found that Goodyear had discriminated against me because I was a woman.

That was a good moment. The jury wasn't going to stand for a national corporation paying me less than others just because of my sex.

But then, by a single vote, the Supreme Court took it all away. Five of the

Justices said I should have complained after the first time I was paid less than the men, even though I didn't know what the men were getting paid and had no way to prove that the pay was discriminatory. The Court said that once 180 days passed, the smaller paychecks no longer counted as discrimination. But it sure feels like discrimination when you are on the receiving end of that smaller paycheck and trying to support your family with less money than the men are getting for the same job. And Goodyear continues to treat me like a second-class worker because my pension and social security is based on the amount I earned. Goodyear gets to keep my extra pension as a reward for breaking the law!

Justice Ginsburg hit the nail on the head when she said that the majority's decision didn't make sense in the real world. People can't go around asking their coworkers how much money they're making; in lots of places, that could get you fired. Plus, even if you know some people are getting paid more than you, that's no reason to suspect discrimination right away. You want to believe that your employer is doing the right thing and that it will all even out down the road. And anyway, it's hard to fight over a small amount of money early on.

But the majority didn't understand that, or didn't care. How it could have thought Congress would have intended the law to be so unfair, I'll never know. So Congress had to pass a new law to make sure that what happened to me wouldn't happen to others in the future.

My case shows that who gets appointed to the Supreme Court really makes a difference. If one more person like Justice Ginsburg or Justice Stevens were on the

Court – one more person who understands what it’s like for ordinary people living in the real world – then my case would have turned out differently.

Since my case, I’ve talked to a lot of people around the country. Most can’t believe what happened to me and want to make sure that something like it doesn’t happen again. They don’t care if the Justices are Democrats or Republicans, or which President appointed them, or which Senators voted for them. They want a Supreme Court that makes decisions that make sense.

That’s why the hearings here are so important. We need Justices who understand that law must serve regular people who are just trying to work hard, do right, and make a good life for their families. And when the law isn’t clear, Justices need to use some common sense and keep in mind that the people who write laws are usually trying to make a law that’s fair and sensible. This isn’t a game. Real people’s lives are at stake. We need Supreme Court justices who understand that.

Thank you.