“Pay discrimination based upon gender or any other factor must not be tolerated. The question remains what actions Congress should take to ensure the Equal Pay Act of 1963 is working as intended and to guarantee that the principle of equal pay for equal work is practiced in every workplace in America. Instead of playing politics with legislation that has very little chance of becoming law and opens the door to frivolous lawsuits driven by trial lawyers, the Senate can better serve the hardworking women of our nation by focusing on solutions that can ultimately be signed into law.” – Senator Dean Heller

Senator Heller has filed an amendment to S. 2199 called the End Pay Discrimination Through Information amendment. This is a reasonable approach that would protect employees who are trying to determine whether or not they are experiencing pay discrimination.

The End Pay Discrimination Through Information Act protects employees from retaliation for discussing salaries with other coworkers. Specifically, it prohibits retaliation for inquiring about, discussing, or disclosing the wages of the employee or another employee in response to a sex discrimination complaint or charge, or in moving forward with a sex discrimination investigation, proceeding, hearing, or action. Senator Heller’s legislation ensures that these important anti-retaliation provisions do not result in a federally-encouraged financial boon for trial attorneys.

Senator Heller introduced this legislation as a stand-alone bill (S. 2172) in the 113th Congress on March 27, 2014.  He introduced a similar measure in the 112th Congress on June 4, 2012.