

Adams Stands with Older Workers, Votes to Restore Critical Protections Against Age Discrimination



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Rep. Adams Stands with Older Workers, Votes to Restore Critical Protections Against Age Discrimination

WASHINGTON, D.C. – Today, **Congresswoman Alma Adams (NC-12), chair of the House Education & Labor Committee Subcommittee on Workforce Protections**, voted for H.R. 2062, the ***Protecting Older Workers Against Discrimination Act***, which restores critical, well-established workplace protections for older Americans that were weakened in 2009 by the Supreme Court. With this important legislation, Congress is standing up for older workers facing age discrimination and empowering them to hold their employers accountable for unfair practices.

[Video of Rep. Adams' floor remarks is available here.](#)

"Though House Democrats continue to work for an end to the pandemic, COVID-19 has changed the American Workforce," **said Congresswoman Adams**. "People from all walks of life have suffered. Older Americans in the workforce continue to feel the fallout from the coronavirus. The perception that older workers are not as valuable as their younger counterparts persists. The myth that older workers are unproductive and costly persists. The idea that older Americans do not value their careers, their job, or their work persists. Because of these challenges, older workers are more likely to remain out of the workforce when they lose a job. Age discrimination is a real threat to our workforce, but it doesn't have to be that way."

"That's why the *Protecting Older Workers Against Discrimination Act*, is so important. Older workers need specific protection under the law! As we look ahead to a stronger economy and upcoming legislation, I urge you to remember the

importance of older workers to our economy, workforce, and our families," **Adams concluded.**

Before the Supreme Court's ruling in *Gross v. FBL Financial Services Inc.*, older workers alleging age discrimination in the workplace had to prove that age was simply one of the motivating factors behind the discrimination. This is the same burden of proof faced by those alleging discrimination on the basis of race, sex, national origin or religion.

However, in 2009, the Court upended decades of legal precedent by imposing a much higher burden of proof for older workers, requiring them to prove that age was the decisive and determinative cause of the discrimination. This bill would restore the standard for older workers back to the pre-2009 level – the same burden of proof required of all other workers alleging employment discrimination – and make it easier for older workers discriminated against to seek recourse in court.

Stronger protections against age discrimination will not only protect older workers, but they will also grow the workforce and strengthen the economy. A 2018 AARP survey found that three in five workers age 45 and older had seen or experienced discrimination in the workplace. Moreover, a study produced by AARP and Economist Intelligence Unit found that the United States missed out on a potential \$850 billion in GDP in 2018 because older workers were denied opportunities to remain in or re-enter the labor force, switch jobs or be promoted within their organization.

In the 116th Congress, the House passed a nearly identical bill with a strong bipartisan vote.

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