



Legislative Testimony
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**Written Testimony Supporting Senate Bill 85,
An Act Deterring Age Discrimination in Employment Applications**

Senator Maroney, Representative Serra, Ranking Members Wilson and Kelly, and distinguished members of the Aging Committee:

My name is Kelly McConney Moore, and I am the of the policy counsel of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of Senate Bill 85, An Act Concerning Deterring Age Discrimination in Employment Applications. We strongly encourage this Committee to support Senate Bill 85.

Discrimination – in which an individual is judged on arbitrary assumptions about an immutable group to which an individual belongs, rather than on the individual’s merits – is always unacceptable when making employment decisions. Age discrimination faultily assumes that a person’s age is more important than their individual characteristics.

When an employer classifies a job applicant who is able to perform the work as ineligible solely because they are older, that applicant is denied equal protection of the law. We therefore oppose age discrimination in employment as applied to otherwise qualified individuals who are precluded from being hired, promoted, or retained solely because a potential employer has deemed them “too old.”

Age discrimination is a real problem. The U.S. Equal Employment Opportunity Commission has found that not only do most people have inaccurate negative beliefs about older workers, but also that age discrimination is pervasive.¹ Six in ten workers over 45 say they have seen or experienced age discrimination.² Age discrimination also disproportionately impacts workers from additional marginalized groups. Seventy-seven percent of older Black workers saying they have experienced age discrimination, while women report age discrimination with more frequency than men.³ With age discrimination so common, the measures proposed in Senate Bill 85 are necessary.

To ensure that individual employees are treated as individuals, rather than as undifferentiated group members, employment discrimination must be continually fought. Connecticut should enact protections against employment discrimination. We therefore urge you to support Senate Bill 85, An Act Deterring Age Discrimination in Employment Applications. Thank you.

¹ Victoria A. Lipnic, “The State of Age Discrimination and Older Workers in the U.S. 50 Years after the Age Discrimination in Employment Act (ADEA),” EEOC (June 2018), *available at* <https://www.eeoc.gov/eeoc/history/adea50th/report.cfm>.

² Rebecca Perron, “The Value of Experience: Age Discrimination Against Older Workers Persists,” AARP (July 2018), *available at* <https://www.aarp.org/research/topics/economics/info-2018/multicultural-work-jobs.html?CMP=RDRCT-PRI-OTHER-WORKJOBS-052118>.

³ Kenneth Terrell, “Age Bias Complaints Rise among Women and Minorities,” AARP (June 28, 2018), *available at* <https://www.aarp.org/work/working-at-50-plus/info-2018/age-discrimination-increases-women-minorities.html>.