



Andrea Meyer, Director of Government Relations
Testimony in support of HB 3187
House Committee on Labor & Workforce Standards
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AARP is the nation's largest nonprofit, nonpartisan organization dedicated to empowering Americans 50 and older to choose how they live as they age. On behalf of our 500,000 AARP Oregon members including those attending the hearing today and those who could not be here but submitted testimony, I am pleased to testify in support of HB 3187.

My predecessor at AARP began this effort because we were receiving calls from members who felt that had encountered workplace age discrimination.

When we suggested they contact BOLI or an attorney, they would often report they already had but had been told that although what they were describing seems a clear case of age discrimination, because of court rulings, there was nothing that could be done.

You will hear from some witnesses today about what is happening in the workplace, but I also urge you to review the testimony submitted reflecting personal experiences of Oregonians across this state as well as a broad representation of organizations in support.

The data supports the reality that we have a problem with workplace age discrimination. AARP research shows that 55 % of Oregonians 40 and older who are working or looking for work, reported that they had seen or experienced age discrimination in the workplace. And of those 88% said it's common regardless of party affiliation (86% Republican, 88% Independent & 89% Democrat). 85% support updating Oregon's law.

A 2020 study AARP did in conjunction with the Economist found that in 2018 the U.S. missed out on a potential \$850 billion in GDP because those who are 50+ encountered workplace age discrimination. Older workers are part of solving the workforce shortage but face stereotyping and age-bias. And more recent studies document that the reality of workplace age discrimination disproportionately effects for women, Hispanic, Black and lower income workers.

I want to emphasize the very real economic, emotional and societal impact of workplace age discrimination. Laid off and unable to find work, many older workers are forced to sign up early for social security, cutting their benefits. Financial strain leads to worse physical and mental health outcomes. AARP data shows that over 50% of those who will experience homelessness and who face eviction in 2023 are older Oregonians.

The problem is real.

Our age discrimination law, unlike the other parts of our workplace discrimination law, is broken. And we are here to fix it. This legislation is intended to CLARIFY the law and FIX what the courts broke.

HB 3187 will not make the law more complicated or more expensive. The current law leaves both sides short, with no recourse for workers when dealing with bad actors and a lack of definition for employers to know what constitutes age discrimination.

Just like the legislature did when it updated “sex discrimination” law to include “pregnancy” and “childbirth” and race discrimination to include hair and hair style, it is time to update the age discrimination law so everyone knows what it includes.

More than 50 years ago this body put into statute: “It is declared to be the public policy of Oregon that the available workforce should be utilized to the fullest extent possible. To this end, the abilities of an individual, and not any arbitrary standards that discriminate against an individual solely because of age, should be the measure of the individual’s fitness and qualification for employment.” (ORS 659A.009)

Unfortunately, thanks to the courts, we are not upholding Oregon’s vision and values.

On behalf of AARP and older working Oregonians, we urge you to pass HB 3187.