

S 2088

Fairness and Individual Rights Necessary to Ensure a Stronger Society: Civil Rights Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Feb 12, 2004

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S1297-1308) (Feb 12, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2088>

Sponsor

Name: Sen. Kennedy, Edward M. [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (26 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cantwell, Maria [D-WA]	D · WA		Feb 12, 2004
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Feb 12, 2004
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Feb 12, 2004
Sen. Daschle, Thomas A. [D-SD]	D · SD		Feb 12, 2004
Sen. Dodd, Christopher J. [D-CT]	D · CT		Feb 12, 2004
Sen. Durbin, Richard J. [D-IL]	D · IL		Feb 12, 2004
Sen. Edwards, John [D-NC]	D · NC		Feb 12, 2004
Sen. Feingold, Russell D. [D-WI]	D · WI		Feb 12, 2004
Sen. Harkin, Tom [D-IA]	D · IA		Feb 12, 2004
Sen. Kerry, John F. [D-MA]	D · MA		Feb 12, 2004
Sen. Landrieu, Mary L. [D-LA]	D · LA		Feb 12, 2004
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Feb 12, 2004
Sen. Leahy, Patrick J. [D-VT]	D · VT		Feb 12, 2004
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Feb 12, 2004
Sen. Murray, Patty [D-WA]	D · WA		Feb 12, 2004
Sen. Reid, Harry [D-NV]	D · NV		Feb 12, 2004
Sen. Sarbanes, Paul S. [D-MD]	D · MD		Feb 12, 2004
Sen. Schumer, Charles E. [D-NY]	D · NY		Feb 12, 2004
Sen. Levin, Carl [D-MI]	D · MI		Mar 4, 2004
Sen. Boxer, Barbara [D-CA]	D · CA		Mar 24, 2004
Sen. Wyden, Ron [D-OR]	D · OR		Apr 8, 2004
Sen. Bingaman, Jeff [D-NM]	D · NM		May 6, 2004
Sen. Stabenow, Debbie [D-MI]	D · MI		May 11, 2004
Sen. Akaka, Daniel K. [D-HI]	D · HI		Jun 14, 2004
Sen. Inouye, Daniel K. [D-HI]	D · HI		Jun 25, 2004
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Jun 25, 2004

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Feb 13, 2004

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
108 HR 3809	Identical bill	Mar 11, 2004: Referred to the Subcommittee on Education Reform.

Fairness and Individual Rights Necessary to Ensure a Stronger Society: Civil Rights Act of 2004 - Amends the Civil Rights Act of 1964, the Education Amendments of 1972, and the Age Discrimination Act of 1975 to set forth requirements for: (1) establishing discrimination based on disparate impact; and (2) rights of action and recovery for unlawful discrimination (intentional or based on disparate impact) and harassment.

Amends the Uniformed Services Employment and Reemployment Rights Act of 1994, the Age Discrimination in Employment Act of 1967, and the Fair Labor Standards Act of 1938 (FLSA) to provide that a State's receipt or use of Federal financial assistance for a State program or activity shall constitute a waiver of sovereign immunity to a suit under such Acts by a program employee.

Amends the Air Carrier Access Act of 1986 to authorize civil actions in Federal court for discrimination based on disability.

Settlement Encouragement and Fairness Act - Modifies the definition of "prevailing party" for purposes of provisions governing the recovery of attorney's fees to include a party whose pursuit of a non-frivolous claim or defense was a catalyst for a voluntary or unilateral change in position by the opposing party that provides any significant part of the relief sought.

Preservation of Civil Rights Protections Act of 2004 - Makes arbitration clauses in employment contracts unenforceable, with exceptions. Authorizes recovery of expert fees by prevailing parties in civil rights actions.

Equal Remedies Act of 2004 - Repeals provisions limiting the amount of compensatory and punitive damages that may be awarded in cases of intentional discrimination in employment.

Paycheck Fairness in Employment - Amends FLSA to revise provisions governing discrimination in the payment of wages, including equal pay requirements. Establishes the Secretary of Labor's National Award for Pay Equity in the Workplace.

Amends the Immigration and Nationality Act to prohibit denying back-pay or other monetary relief for unlawful employment practices against undocumented immigrant workers.

Actions Timeline

- **Feb 12, 2004:** Introduced in Senate
- **Feb 12, 2004:** Sponsor introductory remarks on measure. (CR S1296-1297)
- **Feb 12, 2004:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S1297-1308)