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November 13, 2014

The Honorable Harry Reid  
Majority Leader  
United States Senate  
S-221, The Capitol  
Washington, DC 20510

Re: The Fair Pay and Safe Workplaces Executive Order

Dear Majority Leader Reid:

On behalf of The Leadership Conference on Civil and Human Rights and the undersigned 40 organizations, we urge you to protect The Fair Pay and Safe Workplaces Executive Order against any attempts to diminish or undermine it during the lame duck session. We believe the executive order will improve the lives of millions of workers—helping to ensure they have access to fair pay, benefits, and working conditions. We would like the opportunity to meet with you or your senior staff to discuss the threats against this important and ground breaking effort by the administration, which affects the communities we represent.

By cracking down on federal contractors that break the law, this executive order will help ensure that all hardworking Americans get the fair pay and safe workplaces they deserve. By requiring that an employer's workplace violations be taken into consideration when the government awards federal contracts, it will no longer be acceptable to award federal contracts to companies that routinely violate workplace health and safety protections, engage in age, disability, race, and sex discrimination or withhold wages, and other labor violations. This is critically important since the Department of Labor estimates that there are roughly 24,000 businesses with federal contracts, employing about 28 million workers—at least 20 percent of the civilian workforce.

We are also pleased the executive order attempts to help contractors comply with workplace protections. Companies with labor law violations may receive early guidance on whether those violations are problematic and will have an opportunity to remedy those problems. Contracting officers will take these steps into account before awarding a contract and ensure the contractor is living up to the terms of its agreement.

The executive order will also limit the use of forced arbitration clauses involving disputes arising from Title VII and tort claims related to sexual assault and sexual harassment. This is a key advance in safeguarding workplace rights. In general, forced arbitration makes dozens of antidiscrimination laws unenforceable in court, allowing employers to circumvent civil rights and labor laws intended to protect people from employment discrimination.

The executive order is a common sense measure that will make our contracting system fairer and ensure that companies receiving taxpayer-funded contracts provide basic wage and workplace standards. It has broad public support. A recent survey conducted by Hart Research found that 71% of voters, including 69% of independent voters, favor an executive



order that requires government agencies to review the record of companies that want federal contracts, to ensure these companies have not violated labor and employment laws.

We look forward to meeting with you as soon as possible. If you have any questions, please contact Nancy Zirkin at (202) 466-3311 or Leadership Conference Senior Counsel Lexer Quamie at (202) 466-3648 or email [quamie@civilrights.org](mailto:quamie@civilrights.org).

Sincerely,

National Organizations

The Leadership Conference on Civil and Human Rights  
9to5, National Association of Working Women  
AAPD  
AARP  
American Association of University Women  
American Association for Justice  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)  
American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO  
American Federation of Teachers, AFL-CIO  
Anti-Defamation League  
Bazelon Center for Mental Health Law  
Compliance USA, Inc  
Demos  
Equal Rights Advocates  
Farmworker Justice  
Hadassah, The Women's Zionist Organization of America, Inc.  
Institute for Science and Human Values  
Mexican American Legal Defense and Education Fund (MALDEF)  
NAACP  
National Black Justice Coalition  
National Consumers League  
National Council of Jewish Women  
National Disability Rights Network  
National Education Association  
National Employment Law Project  
National Employment Lawyers Association  
National LGBTQ Task Force Action Fund  
National Organization for Women  
National Partnership for Women & Families  
National Urban League  
National Women's Law Center

National Workrights Institute  
PolicyLink  
Service Employees International Union  
Solomon Project  
UltraViolet  
Wider Opportunities for Women  
Women Employed

State and Local Organizations

Chicago Women in Trades (Chicago, Illinois)  
Women's Law Project (Philadelphia, Pennsylvania)