

Submitter: Jim Davis  
On Behalf Of: Or St Cn for Retired Citizens United Seniors  
Committee: House Committee On Labor and Workplace Standards  
Measure, Appointment or Topic: HB3187

I'm Dr. Jim Davis, a retired gerontologist/psychologist and gerontology professor, representing the Oregon State Council for Retired Citizens, United Seniors of Oregon, and the Oregon Consumer League, in support of HB 3187.

Advocacy and consumer organizations have joined together to support HB 3187, which will make needed changes in state employment discrimination statutes to prohibit employers from using age-identifying information against older applicants in the initial job application process or use age-related criteria against older employees workers such as length of service or higher salary/benefit cost factors.

With the boomers working their way toward doubling the elder population, more older workers are working past the traditional retirement age and are expected to be the fastest growing demographic in the workplace. Older workers 50 plus bring proven job and leadership experience to their chosen occupations, but are frequently met with barriers based on age discrimination that makes their path to that ideal job is rocky one at best. The most telling piece of data is the fact that two-thirds of older workers between 45-74 believe that there is age discrimination in the workplace and/or barriers to getting a job.

Too many work environments foster internal cultures of age bias/ageism, where older workers are considered obsolete at 50, including: excluding older workers from key activities/projects; removing key responsibilities; limiting older workers from job-related education and career development; and pressuring them with financial incentives, before ultimately laying them off.

Too often, employers don't understand or appreciate that older workers are a great resource to both the public and private sectors, with vast experience, knowledge, wisdom, stability, and high levels of motivation, engagement, and productivity. Many studies have shown the tremendous benefits of having older workers. But, unfortunately, many employers buy into the traditional stereotypes of older workers being less capable and able. Nothing could be further from the truth. Older workers help create a more positive, effective and productive workplaces.

Older workers face the constant threat of lay-off. There have been on-going trends for decades of older workers being pushed out of jobs, only to be replaced with less, expensive younger workers.

If out of work, older workers spend a lot more time searching for employment, are requested for fewer interviews, and often settle for less than they hoped for. Studies show clearly that older workers are less likely to receive a request for an interview, especially middle aged and older women. Younger applicants are far more likely to get a call back for an interview. A study (Neumark, Burn and Button) looked at 40,000 job applications for more than 13,000 positions in 12 cities across 11 states. In measuring the number of call-backs to younger and older job applicants, there was a considerable gap of 30 to 47 percent between the younger and older applicants.

Oregonians of all ages deserve to work in their chosen field and earn an income to secure a financial future for themselves and their families, free of ageism. There should be no place for ageism in our state, and yet age discrimination makes up more than 1 in 5 of the discrimination charges received by the U.S. Equal Employment Opportunity Commission. More than 2,500 Oregonians filed age discrimination claims with BOLI in the last decade – about one per workday, but this represents a much smaller percentage of the age bias that actually exists and is not reported or complaints filed. There is a hard burden of proof whether employment action was taken because of age.

HB 3187 will more comprehensively define age discrimination in Oregon statutes, providing more clearly defined protections for older workers from age discrimination in the application process and on the worksite.

We urge your strong support for HB 3187.