

February 17, 2016

The Honorable Robert C. "Bobby" Scott
United States House of Representatives
2101 Rayburn House Office Building
Washington, D.C. 20515

Re: The Pay Stub Disclosure Act

Dear Congressman Scott:

The undersigned organizations write in enthusiastic support for H.R. 4376, The Pay Stub Disclosure Act, which you and Congressman Keith Ellison (D-MN) introduced on January 13, 2016. As you know, wage theft is an epidemic that costs mostly low-wage workers tens of billions of dollars each year in unpaid wages. The legal tools they have at their disposal, be it thinly-resourced departments of labor or private lawsuits, are not available to far too many workers seeking to be properly paid for all of their work. The Pay Stub Disclosure Act is an important weapon in the fight against wage theft.

This legislation, if enacted, would mandate a uniform federal standard for what must be disclosed on a pay stub. This would give workers the information they need to be sure that they are being paid properly. Pursuant to the Act, workers would have information about the calculation of their wages, including any overtime, commissions, bonuses, or deductions accounted for in the pay period. This basic information would enable them to better determine if their rights are being violated, and to seek appropriate remedies if they are.

Employees would also have the legal right to inspect their employers' pay records, and they would have a private right of action to remedy violations of the right of inspection. Finally, this legislation would codify the long-standing legal presumption that if an employer fails to keep adequate records of its employees' pay, that employee's credible evidence of hours worked, including oral testimony, will create a presumption in favor of the employee.

The Pay Stub Disclosure Act is a common-sense piece of legislation that is long over-due. It will help employees know their rights to be properly paid, will give them the tools to ensure that they are being compensated as they should be, and in the unfortunate event that a wage and hour claim or litigation over unpaid wages is necessary, the transparency will speed resolution of the dispute by virtue of the records provided and the legal presumptions when records aren't provided, thereby conserving important judicial resources.

Thank you for your leadership on this important issue. We stand ready to work with you to enact The Pay Stub Disclosure Act.

Sincerely,

9to5 California

9to5 Colorado

9to5 Georgia

9to5 Wisconsin

9to5, National Association of Working Women

Advocating Opportunity

AFL-CIO

AFSCME

American Federation of Teachers

Americans for Democratic Action (ADA)

Arkansas Advocates for Children and Families

California Immigrant Policy Center

Center for Effective Government

Center for Law and Social Policy (CLASP)

Centro de los Derechos del Migrante, Inc. (CDM)

Change to Win

Chicago Jobs Council

Coalition on Human Needs

Colorado Center on Law and Policy

Columbia Legal Services

The Commonwealth Institute for Fiscal Analysis

Communications Workers of America (CWA)

Community Justice Project
Council on American-Islamic Relations
Economic Policy Institute Policy Center
Elizabeth Cornish Landing Apartments
Equal Justice Center
Equal Rights Advocates
Every Child Matters Education Fund
Fair World Project
Farmworker Justice
Filipino Migrant Center
Freedom Network USA
Friends of Farmworkers
Global Workers Justice Alliance
Good Jobs Nation
Indiana Institute for Working Families
Institute for Science and Human Values
Interfaith Worker Justice
Interfaith Worker Justice of East Tennessee
International Association of Machinists and Aerospace Workers
International Brotherhood of Boilermakers
International Brotherhood of Teamsters
Jobs With Justice
Kentucky Equal Justice Center
Legal Aid of Marin
Legal Aid Society - Employment Law Center
Maryland Center on Economic Policy
Massachusetts Interfaith Worker Justice
Metro Human Relations Commission

Michigan Immigrant Rights Center
NAACP
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Jewish Women
National Council of La Raza
National Employment Law Project
National Employment Lawyers Association
National Guestworker Alliance
National Immigration Law Center
National Partnership for Women & Families
National Women's Law Center
New Mexico Center on Law and Poverty
New Mexico Voices for Children
New Orleans Workers' Center for Racial Justice
North Carolina Justice Center
Northwest Workers' Justice Project
Oregon Center for Public Policy
Oxfam America
Policy Matters Ohio
Public Justice Center
Rhode Island Center for Justice
Service Employees International Union
Southern Poverty Law Center
United Mine Workers of America
United Steelworkers (USW)
University of the District of Columbia, David A. Clarke School of Law
Urban Justice Center - Community Development Project
Warehouse Worker Resource Center

The Washington Lawyers' Committee for Civil Rights and Urban Affairs

Women Employed

Worker Justice Center of NY, Inc.

Workers' Center of central New York

Workers' Dignity Project

Working America

Worksafe, Inc.