

S 2554

Civil Rights Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Jan 24, 2008

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

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Jan 24, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/2554>

Sponsor

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

Party: Democratic • State: MA • Chamber: Senate

Cosponsors (19 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Akaka, Daniel K. [D-HI]	D · HI		Jan 24, 2008
Sen. Bingaman, Jeff [D-NM]	D · NM		Jan 24, 2008
Sen. Boxer, Barbara [D-CA]	D · CA		Jan 24, 2008
Sen. Brown, Sherrod [D-OH]	D · OH		Jan 24, 2008
Sen. Cantwell, Maria [D-WA]	D · WA		Jan 24, 2008
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jan 24, 2008
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jan 24, 2008
Sen. Dodd, Christopher J. [D-CT]	D · CT		Jan 24, 2008
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 24, 2008
Sen. Feingold, Russell D. [D-WI]	D · WI		Jan 24, 2008
Sen. Harkin, Tom [D-IA]	D · IA		Jan 24, 2008
Sen. Kerry, John F. [D-MA]	D · MA		Jan 24, 2008
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Jan 24, 2008
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jan 24, 2008
Sen. Menendez, Robert [D-NJ]	D · NJ		Jan 24, 2008
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jan 24, 2008
Sen. Murray, Patty [D-WA]	D · WA		Jan 24, 2008
Sen. Obama, Barack [D-IL]	D · IL		Jan 24, 2008
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 24, 2008

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Jan 24, 2008

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
110 HR 5129	Related bill	Feb 4, 2008: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

Summary (as of Jan 24, 2008)

Civil Rights Act of 2008 - 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). Amends those Acts and the Rehabilitation Act of 1973 to set forth requirements regarding a right of recovery for harassment.

Amends the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), the Age Discrimination in Employment Act of 1967 (ADEA), 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 constitutes a waiver of sovereign immunity for a suit 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 2008 - 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 2008 - Repeals provisions limiting the amount of compensatory and punitive damages that may be awarded in cases of intentional discrimination in employment.

Amends the FLSA to revise provisions governing discrimination in the payment of wages, including equal pay requirements.

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

Applies specified provisions of this act to violations pending as of enactment or occurring prior to enactment.

Actions Timeline

- **Jan 24, 2008:** Introduced in Senate
- **Jan 24, 2008:** Sponsor introductory remarks on measure. (CR S286)
- **Jan 24, 2008:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.