

March 2, 2016

The Honorable Shaun Donovan
Director
Office of Management and Budget
725 17th Street, NW
Washington DC 20503

Dear Director Donovan,

On behalf of the undersigned organizations, we write to express our support for the Fair Pay and Safe Workplaces Executive Order and to urge you to release the final rule as soon as possible.

We are organizations dedicated to eradicating all forms of discrimination in the workplace and promoting good jobs for women. This executive order is the latest in a series of important steps the President has taken to bring the federal contractor community closer to achieving these goals.

Employers that have the privilege of doing business with the federal government also have a responsibility to abide by the law. This executive order is crucial to the communities we represent because it helps ensure that federal contractors behave responsibly and ethically with respect to labor standards, civil rights laws and more. The executive order will ensure that companies applying for federal contracts have every incentive to comply with federal labor and employment laws, including for example the Fair Labor Standards Act (which includes the Equal Pay Act), Title VII, and the Occupational Safety and Health Act, and their state law equivalents. This will lead to fairer treatment for workers in the federal contractor workforce and raise awareness among other employers about their legal obligations. The executive order will also ban compulsory arbitration of claims of sexual harassment and sexual assault, which is critical to ensuring that workers can have their day in court.

The government has long held on both moral and economic grounds that contracting should not be merely a way to acquire goods and services cheaply, but should also allow government to establish itself as a model for the private sector. For example, Executive Order 11246, signed by President Johnson in 1965, prohibits employment discrimination by federal contractors and requires that employers with federal contracts take affirmative actions to make equal opportunity employment a reality, which has resulted in the contractor workforce becoming significantly more diverse and has achieved more economical and efficient contracting for the public.

Yet government contractors are among the worst violators of workplace laws, with one study finding that almost 30 percent of the top violators of federal wage and safety laws hold federal contracts. Too many federal contract jobs are low-paying and poor quality, leaving workers especially vulnerable to abusive employment practices. These low-road practices have dire consequences for workers and their families. For example, the Economic Policy Institute estimates that one in five federal contract workers do not earn enough to keep a family of four out of poverty and often do not receive benefits. And many of the workers earning low wages are women.

Promoting federal contractors' compliance with basic labor, employment and civil rights laws is particularly important in light of the trends in the workforce overall. More than one-third (35 percent) of women's job gains during the economic recovery have been in the ten largest low-wage occupations—those paying \$10.10 or less—compared to 18 percent of men's gains in the same occupations. And, two-thirds of workers in low-wage jobs are women. Low-wage workers are especially vulnerable to workplace abuses such as wage theft, discrimination, harassment, last-minute scheduling practices, violation of their rights to family and medical leave, and retaliation for banding together to improve their working conditions.

This executive order will have a direct and positive impact on the lives of America's working families and provide much needed oversight for a vital sector of our economy. The women and men who serve food in our nation's museum cafeterias and clean federal office buildings deserve to be treated fairly and with respect. This executive order will create strong incentives for federal contractors to comply with baseline labor standards under federal laws and their state law equivalents to ensure that federal contract jobs are high-quality and family sustaining.

Sincerely,

9to5, National Association of Working Women
American Association of University Women (AAUW)
American Civil Liberties Union
Coalition of Labor Union Women
Disciples Justice Action Network
Economic Opportunity Institute
Federally Employed Women (FEW)
Institute for Science and Human Values
Jobs With Justice
The Leadership Conference on Civil and Human Rights
Legal Momentum
Legal Voice
Maine Women's Lobby
National Advocacy Center of the Sisters of the Good Shepherd
National Alliance for Partnerships in Equity (NAPE)
National Asian Pacific American Women's Forum
National Employment Lawyers Association
National Organization for Women
National Partnership for Women & Families
National Resource Center on Domestic Violence
National Women's Law Center
NC Justice Center
OWL-The Voice of Women 40+
Public Justice Center
Restaurant Opportunities Centers United
U.S. Women's Chamber of Commerce (USWCC)
UltraViolet Education Fund
Voices for Illinois Children

Women AdvaNce
Women Employed
Women of Reform Judaism
Women's Law Project