

Ledbetter, Schmedbetter

If I hear the name Lilly Ledbetter one more time I will throw a brick through my television screen. In fact, I would vote for Mitt Romney even if it means nothing more than never again having to hear Obama brag about signing the Lilly Ledbetter Fair Pay Act.

During the October 16 presidential townhall meeting-style debate, moderator Candy Crowley—a leftist who in August referred to the Romney-Ryan ticket as a Republican party “death wish”—called on a woman in the audience who asked a question about gender pay discrimination. The questions had all been screened in advance; Crowley selected the woman knowing exactly what she would ask—and knowing it was a softball for Obama to lob out of the park.

It was a softball question because almost everyone who has heard Obama talk about the law thinks it does something it does not do. He and Michelle Obama never miss an opportunity to claim how much he has made a difference in the lives of women because of that legislation. With the mainstream media’s eager cooperation, Obama leads people to believe that the law prohibits wage discrimination based on gender. *It does not.* In fact, wage discrimination based on gender has been prohibited by federal law since the passage of the Equal Pay Act of 1963. Obama wants the voters to believe that he made illegal *something that has been illegal for the last 49 years.* Any woman who believes she is paid less than her male counterparts should file a complaint with the Department of Labor. It will be investigated and if the claim is valid, the federal hammer will come down hard on the employer. *And Barack Obama will have had nothing to do with it.*

What, then, is the Lilly Ledbetter Fair Pay Act? If it had been given a more accurate name it would be clear. It *should* have been called the “Extend the Time Period For Filing a Wage Discrimination Claim Act.” For *that* is all the Ledbetter legislation does: it extends by 180 days the statute of limitations for filing a claim of pay discrimination based on gender. That’s it. That’s all the legislation does. Yet Obama has spent the last three-and-a-half years pretending as though he has gotten Sally the Starbucks barista the same pay as the company’s CEO.

So who is Lilly Ledbetter? Ledbetter worked for a Goodyear Tire and Rubber facility in Alabama between 1979 and 1998. She earned less than her male co-workers. *After* she retired, she sued Goodyear, which correctly argued that the statute of limitations on filing a wage discrimination claim had run out. The Supreme Court ruled in Goodyear’s favor. The court did not address the issue of whether there had been discrimination. Goodyear argued there had not, and submitted Ledbetter’s many substandard performance appraisals to support its case. (She was paid less not because she was a woman, but because she was a lousy employee.)

After the bill signing ceremony, Michelle Obama remarked that Ledbetter “...knew

unfairness when she saw it, and was willing to do something about it because it was the right thing to do”—when in fact Ledbetter took no action throughout the 19 years of her employment. (Apparently Ledbetter did not know unfairness when she saw it.) The Obamas portray Ledbetter as a heroic woman; others might call her an idiot. (In signing the bill Obama broke the campaign promise he had made to pro-abortion supporters that the *first* piece of legislation he would sign would be the Freedom of Choice Act, designed to overturn all state pro-life laws, including prohibitions against partial-birth abortions and parental notification requirements for minors seeking abortions.) Obama signed the Ledbetter bill without first posting the text on the Internet for five days, as he promised he would do with all non-emergency legislation. (Perhaps he and Nancy Pelosi did not want anyone to read it to find out what was in it.)

CNN’s Crowley knew *exactly* what she was doing when she called on the audience member to charge that “women earn only 70 cents for every dollar a man makes.” It mattered little to Crowley that the 70 percent ratio is outdated and comes from a 1990 Bureau of Labor Statistics study of median usual weekly earnings. (The figure was actually 71.8 percent, and that was 22 years ago.) Crowley knew that Obama would brag about the Ledbetter legislation. She knew that female voters would be reminded by Obama that he “cares about them.” And she certainly knew that Mitt Romney would be unable to say much because he had only two minutes—while this article can be as long as need be. The best he could do was muster up a “some of my best friends are women” response. It was a shameless set-up by Crowley.

Although the actual ratio is no longer 71.8-to-1, the current number is largely irrelevant. Again, since 1963 it has been illegal to pay a woman less than a man for the same work. Yes, some gender discrimination still exists. But most pay differences are *not* the result of discrimination. They are largely the result of career choices or lack of options. A female toll-booth operator earns less than the male president of a large corporation. Donald Trump’s female secretary earns less than Trump himself. Does that mean toll-booth operators should be paid as much as CEOs, or that Trump’s secretary should be paid tens of millions of dollars per year? Diane Sawyer’s cameraman earns less than she does. Is he a victim of gender pay discrimination? (What Romney *should* have said was, “Yes, gender discrimination does exist, and I will appoint an Attorney General who enforces the law vigorously—rather than spend his time trying to block photo ID voting laws. But under *this* president, hundreds of thousands of women have lost their jobs. For them, it is not a matter of 70 cents on the dollar. It is a matter of *zero* cents on the dollar.”)

If Alice and Fred perform the exact same job at the same company and have the same education and experience, then of course it would be unfair and illegal to pay Alice less than Fred—and Alice can file a complaint. But it is certainly *not* unfair to pay Alice less than her male supervisor, George. And it is certainly *not* unfair to pay George less than his female manager, Linda.

It is more than absurd to believe that if you add up the salaries of all the men in the workforce and the salaries of all the women in the workforce they must be exactly the same. Yet that is what the “70 cents on the dollar” complaint suggests should be the case.

But the argument ignores reality. Many women, for example, enter the teaching profession because they will get the same vacations as their children. Because of that, there are more prospective teachers than there are teaching positions. That keeps the salaries low—it is simple supply and demand. If a teacher quits, a replacement teacher can quickly be found.

On the other hand, few people—men or women—have the skills, education, or even the desire to become brain surgeons. The demand exceeds the supply, and that keeps the salaries of all brain surgeons high. It is the law of supply and demand. There is no “Republican conspiracy” that calls for elementary school teachers to be paid less than brain surgeons. Brain surgeons get paid more than teachers because they have special skills that are in demand and which few others have.

Most businesses make a profit of less than 8 percent. For most businesses, payroll costs are their greatest expense. Further, thousands of businesses fail every year. *Given those facts, if women will work for 70 cents on the dollar, why would any business hire men at all?* If women will work for 70 cents on the dollar, every business in the United States could reduce its payroll costs dramatically simply by firing all of its male employees and replacing them with women! Why do they not do that? Because it is simply not true that women earn less than men. It is only true that *some* women earn less than *some* men, just as it is also true that *some men* earn less than *some* women.

The question is *not* “Do female kindergarten teachers earn less than male iron workers who build skyscrapers?” The question is only “Do female kindergarten teachers at ABC School earn less than male kindergarten teachers at that same ABC School when they both have equal educations and experience?” The fact that teacher Julie earns less than iron worker Matt means absolutely nothing—other than you have to pay a lot of money to get someone to risk his or her life to walk around on steel beams 50 floors above ground level.

I earn less than Candy Crowley but I’m not whining about it—and I certainly don’t think it’s the responsibility of the next President of the United States to do anything about it. On the other hand, I am a male author who wouldn’t mind the “equal pay” of the female author J. K. Rowling...

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