



A STRONG VOICE FOR OREGON'S WORKERS

TO: Chair Holvey
Vice-Chairs Bonham & Grayber
Members of the House Committee on Business and Labor

FR: Jacob Finkelman, OR AFL-CIO

RE: HB 2938 Support

March 16, 2021

The Oregon AFL-CIO represents 300,000 workers across Oregon and is a voice for all workers in the legislative process, including workers of all ages. HB 2938 will create an Age Discrimination Task Force to help address this major barrier to older workers in the labor market. The COVID-19 pandemic has placed older workers in an even more vulnerable position of losing their jobs. This bill is critical to ensure that all workers are included in our workforce recovery effort.

HB 2938 will establish a Task Force on Age Discrimination charged with identifying and evaluating the impacts of age discrimination in the workplace and establish policy recommendations to prevent it. Representatives will consist of older workers, businesses, advocates, and will provide input on the concepts and will be equally represented on the Task Force.

In a study conducted by AARP in December 2018, 62% of older Oregon workers say they have seen or experienced age discrimination on the job. More than 2,500 Oregonians filed age discrimination claims with the Oregon Bureau of Labor and Industries (BOLI) in the last decade — about one per workday. There should be no place for ageism in our state. Older employees bring proven job and leadership experience to the workplace. They deserve full and equal access to employment opportunities like everyone else.

When workers who are over 50 have difficulties finding and keeping employment based on age discrimination, they lose the ability to provide for their families and to save for retirement. Age discrimination also especially hurts women who may have gaps in their employment history due to child raising or caregiving and are already at risk of being able to retire securely. An engaged, multigenerational workforce fosters a strong economy, vibrant communities, and older adults who are self-sufficient. Now, at a time of COVID, this issue is even more critical to our workforce recovery.

Age discrimination negatively intersects with racial and gender-based discrimination in the workplace, keeping workers of color, women and LGBTQ workers at a disadvantage of being able to support themselves and their families. Workers who birth children are too often subjected to assumptions about whether their family obligations interfere with their commitment to work and historically, mothers have seen their careers stalled. HB 2938 fights ageism in the workplace, and in doing so, fights against sexism too.

The burden to prove age discrimination is impossibly high, and often more challenging than the standard of proof for discrimination based on race, religion, ethnicity, nationality, or sex. Last year, this same proposal (HB 4076) was sent to the House floor with a do-pass recommendation but did not receive a vote before adjournment (despite 52 bi-partisan sponsors and no opposition).

We need to bring everyone to the table to address this problem, and ensure equal protection of all workers and their

ability to provide and contribute to a sustainable, post-pandemic economy. That is why we urge you for support on HB 2938.