

Adams, Scott, Davis Lead Bipartisan Group of House Members to Introduce Bill Protecting Older Workers from Age Discrimination



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Date 2021-03-18 17:49

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WASHINGTON, D.C. – Today, Congresswoman Alma Adams (NC-12), Chair of the Subcommittee on Workforce Protections, and Representatives Bobby Scott (VA-03), chairman of the Committee on Education and Labor, and Rodney Davis (IL-13) led a bipartisan group in introducing the [Protecting Older Workers Against Discrimination Act \(POWADA\)](#), a proposal to strengthen anti-discrimination protections for older workers.

They were joined by six Republicans and five Democrats, including Civil Rights and Human Services Subcommittee Chair Suzanne Bonamici (OR-01).

In 2009, the Supreme Court's decision in *Gross v. FBL Financial Services, Inc.* weakened protections against age discrimination under the *Age Discrimination in Employment Act (ADA)*. Under *Gross*, plaintiffs seeking to prove age discrimination in employment are required to demonstrate that age was the *sole* motivating factor for the employer's adverse action.

POWADA returns the legal standard for age discrimination claims to the pre-2009 evidentiary threshold, aligning the burden of proof with the same standards for proving discrimination based on race and national origin.

"Labor law must protect the dignity of all workers and it must recognize that discrimination against older Americans is discrimination all the same. The Protecting Older Workers Against Discrimination Act (POWADA) will ensure that older workers will be fairly treated in the job market, returning the legal standard for proving discrimination back to its original intent. There is no place for disparate treatment based on age in the workforce," **said Chairwoman Alma Adams (NC-12), Subcommittee on Workforce Protections.**

"Everyone – regardless of their age – should be able to go to work every day knowing that they are protected from discrimination. Unfortunately, age discrimination in the workplace is depriving older workers of opportunities and exposing them to long-term unemployment and severe financial hardship. More than a decade ago, the Supreme Court undermined protections for older workers by setting an unreasonable burden of proof for age discrimination claims. The Protecting Older Workers Against Discrimination Act is a bipartisan bill that would finally restore the legal rights of older workers by ensuring that the burdens of proof in age discrimination claims are treated in the same manner as other discrimination claims." **said Chairman Bobby Scott (VA-03), Committee on Education and Labor.**

"Every American, including older Americans, deserves to work in a workplace or jobsite that is free from discrimination. That's why I'm proud to team up with Chairman Bobby Scott and a bipartisan group of lawmakers in introducing the Protecting Older Workers Against Discrimination Act. Our bipartisan bill provides workplace protections for older workers by removing barriers they have to filing discrimination claims, ensuring their workplace rights can be enforced. I'd like to thank Chairman Scott for his leadership on this issue, and I look forward to working with colleagues on both sides of the aisle to finally get this bill passed," **said Congressman Rodney Davis (IL-13).**

"Oregon has a rapidly aging population, and unfortunately age discrimination in the workplace remains disturbingly pervasive. I've heard from Oregonians who were denied or lost a job because of their age, but the bar for proving discrimination is very high and the outcomes are uncertain. The bipartisan Protecting Older Workers Against Discrimination Act makes it clear that unlawful discrimination in the workplace is unacceptable and holds employers

accountable for discriminatory actions." **said Chairwoman Suzanne Bonamici (OR-01), Subcommittee on Civil Rights and Human Services.**

"The introduction of this bill is a crucial step to strengthening the law and restoring fairness for older workers who experience age discrimination. It sends a clear message that discrimination in the workplace – against older workers or others – is never acceptable." **said Nancy LeaMond, AARP Executive Vice President and Chief Advocacy & Engagement Officer.**

The *Protecting Older Workers Against Discrimination Act* amends four laws—the *Americans with Disabilities Act*, Title VII of the *Civil Rights Act*, the *Age Discrimination in Employment Act*, and the *Rehabilitation Act*. A similar version was passed with bipartisan support during the 116th Congress.

Additional cosponsors include **Reps. Fitzpatrick (PA-01), Katko (NY-24), Axne (IA-03), Gonzalez-Colon (PR-At Large), Newman (IL-03), Van Drew (NJ-02), Lowenthal (CA-47), and Grothman (WI-06).**

For a section-by-section of the *Protecting Older Workers Against Discrimination Act*, click [here](#).

For a fact sheet on the *Protecting Older Workers Against Discrimination Act*, click [here](#).

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