July 23, 2021

The Honorable Sylvia R. Garcia
1620 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Garcia:

On behalf of the National Council on Aging, I am pleased to endorse your legislation to strengthen protections for older workers under the Protect Older Job Applicants Act of 2021 (H.R. 3992).

Ageism is one of the last socially acceptable forms of discrimination in our society—and it remains stubbornly ingrained in too many workplaces. AARP research shows that in 2020, nearly 80 percent of older workers reported having seen or experienced age discrimination at work.

As age discrimination has increased during the pandemic, so have job losses among older workers. Nearly 2 million workers aged 55 and older were unemployed in June, and 55.3 percent were long-term unemployed (27 weeks or longer), a rate that exceeds that of their younger counterparts. Research from The New School Schwartz Center for Economic Policy Analysis reveals that another 1.7 million older adults abandoned the job search and retired earlier than anticipated, setting many of them up for financial insecurity in their later years.

As Congress takes steps to promote economic recovery and job creation and placement, Age Discrimination in Employment (ADEA) protections must be restored and strengthened. In 2019, the 7th U.S. Circuit Court of Public Appeals (Kleber v. CareFusion Corp., No. 17-1206) ruled that ADEA protections apply only to current employees and do not extend to external applicants. The Protect Older Job Applicants Act will restore the original ADEA intent and clarify and codify these crucial protections for older workers seeking new employment.

It's time to treat age discrimination the same as every other unlawful bias in the workplace. We applaud your leadership on behalf of older workers and urge Congress to pass your legislation quickly to ensure they have equal access to employment opportunities as the economy recovers and into the future.

Sincerely,

Ramsey Alwin
President and CEO