

## CFC Has Tucker Act Jurisdiction Over Equal Pay Claims, CFC Holds

The U.S. Court of Federal Claims recently held that it has jurisdiction over claims for money damages under the Equal Pay Act Amendment to the Fair Labor Standards Act. [case name] The Equal Pay Act Amendment requires equal wages to be paid to members of both sexes “for equal work on jobs the performance of which requires equal skill, effort, and responsibility, which are performed under similar working conditions.”

The government argued that the remedial scheme of the Fair Labor Standards Act displaces the Tucker Act as a source of jurisdiction for Equal Pay Act claims. Under the Tucker Act, the CFC has exclusive subject-matter jurisdiction over money damages claims against the federal government. The CFC rejected this argument, noting that Fair Labor Standards Act’s failure to specify which federal court to bring Equal Pay Act claims in is “exactly the gap that the Tucker Act was designed to address.” Finding “no basis for concluding that Congress intended to exclude the Tucker Act from among the[] possible [jurisdictional] sources,” for Equal Pay Act claims, the court thus concluded that its “traditional jurisdiction over FLSA claims, long-recognized by the [U.S. Court of Appeals for] the Federal Circuit, is undisturbed.”

The opinion can be found [here](#).