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On Behalf Of: OR St Cn for Retired Citizens United Srs of OR
OCL
Committee: Senate Committee On Labor and Business
Measure, Appointment or Topic: HB3187

Testimony, HB 3187-A, Age Discrimination in the Workplace
Senate Labor and Business Committee, April 29, 2025

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-A, which will ensure older workers have a more fair hiring process by prohibiting future employers from requiring applicants to disclose their age, date of birth or graduation date before the first interview is completed.

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

We are disappointed that opposition from the business lobby forced major changes in the legislation, removing an important clarification and update of the definition of "age" that included retirement and pension status, salary and length of service if used as a proxy for age. However, we are very supportive of the remaining provision to ensure older workers have a fair and just hiring process that would prohibit future employers from requiring applicants to disclose their age, date of birth or graduation date prior to the first interview.

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 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. 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.

When 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.

HB 3187-A will providing more clearly defined protections for older workers from age discrimination in the application process. We urge your strong support for HB 3187-A.