



Testimony of Nora Duncan, AARP State Director, in support of:
S.B. 56: AN ACT DETERRING AGE DISCRIMINATION IN EMPLOYMENT APPLICATIONS
Aging Committee, February 9, 2021

AARP is a nonpartisan, social mission organization with an age 50+ membership of nearly 38 million nationwide, and nearly 600,000 here in Connecticut. AARP empowers people to choose how they live as they age. Financial resiliency, including employment, is a major pillar of our work nationally and in Connecticut. AARP believes that freedom from discrimination is a fundamental right. All workers - regardless of age, sex, race, ethnicity, disability, sexual orientation, gender identity or expression, religion, national origin, or family caregiver status - deserve to be protected from arbitrary discrimination in all aspects of employment, including hiring, compensation, promotion, termination, and training.

AARP is pleased to offer our support for Senate Bill #56, which seeks to limit age discrimination for people of all ages, by prohibiting employers from asking for date of birth, age, school attendance and graduation dates on employment applications. I would like to thank Senator Slap for his leadership on this issue over the last 3 years. I commend him for pulling together a bipartisan coalition of supporters, inclusive of the CT Business and Industry Association.

The issue of age related questions on job applications comes up all the time while working with job seekers in the community. It is directly tied to a perception, which I believe often translates to reality, that the date of birth and school related dates are being used specifically, and illegally, to identify age in the initial application process, as well as subsequent decisions regarding who moves on to an interview. If not purposeful, there is certainly unconscious bias at play. This was reinforced for me by a [Wall Street Journal](#) article published on 2/1/21 showcasing research on age bias, including from the European Journal of Social Psychology. Their 2002-2018 research included responses from over 803,000 U.S. residents between the ages of 15 and 94. Sadly, CT ranked 2nd in implicit bias – a subconscious negative attitude – toward older people.

A few key statistics make it clear why this legislation is so important.

- CT is the 6th oldest state in the nation.
- By 2022, 35% of the total US workforce will be age 50 or older.
- The two fastest growing - and by leaps and bounds – age cohorts in the US Labor pool are those over age 75 and those age 65-74.
- Whether working or in retirement spending their hard-earned dollars, the economic activity of people age 50+ on the US GDP is equivalent to the third largest economy in the world at \$8.3 trillion.

- In a 2018 AARP survey of people age 45 and older, 61% of respondents have either seen or experienced age discrimination, with it affecting African American women the most.
- In that same AARP survey, 44% of respondents who applied or interviewed for a job in the previous two years were asked age-related questions such as birth and graduation dates.
- A Q4 2020 AARP survey of people age 40-65 concerned about job security fear that their older age will be hurtful as they seek new employment, and women are more concerned than men. (See infographic on last page).
- In that same survey of job-insecure workers, 61% thought age would be factor in their job loss.

Age discrimination is illegal and companies can put themselves at risk when they ask for age-related information. The Society of Human Resource Management (SHRM) recommends that employers do not ask for date of birth or graduation dates in the initial application. Yet, for some reason it continues to appear as a mandatory field on many applications, when even a voluntary field can create the same legal risk for employers. In a recent Executive Briefing about recruiting and retaining older workers, sponsored by the AARP Foundation, SHRM specifically states, "You do not need this information to interview someone. If the information is needed for background checks, collect it later in the process. That information can also be separated out so it goes only to the background check company, not to the hiring manager."

In 2017, I testified in favor of H.B. 6206: AN ACT CONCERNING AGE DISCRIMINATION IN HIRING PRACTICES. In 2018, I testified in the Labor Committee in support of pay equity and also recommended language that would prohibit asking for date of birth and graduation dates (high school and higher education), along with salary history, on job applications. In 2019, I testified in favor of House Bill #6113: AN ACT PROHIBITING EMPLOYERS FROM INQUIRING ABOUT DATE OF BIRTH OR DATE OF GRADUATION ON EMPLOYMENT APPLICATIONS. In 2020, I testified in favor of S.B. 85 – identical to the bill before the Committee today – and it was JF'd by this Committee. Then the pandemic hit and here we are again!

I fully anticipate that 2021 will be my final year of testifying on this subject matter. It is time to ban the practice of asking job seekers for information that is at best, completely unnecessary and at worst, completely discriminatory.

I can be reached at nduncan@aarp.org and I look forward to answering questions and responding to requests for AARP employer and employee resources. I encourage you to visit the following sites for events, reskilling opportunities and higher education tuition scholarships, job postings, webinars, blogs and more. Please feel free to share with your constituents.

aarp.org/CT
aarp.org/CTDiscounts
aarp.cvent.com/jobsconn
aarp.org/work
learn.aarp.org



Ageism Could Hurt Job Prospects, Say Job-Insecure Older Workers

Older workers who are concerned about job security* say their age may negatively impact their current or potential job search.

44% Nearly half of the workers in this survey fear that their older age will be hurtful as they try to find a new job.



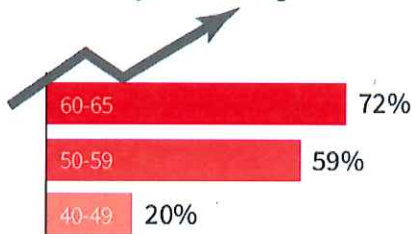
Women are more concerned than men



This fear remains a concern across multicultural groups



Concerns about age on the job search skyrocket as age increases



Those who are currently unemployed are far more likely to believe their age will be hurtful to finding a job:
56% unemployed
41% employed full-time



Of employed workers who are concerned that they could lose their job in 2021, **61%** say their age would be a factor.

Among older workers concerned about job security

35% haven't searched for a job in more than 5 years.



44% haven't had a job interview in over 5 years.



74% say they would likely need to learn new skills in order to get a new job.



Find innovative tools and tips for experienced workers at www.aarp.org/work

*Survey was fielded to 1,502 adults ages 40-65 who are in the workforce. In addition, all must have some job insecurity over the next year, including at least one of the following: currently unemployed; need upskilling to keep their current job or get a new job; concerned that they could lose a job, be temporarily laid off, have hours reduced, or be furloughed. African Americans/Blacks n=173; Hispanics/Latinos n=245; Women n=709; Men n=793; Employed n=1,306; Unemployed (looking) n=196
Fielding dates: November 30 - December 7, 2020 via Dynata online panel.

For additional information, contact Rebecca Perron at rperron@aarp.org. For media inquiries, contact media@aarp.org.

<https://doi.org/10.26419/res.00433.001>

AARP.ORG/RESEARCH | ©2021 AARP ALL RIGHTS RESERVED