

**Testimony of Dana Sussman
Deputy Commissioner for Policy and Intergovernmental Affairs
New York City Commission on Human Rights
Before the Committee on Aging and the Committee on Civil and Human Rights
September 17, 2018**

Good afternoon Chair Chin and Chair Eugene, and members of the Committees on Aging and Civil and Human Rights. I am Dana Sussman, Deputy Commissioner for Policy and Intergovernmental Affairs at the New York City Commission on Human Rights and I am pleased to be here today with my colleague from the Department for the Aging, Deputy Commissioner Caryn Resnick, to discuss the work of the Commission in combatting age discrimination in the workplace.

Because the Commission has not had the opportunity to appear before the Committee on Aging previously, I'll briefly describe the work of the agency. By statute, the Commission has two main functions. The first is as a civil law enforcement agency, enforcing the City's anti-discrimination law, called the City Human Rights Law, one of the most comprehensive anti-discrimination laws in the country. The Commission's Law Enforcement Bureau investigates complaints of discrimination from the public, initiates its own investigations on behalf of the City, and utilizes its in-house testing program to help identify entities breaking the law. The law includes 24 categories of protection, most of which protect against discrimination and harassment in practically all areas of City living – employment, housing, public accommodations, on the streets, in transit, and other spaces. Allegations of discrimination come to the Commission's Law Enforcement Bureau (LEB) for investigation in several ways. Members of the public may file a complaint with the LEB about their own experience. A lawyer may file a complaint on a person's behalf. Service providers, community organizations, members of faith communities, elected officials, or any other individual may bring specific incidents or potential patterns of discrimination to LEB's attention, and LEB can initiate its own investigation. The Commission can obtain money damages for the complainant and require that the wrongdoer change policy, undergo training, complete community service, among other forms of affirmative relief, and pay civil penalties to the City of New York.

The second main function of the Commission is to perform community outreach and provide education on the City Human Rights Law and human rights-related issues, which is why the Commission also has a Community Relations Bureau comprised of Community Service Centers in each of the City's five boroughs. The Community Relations Bureau provides free workshops on individuals' rights and businesses, employers' and housing providers' obligations under the City Human Rights Law, creates engaging programming on human rights and civil rights related issues, from youth-centered conversations on LGBTQ rights to forums on disability access, and builds spaces for communities to engage in dialogue and foster connection, such as, for example, this year's Immigrant Justice Interfaith Seder and this month's networking event focused on building coalition within the African Immigrant, African American, Afro-Caribbean, and Afro-Latinx communities and other self-identified Black Communities.

The Office of the Chairperson focuses on policy, legislation, rulemaking, legal enforcement guidance, and serves as the adjudicatory body for the Commission, hearing appeals from closed Law Enforcement Bureau matters and issuing final Decisions and Orders on cases that have been litigated through the OATH process. In addition, the Office of the Chairperson oversees major Commission projects, including a recent report on Xenophobia, Islamophobia, and Anti-Semitism experienced by Muslim, Arab, South Asian, Jewish, and Sikh New Yorkers up to following the 2016 Presidential Election released this year based on a survey the Commission conducted of over 3,100 New Yorkers. And a few weeks after the #metoo movement was reignited last fall, the Commission convened a public hearing on sexual harassment in the workplace, which resulted in a report released earlier this year, coinciding with the passage and implementation of a legislative package strengthening protections against gender-based harassment in the workplace.

The City Human Rights Law protects against discrimination based on age in employment, housing, and public accommodations. Unlike the federal Age Discrimination in Employment Act, there is no threshold age one must be to be protected under the law. Over the past two years, the Commission has filed 112 complaints on behalf of individuals alleging age discrimination. The vast majority of those cases are in the employment context. And since 2015, the Commission has filed nearly 700 cases on behalf of New Yorkers 55 years and older, alleging discrimination across many protected categories including disability, religion, race, caregiver status, and others. Cases alleging workplace discrimination on the basis of age or disability, or both, have increased

Age discrimination in the workplace is insidious and can manifest in both implicit bias and overt conduct. Several examples from cases resolved recently at the Commission demonstrate the work the agency is doing to combat age discrimination. In one case, an employee stated that he had been subjected to repeated discriminatory comments related to his age by his supervisor, and reported the comments internally but no action was taken. The Commission's Law Enforcement Bureau investigated and negotiated a resolution resulting in a conciliation agreement between employer, the employee, the Commission and the supervisors responsible. The agreement required the employer to pay \$25,000 in emotional distress damages and provide anti-discrimination training to supervisors and managers in the employee's unit, as well as re-training to certain managers on reporting and remediating complaints of discrimination. In addition, the supervisor involved in the case, who is no longer employed by the employer, was required to undergo 20 hours of community service with seniors.

In another matter, an older female employee reported that she was labeled "not a team player" for engaging in behavior that was not similarly characterized when displayed by younger, male colleagues. And as a result she lost her job. After an investigation, the Law Enforcement Bureau issued a determination of probable cause. The Commission, the Complainant and the Respondent ultimately entered into a conciliation agreement requiring the Respondent to pay the Complainant \$27,500 in damages. The agreement also involves monitoring of the respondent involved in the case: the employer is required to provide information to the Commission if any other discrimination-related complaint is filed against the individual respondent for a period of

three years. In addition, the Respondents' Human Resources staff will be trained in anti-discrimination law.

The Commission's Community Relations Bureau regularly partners with community-based organizations like the Senior Umbrella Network, SAGE, the Queensboro Council for Social Welfare, and others to provide know-your-rights information on age discrimination and protections under the City Human Rights Law. The Commission has presented know-your-rights information sessions at dozens of senior centers over the past several years, bringing awareness of protections against age discrimination to over one thousand seniors across the five boroughs. Our relationships with the Queensboro Council for Social Welfare and SAGE are longstanding; we meet regularly at those organizations to ensure that our team is able to address specific issues related not only to age discrimination, but other forms of discrimination including LGBTQ discrimination, disability discrimination, and discrimination in housing. Most recently, on May 30, 2018, the Commission, along with our colleagues at the Department for the Aging, presented at the Ageism Symposium, sponsored by Brooklyn Public Library's Older Adult Services Department. On September 20, Commission staff will speak on the City Human Rights Law at an Aging Symposium sponsored by the Senior Umbrella Network of Brooklyn and will highlight protections against age-based discrimination as well as discrimination in housing, accessibility access, and other areas that intersect with age-based discrimination. If any Council Member is interested in having our team work with your staff to develop an outreach event, on-site legal clinic, or other programming for your constituents, we would be more than happy to collaborate with you.

Thank you for convening this hearing today. I look forward to your questions.



TESTIMONY

Presented by

Caryn B. Resnick
Deputy Commissioner, External Affairs

on

Oversight: Age Discrimination in the Workplace

before the

New York City Council
Committee on Aging & Committee on Civil and Human Rights

on

Monday, September 17, 2018
1:00 P.M.

at

Council Chambers, City Hall
New York, NY 10007

Good afternoon, Chair Chin, Chair Eugene, and members of the Aging and Civil and Human Rights Committees. I am Caryn Resnick, Deputy Commissioner for the New York City Department for the Aging (DFTA). On behalf of Commissioner Donna Corrado, I would like to thank you for this opportunity to provide testimony on the important subject of age discrimination in the workplace.

DFTA MISSION & SERVICES

Combatting ageism has long been an important part of our work at DFTA. Over the past several years, we have hosted multiple public forums, trainings, and presentations on ageism awareness and prevention. It was not, however, until 2013 at the onset of Dr. Corrado's tenure as DFTA Commissioner that combatting ageism formally became a guiding principle. Today, our mission, in part, is to work to eliminate ageism and ensure the dignity and quality-of-life of New York City's diverse older adults.

Our unwavering commitment to the 1.4 million New Yorkers over the age of 60 is accomplished through our collaborative partnerships with hundreds of community-based organizations across the city for the provision of needed programs and critical services. As you know, such programs and services include 249 senior centers located across the city; 4.49 million meals delivered annually to homebound seniors; and 528,000 hours of case management services provided each year. In addition to overseeing our geriatric mental health initiative, Naturally Occurring Retirement Communities (NORCs), and social adult day care programs, DFTA also provides home care services, elder abuse resources, and caregiver assistance. In FY '18, DFTA provided these and whole host of other essential services to nearly 228,000 older New Yorkers.

SENIOR EMPLOYMENT SERVICES

These include services rendered through our Senior Employment Services Unit, which oversees the Title V Senior Community Service Employment Program (SCSEP). Through this federal-grant funded program, seniors over the age of 55 who meet income eligibility requirements can access training and job placement assistance while earning a wage.

The SCSEP program has partnership contracts with more than 400 community-based organizations nonprofits, and city government agencies to serve as community worksites where applicants can be placed for up-to 4 years. Our job development staff are also working with 300 business entities to facilitate unsubsidized employment of our participants. These partnerships allow us to provide real-life professional training opportunities to participants, while supplying invaluable services to our partner employers. Home health aide, security guard, administrative assistant, substitute teacher, maintenance worker, and hospital patient navigator are among the most common job types available through the program. In FY '18, nearly 450 Title V participants were placed in community assignments or direct employment.

Retired professionals 55 and older may also apply through SCSEP to participate in the ReServe Program, through which candidates are matched with a specific short-term project. Selected participants, called "ReServists," are assigned to a community worksite to help fill critical gaps, such as support for social workers, strategic planning, foundation outreach, event planning, and Information Technology administration. Currently, the city has 251 ReServists.

In addition to receiving ongoing assistance, such as job retention and career advancement support, all of our SCSEP participants—including both Title Vs and ReServists—undergo comprehensive trainings which include thorough discussions on identifying ageism and how to get support if faced with age-based discrimination. We also work closely with participating employers which are carefully screened and selected, and identified as age-friendly. We also encourage these employers to hire our participants directly, underscoring the incredible value and benefits older workers bring to their organization, including a strong work ethic, reliability, and punctuality which are common attributes of older workers. The City of New York is itself a participating employer; the New York City Department of Education, Human Resources Administration, Department of Parks and Recreation, and a dozen other city agencies partner with us as SCSEP worksites and place many of our participants.

Additionally, New York City's Workforce1 Career Centers, operated by the Department of Small Business Services (SBS), offer workshops and preparation courses on a variety of topics to job seekers. Located throughout the five boroughs, these centers provide access to career advisement,

skills and job training, and other tools that support a comprehensive job search. Formalized through a memorandum of understanding, DFTA and SBS are close partners and actively utilize each other's resources and expertise. Older adults who visit a Workforce1 Center and meet the Title V eligibility requirements, for example, are referred to SCSEP. Conversely, SCSEP applicants who do not meet income eligibility requirements are referred to Workforce1 for assistance. DFTA also regularly participates in Workforce1 partner meetings and employer recruitments.

CONCLUSION

Although effecting change around ageism is a considerable undertaking, DFTA remains committed to tackling it on all fronts. We are grateful to the Council for championing this important issue and thank you again for this opportunity to provide testimony. We are pleased to answer any questions you may have.



FOR THE RECORD

**New York City Council
Committee on Aging, Chair, Council Member Chin
Committee on Civil and Human Rights, Chair, Council Member Eugene
September 17, 2018
Oversight Hearing: Age Discrimination in the Workforce**

Thank you to Council Members Chin and Eugene for chairing today's Aging Committee Oversight Hearing on the Senior Center Model Budgets.

JASA is a not-for-profit agency serving the needs of older adults in the greater New York area. Its mission is to sustain and enrich the lives of the aging in the New York metropolitan area so that they can remain in the community with dignity and independence. JASA has developed a comprehensive, integrated network of services that provides a continuum of community care. Programming promotes independence, safety, wellness, community participation, and an enhanced quality of life for New York City's older adults. These programs reach over 40,000 clients and include home care, case management services, senior centers, NORC supportive services, home delivered meals, caregiver support, continuing education, licensed mental health, housing, advocacy, legal services, adult protective services, and guardianship services.

I would like to thank the New York City Council for recognizing the need for today's hearing.

According to the New York Academy of Medicine, "over the next 20 years, the number of New Yorkers age 65+ is expected to increase by nearly 50%. As a result older New Yorkers are expected to outnumber school-age children for the first time in history." From 2005-2015, this population grew by 19.2%, while the population under 65 grew at a rate of 5.9%.

In March 2017, New York City Comptroller Stringer shared a report titled: Aging with Dignity: A Blueprint for Serving NYC's Growing Senior Population. The report touched on a number of issues impacting older adults and their ability to successfully age in place in New York.

Not surprisingly, of 1.13 million adults over 65, 60% are women, and the population is increasingly diverse. Many of these individuals have been underemployed, or found it challenging to remain in the workforce due to caregiving responsibilities, language barriers and other obstacles. Over 40% of the senior-headed households depend on government programs (including Social Security) for more than half of their income. Many older New Yorkers have little to no savings and pensions are rare. This leaves many people financially vulnerable and only serves to emphasize the need for a strong safety net and the need for further investment in employment opportunities. Older adults want to contribute, and are eager to remain in the workforce. Unfortunately, it seems increasingly challenging for older adults to find employment.



Two examples come to mind:

- A successful publicist who took off a number of years to care for her husband tried returning to the workforce and was not granted an interview because she lacked 400 contacts on LinkedIn.
- A longtime employee at a NYC agency was laid off while in her early 60s. She was later recruited to work as a stipended volunteer, at a third of her previous salary, in the same office. She declined.

We have numerous participants who attend JASA programs and bemoan the fact that they cannot find any job. Often they are told that they are overqualified for the position.

JASA suggests that now is the time to invest further in opportunities for employment, savings and services for older adults. The needs and preferences of older adults should be recognized as a priority. We ask for greater support of family caregivers and the nonprofit sector programs and staff who serve them.

New York City needs a plan that meets the needs of a growing aging population. The strength of our communities depends on the engagement with and contributions of our older neighbors.

Thank you for the opportunity to testify today.

Molly Krakowski
Director, Legislative Affairs
JASA
mkrakowski@jasa.org
212 273-5260





Making New York a better place to age

**New York City Council
Joint Hearing
Committee on Aging, Chair, Council Member Chin
Committee on Civil and Human Rights, Chair, Council Member Eugene
September 17, 2018
Oversight: Age Discrimination in the Workplace**

LiveOn NY thanks Chairs Chin and Eugene for holding this important and historic Joint Hearing on age discrimination in the workplace.

Prior to illuminating the very real challenges that often exist for older adults in the workplace, we must step back and recognize the obvious but often underappreciated fact that aging is, in fact, a life process. By this we mean that we are all aging: that 50 is not the same as 85, nor are 75 or 45 monolithic experiences to be benchmarked by a standard set of life events. We all experience life, and aging, differently and deserve the opportunity to thrive in accordance with our own drive, desires, limitations, and values, no matter the age. For some, this may mean an early and long-awaited retirement; for others, a second act in an unexplored career path; for most, however, it means the continued economic pressures of an often unequal society.

This economic reality means that many older adults simply cannot afford the fiscal implications of a frequently age-biased and at times even discriminatory society and therefore workplace. Even beyond economic pressures, older adults should not be shunted the opportunity to fulfill the seemingly innate desire to have utility, be productive, and contribute.

Unfortunately, working in opposition to the economic and personal desires of many older adults, roughly 3 in 5 older workers have seen or experienced age discrimination in the workplace, as found by a recent AARP study. Though highly unreported, the most common age-discrimination reports involve an individual not being hired due to age, followed closely by being passed over for promotions. These occurrences' have a clear fiscal impact on the individual and may be more common than has been enumerated given the aforementioned lack of reporting.

For already marginalized populations, such as women, immigrants, or minority communities, these age-related injustices only serve to exacerbate existing inequities. Inequities such as lost wages due to caregiving, persistent wage gap within communities of color, and lack of pension options for a multitude of workers, means that the financial margins for many older adults are so slim that the effects of age discrimination can be devastating.

It is critical that we, as a city, work to combat age discrimination in the workplace and to address the root causes of these injustices. It is time that older adults are recognized for their strengths, many of which are highly sought after in today's workforce. Namely, it has been found that older workers demonstrate higher levels of professionalism, reliability, commitment, a stronger work ethic and lower turnover. Going beyond the workplace, it is imperative that we recognize the value of older adults in society at-large, as demonstrated through countless hours of volunteerism, local economic impact, caregiving responsibility, civic and community engagement, and more.



Making New York a better place to age

We at LiveOn NY are appreciative of this opportunity to change the narrative around the value of older adults and older workers. We support the Council's call to better support older adults who experience age discrimination in the workplace and to ensure that employment opportunities exist for those seeking to work. Further, it is not enough that opportunities exist, but that older adults are aware of said opportunities. For example, it is imperative that older New Yorkers are aware of the federally funded Title V program, the Senior Community Service Employment Program (SCSEP) that is run through the Department for the Aging, as an opportunity for older adults to find gainful employment in their communities.

LiveOn NY is excited at the prospect of finding innovative solutions to the challenges facing this population, whether it be through increasing awareness of the Age Discrimination in Employment Act (ADEA) which gives adults over the age of 40 protections in the workplace or creating mechanisms to ensure a diversity of age representation in the workplace. We are confident that through private and public efforts improvements can be made. For example, a Starbucks in Mexico City will soon be run and staffed only by individuals 55 and over after seeing vast employment needs among the elderly in their community. While we recognize that there is no one size fits all solution, nor do we wish to segregate workplaces strictly by age, we would like to recognize the community responsiveness of this endeavor and the initiative that can be taken to address this inequity.

To close, LiveOn NY would like to stress the importance of recognizing the value and contributions of older adults in *all* aspects of the public and private spheres and to reframe the way we as a society view and treat the oldest among us. LiveOn NY looks forward to continued conversations on how to make New York a better place to work and age.

Thank you for your time and the opportunity to testify on this important issue.

LiveOn NY's members provide the core, community-based services that allow older adults to thrive in their communities. With a base of more than 100 community-based organizations serving at least 300,000 older New Yorkers annually. Our members provide services ranging from senior centers, congregate and home delivered meals, affordable senior housing with services, elder abuse prevention services, caregiver supports, case management, transportation, NORCs and NY Connects. LiveOn NY advocates for increased funding for these vital services to improve both the solvency of the system and the overall capacity of community-based service providers.

LiveOn NY administers a citywide outreach program that supports seniors in communities where benefits are most underutilized. This program educates thousands of older adults, including those who are homebound, about food assistance options, as well as screens and enrolls those who are eligible for SNAP and SCRIE/DRIE.



**Testimony of
Chris Widelo, AARP New York**

**New York City Council
Committee on Aging
Committee on Civil and Human Rights**

**Joint Hearing on Age Discrimination
in the Workplace**

September 17, 2018 | 1:00 pm

**City Hall
New York, New York**

Contact: Chris Widelo (212) 407-3737 | cwidelo@aarp.org

Good afternoon Chairpersons Chin and Eugene, and members of the Aging and Civil and Human Rights Committees. My name is Chris Widelo and I am the Associate State Director for AARP New York. On behalf of AARP's more than 37 million members nationwide and our 800,000 members here in NYC, I thank you for the opportunity to share our views and expertise at today's hearing on the issue of age discrimination.

New York City's population is aging. Nearly one-third of residents in the five boroughs are over the age of 50 and that group is expected to grow by nearly 20 percent between 2010 and 2040. The growth for the 65-plus age group is projected to be even more dramatic, with a whopping 40% increase in the same time period.

Our city is not just aging; we are also becoming more diverse. African Americans, Blacks, Hispanics, Latinos, Asian Americans and Pacific Islanders account for 62 percent of New York City residents 50-plus. And, half of all New York City residents over 65 were born in a foreign country.

As our population ages, so does our workforce. Workers age 40 and older constitute roughly 55 percent of the labor force. This is due largely to the Age Discrimination in Employment Act (ADEA) which celebrated its 50th anniversary just last year.

In his 1967 message to Congress urging the enactment of legislation to prohibit employment discrimination against older workers, President Lyndon Johnson emphasized that “[h]undreds of thousands not yet old, not yet voluntarily retired, find themselves jobless because of arbitrary age discrimination.” Prior to the ADEA’s passage, according to a 1965 report issued by the Secretary of Labor, approximately *half* of all private sector job openings *explicitly* barred applicants over age 55, and a quarter barred consideration of those over age 45. Help wanted ads could say “only workers under 35 need apply” and employers had unbridled authority to retire older workers based solely on age. Not surprisingly, workers 45 and older then comprised 27% percent of the unemployed and 40 percent of the long-term unemployed.

Since the ADEA’s original enactment, the employment landscape for older workers has significantly brightened, owing in large part to the fact that the law has been amended several times and gradually strengthened. Upper age limits on coverage were eliminated – banning mandatory retirement for almost all workers – discrimination in employee benefits has diminished, and significant protections for older workers who are laid off were added. Yet, there is ample evidence that there is still much room for improvement and ageism unfortunately remains pervasive in the American labor force.

In 2014 AARP NY released a report titled “State of the 50+ in NYC,” and asked voters 50+ their experiences with age discrimination. In NYC, almost half (48%)

of 50+ voters have said they experienced or witnessed at least one type of workplace discrimination related to age. Being encouraged or forced to retire, as well as not being hired for a job, were the top types of age discrimination witnessed or experienced. Among Boomer voters (50-64) who are currently working, age discrimination rates are even higher with 53% experiencing or witnessing at least one type of age-based discrimination since turning 50. More alarming is the fact that seven in ten 50+ voters in NY are extremely, very, or somewhat concerned about age discrimination at work. Blacks, Hispanics and Asians are more likely than Whites to be intensely concerned about age discrimination against older workers.

With lagging retirement readiness, most 50+ need to remain in the workforce to stay self-sufficient and maintain their quality of life. The need to continue working combined with observations of, or experience with, perceived age discrimination has resulted in heightened concerns. A majority of 50+ NYC voters said it should be a priority for NYC elected officials to work on policies that support older workers.

In a new national survey of adults over age 45 by AARP, 61% of respondents said they have either seen or experienced age discrimination in the workplace and 38% of those believe the practice is “very common.” Older women, African-Americans, Hispanics and those who are unemployed were more likely to feel they were the subject of discrimination.

It is also worth noting that when compared to younger workers, older adults receive fewer job offers, search for work weeks longer and are less likely to find re-employment after losing a job. In 2017, The Georgia Institute of Technology's School of Psychology and University of Minnesota's Carlson School of Management analyzed the U.S. government's 2014 Displaced Worker Survey. Their researchers found that "someone 50 years or older is likely to be unemployed for 5.8 weeks longer than someone between the ages of 30 and 49, and 10.6 weeks longer than people between the ages of 20 and 29. The study also found that the odds of being re-employed decrease by 2.6 percent for each one-year increase in age."

While New York State has some of the most comprehensive age discrimination laws in the country, the Supreme Court has made age discrimination more difficult to prove. Both in terms of statutory language, and how that language has been interpreted by the courts, in many respects the ADEA has become a second-class civil rights law, providing older workers far less protection than other civil rights laws. Too often over the years, the Supreme Court has failed to interpret the ADEA as a remedial statute, but instead narrowly interpreted its protections and broadly construed its exceptions.

There is still a great deal to be done. AARP has recommended a number of priority policy recommendations to curb further age discrimination:

- Make age-related inquiries and specifications presumptively unlawful;

- Reinforce that practices like maximum experience requirements and requirements for applicants to be affiliated with a university are age-related;
- Bar requests for date of birth, graduation dates, or similar information unless age is bona fide occupational qualification;
- Prohibit practices of online job sites and others that require entry of age to complete an application, use drop-down menus that contain age-based cut-off dates, or utilize selection criteria or algorithms that have the effect of screening out older applicants.

AARP New York recommends that the NYC Council through the Committee on Aging and the Committee on Civil and Human Rights convene a task force to look at the ways NYC can further strengthen policy and practices aimed at eliminating age discrimination. We ask the workgroup to report out actionable steps the City can take to address age discrimination through legislation/regulation, outreach and education, and best practices.

Chairpersons Chin and Eugene, and members of the committees, thank you for the opportunity to testify today on age discrimination. I have included a copy of a recent AARP report and federal testimony we submitted earlier in the year. We look forward to working with you to develop policy and practices to fight age discrimination in New York City.

The Value of Experience: Age Discrimination Against Older Workers Persists



Rebecca Perron
Sr. Research Advisor

Table of Contents

| | |
|---|----|
| About the Survey..... | 3 |
| Age discrimination in the workplace is common..... | 3 |
| Few workers file a formal complaint. | 5 |
| Most believe age discrimination starts when workers are in their 50s. | 6 |
| Ageist comments are the most frequent type of discrimination..... | 6 |
| Job applicants are commonly asked for age-related information..... | 7 |
| Age discrimination is perceived as the primary limitation to finding a <i>new</i> job. | 8 |
| Age discrimination is a reason that older workers fear <i>losing</i> their jobs..... | 8 |
| Age discrimination protections should be just as strong as other discrimination protections..... | 9 |
| Conclusion: Stronger laws are needed to protect workers from age discrimination..... | 11 |
| Methodology | 12 |

About the Survey

With 2017 marking the 50th anniversary of the Age Discrimination in Employment Act of 1967 (ADEA), AARP sought to gather insights from workers age 45-plus related to their experience in the workplace and their experiences with age discrimination, specifically.¹ The workforce is aging – with 35 percent of the workforce projected to be age 50-plus by 2022,² yet age discrimination in the workforce remains a persistent and common problem. Older workers are experiencing age discrimination not only when looking for a new job but also in other aspects of employment.

With rich work histories, varied experiences and expertise, and work tenures that speak to commitment and resilience, older workers should have the opportunity to be judged on their merits rather than their age. This research shows that older workers consider the protections of the ADEA to be just as critical now as they were 50 years ago. In fact, older workers believe that age discrimination should be taken just as seriously as other forms of discrimination, and support strengthening the laws to ensure that it is.

Age discrimination in the workplace is common.

About three in five older workers (61%) have either seen or experienced age discrimination in the workplace. (Chart 1 and Chart 2)

- Unemployed respondents are more likely than employed respondents (74% vs. 61%) to say they have seen or experienced age discrimination.
- Women are more likely than men (64% vs. 59%) to say they have seen or experienced age discrimination.
- African Americans/Blacks are more likely than Hispanics/Latinos and Whites to say they have seen or experienced age discrimination (77% vs. 61% and 59%, respectively).

¹ The Value of Experience Study was fielded in September 2017 to 3,900 respondents age 45-plus who are in the workforce, either working or looking for work. The full chartbook, annotated survey, detailed methodology and additional factsheets can be found at www.aarp.org/ValueofExperience.

² Aon Hewitt. 2015. *A Business Case for Workers Age 50+: A Look at the Value of Experience*. Washington, DC: AARP.

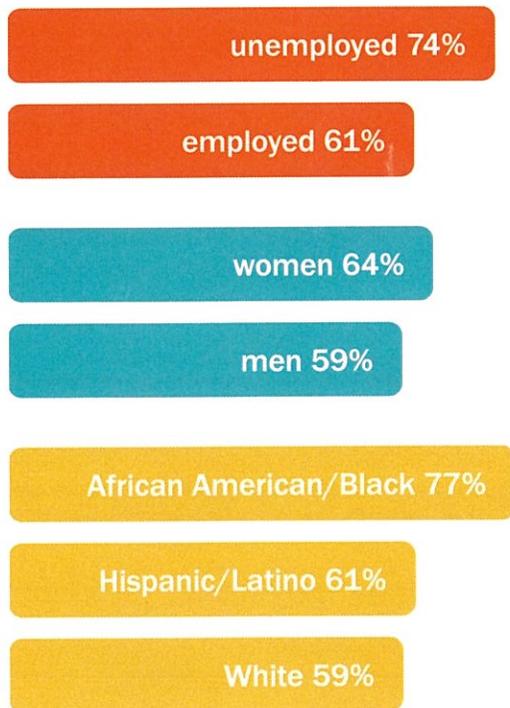
Chart 1: About 3 in 5 older workers have seen or experienced age discrimination in the workplace.



Q39. Based on what you have seen or experienced, do you think older workers face discrimination in the workplace today based on age?

Base: Total respondents: n=3,900.

Chart 2: Percentage of subpopulations who have seen or experienced age discrimination by employment status, gender and race.

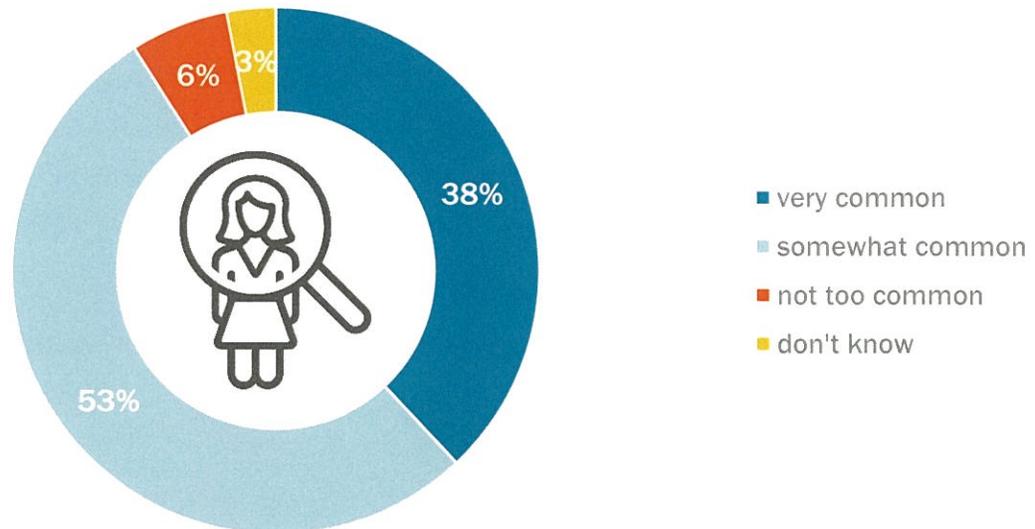


Q39. Based on what you have seen or experienced, do you think older workers face discrimination in the workplace today based on age?

Base: Total respondents; n=3,900; Unemployed: n=291; Employed: n=3,609; Women: n=2,113; Men: n=1,787; African American/Black: n=903; Hispanic/Latino: n=1,036; White: n=1,841.

Of those older workers who have observed or experienced discrimination firsthand, 91 percent believe it is common. Of those, 38 percent believe it is very common. Roughly another half say it is somewhat common. Both the unemployed (51% vs. 37% for the employed) and African Americans/Blacks (44% vs. 37% for Whites) are more likely to say that age discrimination is very common. (Chart 3)

Chart 3: More than 9 in 10 older workers see age discrimination as somewhat or very common.



Q39b. And, how common do you think age discrimination against older workers is in the workplace today?
Base: Have seen or experienced age discrimination in the workplace: n=2,627.

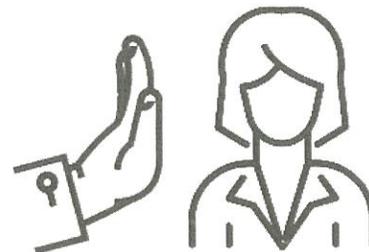
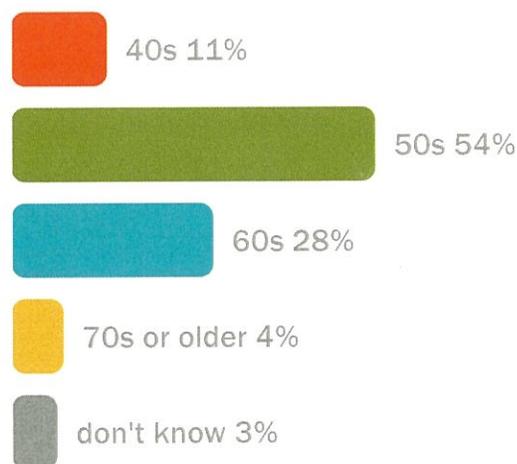
Few workers file a formal complaint.

Although the majority of older workers say that they have seen or experienced age discrimination in the workplace, only 3 percent report that they have made a formal complaint to a supervisor, human resources representative, another organization or a government agency. This seems to indicate that reported instances of age discrimination in the workplace may be just the tip of the iceberg and should not be used to measure how commonplace it is. While the frequency of reporting is low across all subpopulations, African American/Black workers are more likely to have made a report of age discrimination than Whites (6% vs. 2%).

Most believe age discrimination starts when workers are in their 50s.

More than half of older workers who have seen or experienced age discrimination indicate that they believe it starts when workers are in their 50s. Nearly three in ten believe it starts for workers in their 60s. Unemployed workers (19% vs. 10% for employed workers) and African Americans/Blacks (16% vs. 10% for Whites) are more likely to say age discrimination begins when workers are in their 40s; the ADEA covers workers age 40 and older. (Chart 4)

Chart 4: Most older workers believe age discrimination begins when workers are in their 50s.



Q39a. At what age do you think older workers begin to face age discrimination?

Base: Seen/experienced age discrimination: n=2,627.

Ageist comments are the most frequent type of discrimination.

About one-quarter (24%) of older workers report having been subjected to negative comments about their age from either a boss or a coworker (heard negative remarks from a colleague: 15%; heard negative remarks from a supervisor: 9%). All respondents were asked about age discrimination as it related to six specific workplace actions (Chart 5):

Chart 5: Not getting hired and hearing negative remarks about older age are the most commonly reported or experienced types of age discrimination.



Q40. Please tell me whether any of the following has happened to you at work since turning 40.
Base: Total respondents: n=3,900.

Overall, 30 percent of respondents experienced at least one of these six actions and 17 percent experienced two or more. The unemployed are more likely than employed respondents to say that all of the six actions enumerated in the question had happened to them. Both African Americans/Blacks and Hispanics/Latinos are more likely than whites to say the majority of these actions had happened to them.

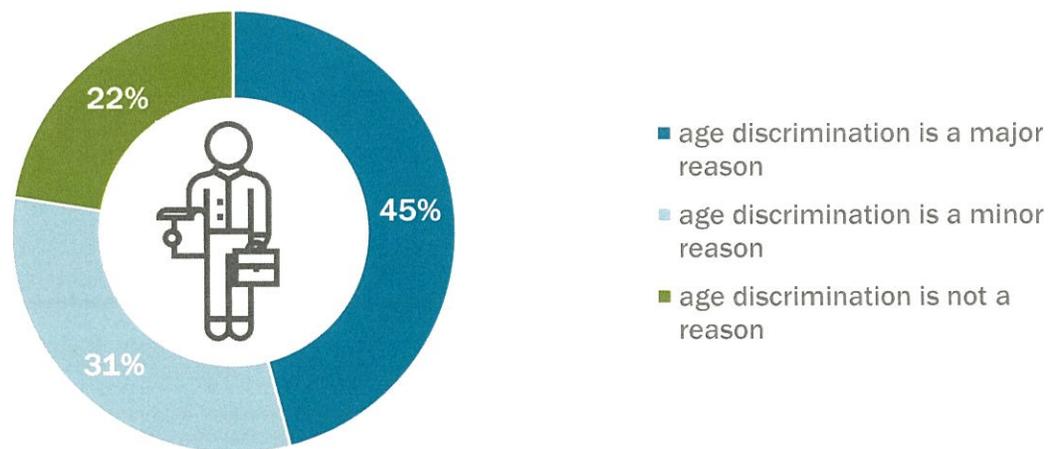
Job applicants are commonly asked for age-related information.

Among the 29 percent of older workers who had applied for a job or gone on a job interview in the past two years, 44 percent had been asked to provide a birth date, graduation date or some other age-related information. While asking for birth dates or graduation dates is not automatically illegal, the information can easily be used to discriminate and these questions often deter older workers from applying. The survey finds that this disturbing practice is very prevalent.

Age discrimination is perceived as the primary limitation to finding a *new* job.

For both current workers and those who are unemployed, age discrimination is the top reason for pessimism among those who did not think they could find a new job within three months. More than three-quarters (76%) say it is a major or minor reason; nearly half consider it a major reason (45%). (Chart 6)

Chart 6: Three-quarters of older workers blame age discrimination for their lack of confidence in finding a *new* job.



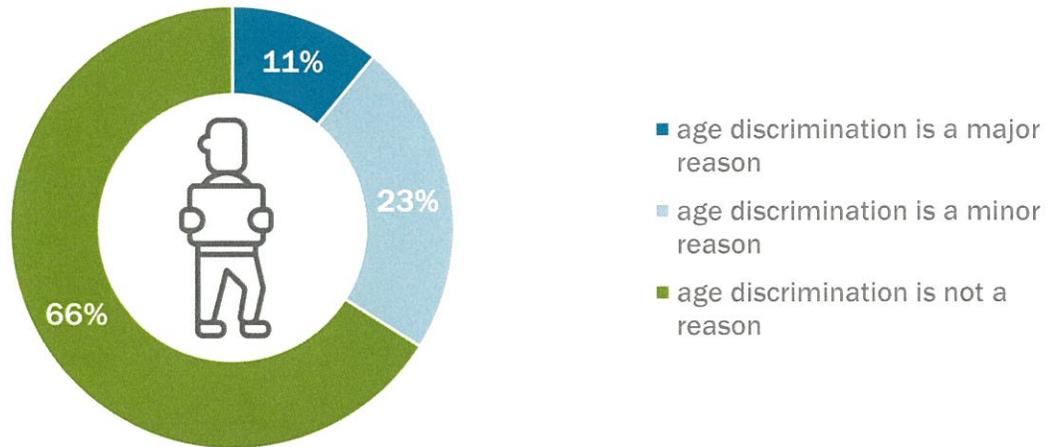
Q27. Why are you not confident that you would be able to get another job within three months? Please indicate whether each of the following is a major reason, a minor reason or not a reason.

Base: Believe they could not get another job within 3 months if their job was eliminated: n=1,425.

Age discrimination is a reason that older workers fear *losing* their jobs.

Nearly two in ten older workers (18%) believe it is very or somewhat likely that they could lose their job in the coming year. When exploring reasons why they fear that they will lose their job, one-third (34%) of older workers list discrimination based on age as either a major (11%) or minor (23%) reason. (Chart 7)

Chart 7: One-third of older workers who believe they could lose their jobs fault age discrimination.



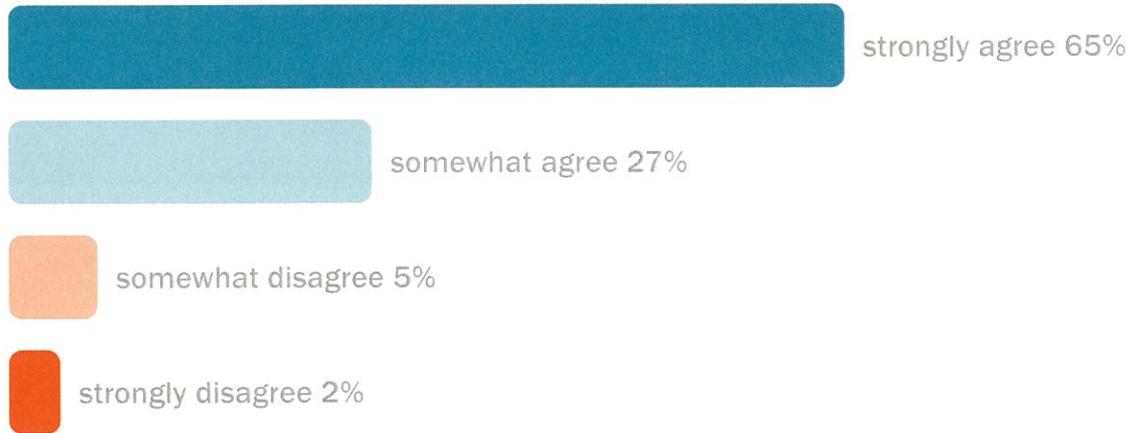
Q25. For each of the following reasons, please indicate if it is a major reason, minor reason or not a reason why you believe you could lose your job or that your job is likely to be eliminated in the next year. Base: Believe they could lose their job or their job could be eliminated within the next year: n=696.

Age discrimination protections should be just as strong as other discrimination protections.

Older workers support achieving parity for age discrimination relative to laws protecting other groups, particularly in light of the fact that the Supreme Court made it harder to prove age discrimination in the workplace relative to other types of discrimination. Over 90 percent agree that older Americans should be protected from age discrimination *just as strongly* as they are protected from discrimination on the basis of race, sex, national origin or religion. About two-thirds (65%) strongly agree and an additional 27 percent somewhat agree. (Chart 8)

- African Americans/Blacks and Hispanics/Latinos are more likely than Whites to say they strongly agree that older workers should be equally protected (African Americans/Blacks: 73%, Hispanics/Latinos: 78% vs. Whites: 62%).
- Women are more likely than men to both agree (93% vs. 89%) and strongly agree (70% vs. 60%) that older workers should be equally protected.

Chart 8: More than 9 in 10 agree that older workers should be protected against age discrimination as strongly as people are protected against other types of discrimination.



Q44. The Supreme Court recently changed our nation's age discrimination law and made it harder to prove age discrimination than to prove other types of discrimination, for instance based on race or gender. How strongly do you agree or disagree with the following statement: Older Americans should be protected from age discrimination just like they are protected from discrimination on the basis of race, sex, national origin, or religion.

Base: Total respondents: n=3,900.

Similarly, older workers express strong support for strengthening our nation's age discrimination laws. More than 90 percent say that they would support efforts to make laws stronger, with nearly six in ten *strongly* supporting such efforts. (Chart 9)

- African Americans/Blacks and Hispanics/Latinos are more likely than Whites to strongly support strengthening age discrimination laws (African Americans/Blacks: 74%, Hispanics/Latinos: 75% vs. Whites: 56%).
- The unemployed are more likely than the employed to strongly support these efforts to strengthen the laws (69% vs. 59%), as are women relative to men (63% vs. 56%).

Chart 9: More than 9 in 10 older workers support strengthening the nation's age discrimination laws.



Q45. How strongly would you support or oppose efforts to strengthen the nation's age discrimination laws?
Base: Total respondents: n=3,900.

Conclusion: Stronger laws are needed to protect workers from age discrimination.

Older workers, with decades of experience, high levels of engagement, low turnover and high motivation, remain a valuable resource for employers. Yet, based on these survey results, they continue to feel the insidious effects of age discrimination in the workplace. A significant majority have seen or experienced age discrimination, nearly half of older job seekers have been asked for age-related information and nearly one-third report being subjected to ageist comments on the job. As a result, it is not surprising that older workers do not think it is fair for the courts to treat age discrimination as more acceptable than other forms of discrimination, and they strongly support strengthening the age discrimination laws to ensure equal opportunity and a respectful work environment for employees of all ages.

Methodology

This survey was fielded via an online probability-based panel in September 2017 to a national sample of 3,900 adults ages 45-plus who were working full time, working part time, or looking for work. Oversamples were also collected to yield 520 Lesbian, Gay, Bisexual and Transgender (LGBT) respondents, 903 African American/Black respondents and 1,036 Hispanic/Latino respondents. This fact sheet focuses on the age discrimination questions for the entire sample, as well as differences by employment status, race/ethnicity and gender. The margin of error is +/-2.12%. This is one in a series of briefs that will be released in 2018 using the data from this survey. The full "Value of Experience Study" includes questions related to motivations for work, plans for working in retirement, age discrimination, job actions and work and caregiving. A full chartbook of general sample results, all briefs/fact sheets, infographics, full survey annotation and a methodology report will be available at www.aarp.org/ValueofExperience.



Work Stats*

Voters age 50-64



52%
employed

12%
self employed

32%
employed full time

14%
unemployed



Age discrimination

All voters 50+



48%

Have experienced or witnessed workplace age discrimination



71%

Concerned about age discrimination

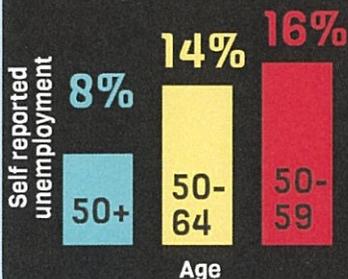
ISSUES THAT MATTER TO NYC VOTERS AGE 50+

AARP surveyed NYC voters age 50+ to ask about issues important to them. This infographic is one in a series highlighting survey findings related to a specific issue.

★ OLDER WORKERS ★

★ High unemployment, low retirement confidence and age discrimination plague NYC's 50+ workers ★

Unemployed, looking for work



50% Delaying retirement due to financial reasons

May never retire **24%**



72% All NYC Voters 50+
Say Older Worker Protections should be Top or High Priority for Elected Officials

*Self reported

METHODOLOGY: These data were collected in a telephone survey of 1,302 New York City registered voters age 50 and older. Interviews were conducted between May 17 and June 30, 2013 in English and Spanish. Data have been weighted by borough, age, gender and race/ethnicity to reflect the 50 and older voter population in New York City. The total sample has a margin of error of ±2.7 percent. More information about this study can be found at www.aarp.org/nyc50plus

AARP
Real Possibilities



TheRadicalAgeMovement

**COMMITTEES ON AGING AND CIVIL AND HUMAN RIGHTS
JOINT HEARING ON AGE DISCRIMINATION IN THE WORKPLACE
September 17, 2018**

My name is Bobbie Sackman, a Steering Committee member of the Radical Age Movement. On behalf of thousands of older New Yorkers living in quiet desperation because they can no longer find employment and struggling daily with economic insecurity, I would like to thank Chairs Councilwoman Margaret Chin and Councilman Mathieu Eugene and committee members for holding this historical hearing. This is the first ever NYC Council hearing on age discrimination in the workplace. It is, what we all foresee, a beginning step on a journey to confront ageism in the workplace and provide meaningful job training and employment for older New Yorkers, age 50+.

The workplace is central to all working age Americans economically, socially and culturally. Older adults are being told to literally “get lost” due to ageism. That’s like putting older workers on a piece of ice to float out to sea. Age discrimination in the workplace renders older workers invisible, isolated, silenced and facing decades of financial struggle. It has economic as well as physical and mental health ramifications.

This is the perfect combination of committees to hold a hearing on age discrimination in the workplace. According to the NY City Council website, the Committee on Aging has jurisdiction over issues relating to New York City’s senior residents, including the Department of the Aging. The Committee on Civil and Human Rights has jurisdiction over New York City’s Equal Employment Practices Commission and Human Rights Commission, as well as citywide Equal Employment Opportunity practices and policies.

Radical Age Movement is a non-profit based in New York City that rejects long-standing misinterpretations of aging. Our goal is to end these misperceptions and skewed attitudes toward aging so that people of all ages, races, classes, genders, and sexualities can participate productively in areas of cultural, professional and community life. Simply put, Radical Age Movement (RAM) was founded to confront ageism in its myriad of forms – economic security, workplace discrimination, health care, protecting the safety net including Social Security, Medicare and Medicaid, cultural and societal discrimination and stereotypes, internalized ageism and other parts of life.

Longevity is a success story. It has opened up a new stage of life, age 50-80, where we are healthier and more able to remain active than past generations. However, ageism is often keenly experienced in one’s 50’s onward. RAM is working with its partners to bring ageism to the surface, on to the radar of government leaders, the media, foundations, researchers, academia, advocates and society in general, so that it is taken seriously. All too often, the response to something being called “ageist”, comes with a look of confusion and somehow it’s “cute”, the soft “powder puff” discrimination. This hearing is a critical step in changing the narrative, language and tangible economic security needs of New Yorkers over age 50. For this, RAM applauds the chairs, committee members and others present today.

There are 1.2 million people between ages 50-60 in NYC. There are 1.5 million people over the age of 60 in NYC. Amazingly, that is the same size as the whole city of Philadelphia which is the sixth largest city in the

One East 53rd Street, 8th Fl. 10022, 646-630-4443, confrontingageism@gmail.com, www.radicalagemovement.org



The Radical Age Movement

nation. Also, there are 1.1 million people over age 65 in NYC. The older adult population is as diverse as younger New Yorkers with over 50% being immigrants. Almost one out of five older adults lives in poverty with thousands more struggling economically in terms of income, affordable housing, food insecurity, high medical/drug costs and the ever increasing cost of living. A fixed income is a fixed income. The official poverty level is skewed as poverty for someone living alone is \$12,140 and for a family of two is \$16,460 (that equals income of only \$8230 each). The average Social Security benefit is \$15,000 a year which places many older adults technically over the poverty level, but try living on that in NYC. They are ineligible for benefits such as Medicaid, SNAP and other important programs.

NYC has an opportunity to lead the nation in developing job training and employment programs, laws and regulations, and other policies that protect older workers from discrimination and encourage employers to hire them. Some older adults are still supporting families. They tend to spend their money locally – increased employment would be a boon to local businesses and the tax base of NYC.

A 2015 AARP national study, “A Business Case for Workers, Age 50+: A Look at the Value of Experience”, **reported that the most major factor causing older adults to want to continue to work was “need the money”**. This need rose from 76% in 2002 to 82% in 2012. Although, also high on the reasons for wanting to work was “enjoy the job or enjoy working”, that rate dropped from 76% to 71% over the same time. Among older workers, age 60-74, a whopping 86% reported “need the money”. Given the ever increasing cost of living in one of the most expensive cities in the country, it is likely “need the money” will continue to grow.

A new 2018 AARP national study, “The Value of Experience: Age Discrimination in the Workplace Persists”, surveyed 3900 older adults.

Older workers reported that age discrimination in the workplace is common:

- ✓ About three in five older workers (61%) have either seen or experienced age discrimination in the workplace.
- ✓ Unemployed respondents are more likely than employed respondents (74% vs.61%) to say they have seen or experienced age discrimination.
- ✓ Women are more likely than men (64% vs. 59%) to say they have seen or experienced age discrimination.
- ✓ African Americans/Blacks are more likely than Hispanics/Latinos and Whites to say they have seen or experienced age discrimination (77% vs. 61% and 59%, respectively).

When asked to identify why they were “not getting hired and hearing negative remarks about older age are the most commonly reported or experienced types of age discrimination”:

- ✓ Not getting hired for a job you applied for because of your age
- ✓ Heard negative remarks related to your older age from a colleague
- ✓ Passed up for a chance to get ahead because of your age
- ✓ Heard negative remarks related to your older age from a supervisor
- ✓ Laid off, fired or forced out of a job because of your age
- ✓ Denied access to training or professional development opportunities because of your age

One East 53rd Street, 8th Fl. 10022, 646-630-4443, confrontingageism@gmail.com, www.radicalagemovement.org



The Radical Age Movement

Overall, 30 percent of respondents experienced at least one of these six actions and 17 percent experienced two or more.

Victoria Lipnic, Acting Chair, U.S. Equal Employment Commission, noted after the 50th anniversary (2017) of the Age Discrimination in Employment Act (ADEA), it is the oldest cohort of workers that will comprise the most rapid increase in the coming decades. The ADEA has been watered down by a Supreme Court decision that set a higher standard for proving discrimination than other forms of discrimination such as race and gender, leaving the burden on individual workers. Nationally:

- ✓ **Workers, age 65+, are projected to grow by 75% by 2050**, while the 25-54 cohort will grow by just 2%. Anyone who is 33+ today, will be 65+ in 2050. **Action taken today to end ageism in the workplace will benefit the younger generations coming up.**
- ✓ **Only six years from now in 2024, women, age 55+, are projected to be 25% of the women's labor force** which is double their share from 2000. The Bureau of Labor Statistics reports that two times as many age 55+ women as women age 16-24, by 2024, will be in the workforce. Women age 65+ make up roughly the same percentage of the female workforce as older men do of the male workforce.
- ✓ **"Age discrimination is an open secret like sexual harassment was until recently,"** said Victoria Lipnic, the acting chair of the Equal Employment Opportunity Commission, or EEOC, the independent federal agency that administers the nation's workplace anti-discrimination laws.
- ✓ "Everybody knows it's happening, but often these cases are difficult to prove" because courts have weakened the law, Lipnic said. **"The fact remains it's an unfair and illegal way to treat people that can be economically devastating."**

The Manpower Group U.S. Talent Shortage Survey reflects the percentage of employers who are having difficulty filling jobs. Over the past five years the Manpower Group U.S. Talent Shortage Survey reported annually:

- ✓ 2014 – 40%
- ✓ 2015 – 32%
- ✓ 2016 – 46%
- ✓ 2017 – 40%
- ✓ **2018 – 46%**

Paradoxically, 25%, one out of four employers, reported that the talent shortage is driven by a lack of available applicants. Talent shortage includes workers with skills and experience at a variety of jobs. Older workers bring extensive skills and experience. **Where have they been looking? It is obvious that in order to expand the talent pool, a shift away from an age lens to a focus on one's abilities and skills is necessary.**

In order to end ageism in the workplace, language must be changed to overcome discriminatory attitudes. Taking the absurdity of age discrimination in the workplace to another level, is the language used to describe older workers. "Digital natives" and "digital immigrants" – you can't make this stuff up.

- ✓ According to Wikipedia, the term **digital native** describes a person that grows up in the digital age, rather than acquiring familiarity with digital systems as an adult. The photo of the child portrayed below as a digital native was on the Wikipedia page. Yes, a picture is worth a thousand words, indeed.

One East 53rd Street, 8th Fl. 10022, 646-630-4443, confrontingageism@gmail.com, www.radicalagemovement.org



The Radical Age Movement

Perhaps, this is where those 25% of employers who claim a lack of available workers have been looking.

- ✓ **Digital immigrants** are individuals who were born before the widespread adoption of digital technology, usually set at 1985. This means that anyone over age 33 is a digital immigrant. The term digital immigrant may also apply to individuals who were born after the spread of digital technology and who were not exposed to it at an early age. Given everything going on with immigrants in this country now and the growth of the older adult population, this is offensive on multiple levels.



Digital natives -

A child using a tablet

More to the point, it prevents workers from getting jobs. Facebook is being sued as the algorithms they use leave out older workers who never even see ads for certain jobs that are available. Facebook's response is that this is what employers want. It is discriminatory and makes no sense given the "talent shortage".

The good news is that there is positive language that is more reality-based on the value and capabilities of older workers. AARP's 2015 report stated that "**employee engagement**" was higher among older workers than younger workers leading to less turnover, retain institutional knowledge and go the extra mile. Older workers **bring a cross-generational transfer of knowledge to the job and add diversity to the workforce**. This begins to change the framework of how older workers are viewed and why they are of value to organizations. It also means that retaining older workers can be **cost neutral or of minimal cost** to the organization or company. **The difference is made up in productivity of older workers.**

Workplace discrimination against family caregivers – Family Responsibilities Discrimination (FRD), also called caregiver discrimination, is employment discrimination against workers based on their family caregiving responsibilities. It is well recognized that many caregivers have to juggle work and caregiving
One East 53rd Street, 8th Fl. 10022, 646-630-4443, confrontingageism@gmail.com, www.radicalagemovement.org



TheRadicalAgeMovement

or leave the workforce altogether (mostly women). What happens when they want to return to the workforce? Could companies have caregiver friendly policies that support them in remaining on the job? **AARP's 2016 report, "Disrupting Aging in the Workplace: Profiles in Intergenerational Diversity Leadership"**, highlights the diversity work of Centrica, a British based energy services company. Centrica "has developed a program called HELPING WORK-LIFE BAL ANCE THROUGH EMPLOYEE NET WORKS has several Employee Networks (ENs), including the Women's Network, Parent's Network, Dad's Network, and Carer's Network. The Carer's Network, for example, is focused on providing assistance and advice for employees who have caregiving responsibilities for elders. **..By offering these types of family-friendly workforce programs, Centrica hopes to attract and retain talent.**" There are solutions elsewhere that NYC could learn from.

In a March, 2018 investigatory story written by Peter Gosselin and Ariana Tobin, "Cutting Old Heads at IBM", Pro Publica reported that IBM's layoffs in recent years fell disproportionately on its older employees – it was called "cutting old heads". IBM has eliminated more than 20,000 American employees ages 40 and over, about 60 percent of its estimated total U.S. job cuts during those years. The story reports that "IBM targeted people for layoffs and firings with techniques that tilted against older workers, even when the company rated them high performers. In some instances, the money saved from the departures went toward hiring young replacements." The story goes on to report:

- "In recent decades, however, the courts have responded to corporate pleas for greater leeway to meet global competition and satisfy investor demands for rising profits by expanding the exceptions and shrinking the protections against age bias." **Follow the money.**

The NY Daily News reported, July 6, 2018, that a lawsuit has been filed against HHC for firing a disproportionate number of older workers:

"City-run hospitals targeted older employees during a purge of 400 managers in 2017, according to a discrimination lawsuit filed Thursday in Manhattan Supreme Court. People over 40 made up 86.3% of the Health and Hospitals Corp. managers laid off in June 2017 — even though people over 40 constitute just 80.4% of the agency's managerial workforce, says the class action lawsuit filed by lawyers Joseph Aron of Brooklyn and Michael Taubenfeld of Manhattan. The numbers are starker for laid-off managers over age 60. People between 60 and 70 years old represent 20.2% of Hospitals' managerial employees — but made up 30.1% of those laid off, the suit says."

The Radical Age Movement has developed a policy agenda which is attached. We wholeheartedly support Councilwoman Chin's innovative idea of the city developing a job training and employment program focusing on age 50+ workers. An "Older Worker Employment Services" program (OWES) would assist older New Yorkers in finding gainful employment. It would also prove their worth. This is a win-win as it would provide the city with the kind of equal opportunity economic development program it seeks based on equal employment practices, diversity and productivity.

Finally, we would like to suggest that the committees form a task force to develop a legislative package which could include a study showing the scope of age discrimination in the workplace and its ramifications, identifying the leverage the city has in addressing this issue through its billions of dollars of contracts, job training and employment programs and other policies, developing a job corps program for older workers, and

One East 53rd Street, 8th Fl. 10022, 646-630-4443, confrontingageism@gmail.com, www.radicalagemovement.org



TheRadicalAgeMovement

other ways to confront age discrimination in the workplace. Funding for a job training and employment program for older workers could be included in the next city budget.

The Radical Age Movement believes that older adults are part of the future too! Age justice in the workplace is overdue. Age Justice: Economic Security, Not Insecurity. For all older New Yorkers. Thank you, once again, for holding this groundbreaking hearing on age discrimination in the workplace. It's time to get to work!

bobbiesackman6@gmail.com

917-690-2805



TheRadicalAgeMovement

Principles and Policies: Age Justice in the Workplace Age Justice: Economic Security, Not Insecurity January 17, 2018

1. **Raising public awareness of age discrimination in the workplace for workers over age 50** – Age discrimination in the workplace is a rampant, but hidden crisis. Public awareness can be raised through advocacy, educational forums, research, and empowering individuals to organize and speak up for age justice. The workplace is a critical economic and social/cultural institution in American society. Being walled out is leaving thousands in financial hardship and invisible. This also includes raising the overall impact of ageism in society on all of us. Develop a “know your rights” public transit campaign about age discrimination in the workplace.
2. **City policies prohibiting employment discrimination based on age** - Through utilization of its pension funds, job training and employment programs, city contracts, RFPs and other services, New York City can establish policies prohibiting employment discrimination based on age. Age discrimination in the workplace is an economic barrier preventing older New Yorkers from earning the income they need to live in NYC and support others. This has an individual and community impact.
3. **Human Rights Commission** – Work with the NYC Human Rights Commission to expand and strengthen its legal services and outreach ability to protect individuals from age discrimination in the workplace. People over age 40 are a protected class.
4. **Research and data collection and its economic impact** – Research to collect data and information on the scope, consequences of age discrimination in the workplace and solutions. Collecting stories from those individuals who have experienced age discrimination to show trends and empower those being discriminated against. Utilization of this research to establish anti-discrimination policies and laws in New York.
5. **Supporting older workers in city programs/policies** – Include older workers, age 50+, in Mayor de Blasio’s New York Works program. Develop an older worker job/training opportunity program. Include internships/apprenticeships for all in NYC programs by removing age limits in recruitment strategies.
6. **Working in coalition for age justice** – Collaborating with coalitions advocating for social justice in the workplace and equal opportunity. Coalitions working on job development and discrimination, women’s issues, anti-racism, immigrant rights and other economic justice groups. Older women have experienced the lack of gender parity for pay in the workplace throughout their career. Many have also lost compensation due to time taken off for caregiving of children and older parents, spouse and other relatives.
7. **Media coverage** – Working with the media to raise their awareness of the importance of the stories around age discrimination in the workplace and the need for solutions leading to change. Putting a human face on the discrimination by encouraging individuals to tell their stories.

For further information, please contact Bobbie Sackman, Radical Age Movement, Steering Committee Member, bobbiesackman6@gmail.com, 917-690-2805 or Alice Fisher, Founder and CEO, Radical Age Movement, confrontingageism@gmail.com, 646-630-4433



The Radical Age Movement

COMMITTEE ON AGING AND CIVIL AND HUMAN RIGHTS COMMITTEE JOINT HEARING ON AGE DISCRIMINATION IN THE WORKPLACE

September 17, 2018

Hello,

My name is Kristan Roehrs. I am a Master's in Social Work student at Hunter College, Silberman School of Social Work. I am an intern at The Radical Age Movement and on the Intergenerational Committee here at Radical Age.

I am here today on behalf of Joseph Dibenedetto (Di-ben-eh-det-toe) who is the chair of Radical Age's Intergenerational Committee. Joseph was Radical Age's MSW intern last school year and chose to remain committed to confronting ageism. He is currently on Radical Age's Steering Committee and will continue to chair the Intergenerational Committee. He is in his last year of his MSW studies and is currently interning at the New York Civil Liberties Union, which is where he is today.

The Radical Age Movement is a non profit grassroots organization that seeks to confront ageism in all its forms. The organization recognizes ageism as a socially constructed phenomenon that is embedded in our social institutions. Radical age utilizes education, advocacy, and consciousness-raising as the primary mechanisms to challenge ageism. The intergenerational committee's mission is to advocate, educate, and encourage intergenerational contact and relationships by bridging age separateness and divisiveness. We stress the importance for an intergenerational front to confront ageism.

Joseph, myself, and the Intergenerational committee are grateful to Chairs, Councilwoman Margaret Chin and Councilman Mathieu Eugene for holding this hearing. To my knowledge there has not been one like this before. As a result, it seems all of us here today are a part of history in the making.

As a committee we would like to push for the following:

We suggest the formation of a workgroup to develop a legislative package to investigate age discrimination in employment. As mentioned by fellow Radical Ager's the package can include an examination of the workplace to layout the breadth of this issue and unveil the importance of addressing this issue. Some areas of interest may be the city's billion dollar contracts, job training and employment programs, as well as a possible job corps program for older workers that will be spoken more about next.



We would like to highlight the policy agenda that was created by The Radical Age Movement which is attached to the back of this testimony. We highly support and recommend Councilwoman Chin's job training and employment program focusing on older workers. The program could assist older New Yorkers in finding meaningful jobs that are consistent with their experience and skill set.

A direct statement from Joseph:

“Ageism, like all mechanisms of oppression is embedded in our social institutions and cultures. These systems under pressure reinvent themselves to maintain power and an illusionary guise that they have been nearly eradicated. However, while ageism is just as pervasive as other “isms”, it does not share the same historical contexts and trajectories, and as a result is often designated secondary status and often even entirely disregarded. It seems that due to ageism's wide range of influence, it provides exceptional camouflage where it can simply hide in plain sight.

However, with careful examination we can unveil ageism. Those disparaging comments that target millennials, yes that's ageism. The stigma attached to changes in aging women's reproductive organs, yes that's ageism. The criminalization of young black men, yes that's ageism. The lack of funding for older adult services and the constant attack on social security, Medicare, and Medicaid, that's ageism. And of course employment, which is historically an area for social tension, is layered with ageism. Everyone needs a job and that really does mean everyone, including older folks.

It is time for recognition, dignity, and a fair share for older folks.

It is time for Age Justice!”



Principles and Policies: Age Justice in the Workplace
January 17, 2018

1. **Raising public awareness of age discrimination in the workplace for workers over age 50** – Age discrimination in the workplace is a rampant, but hidden crisis. Public awareness can be raised through advocacy, educational forums, research, and empowering individuals to organize and speak up for age justice. The workplace is a critical economic and social/cultural institution in American society. Being walled out is leaving thousands in financial hardship and invisible. This includes raising the overall impact of ageism in society on all of us.
2. **City policies prohibiting employment discrimination based on age** – Through utilization of its pension funds, job training and employment programs, city contract RFPs and other services, New York City can establish policies prohibiting employment discrimination based on age. Age discrimination in the workplace is an economic barrier preventing older New Yorkers from earning the income they need to live in NYC and to support others.
3. **Human Rights Commission** – Work with the NYC Human Rights Commission to expand and strengthen its legal services ability to protect individuals from age discrimination in the workplace. People over age 40 are a protected class.
4. **Research and data collection and its economic impact** – Research to collect data and information on the level, consequences of age discrimination in the workplace and solutions. Collecting stories from those individuals who have experienced age discrimination to show trends and empower those being discriminated against. Utilization of this research to establish anti-discrimination policies and laws in New York.
5. **Working in coalition for age justice** – Collaborating with coalitions advocating for social justice in the workplace and equal opportunity. Coalitions working on job development and discrimination, women's issues, anti-racism, immigrant rights and other economic justice groups. Older women have experienced the lack of gender parity for pay in the workplace throughout their career. Many have also lost compensation due to time taken for caregiving of children and older parents, spouse and other relatives.
6. **Media coverage** – Working with the media to raise their awareness of the importance of the stories around age discrimination in the workplace and the need for change. Putting a human face on the discrimination by encouraging individuals to tell their

Testimony Before the Committee on Aging and the Committee on Civil and Human Rights

New York City Council, Monday, 17 September, 2018

Testimony of Frances E. Scanlon / 917 863 2852 / feslaw@aol.com

Age: it's written all over your face. Mine, too.

Age: it's in your face, my face.

Look in the mirror or others' faces as they behold yours.

It is undeniable, unequivocal and upfront.

Exactly as it should be if you wish to live a long Life well: extol and revel in your age.

That's the theory. Now, the facts, the reality.

Unless of course you are by chance, past 40, and still believe that you have the capacity to make a meaningful contribution to society and to gainful employment commensurate with your skillset.

The New York City Human Rights Law (NYCHRL) is even broader than the New York State

human Rights Law (NYSHRL) and prohibits discrimination in employment on the basis of race,

color, creed, age, national origin, alienage or citizenship, gender, sexual orientation, disability,

arrest or conviction record, marital status, partnership status, or status as a victim of domestic

violence, stalking and sex offenses.

The NYCHRL applies to employers with 4 or more employees.

Importantly on May 6, 2010, in response to a certified question from the U.S. Court of Appeals

for the Second Circuit, the New York Court of Appeals in Zakrzewski v. The New School,

held that the affirmative defense to employer liability does not apply to harassment and retaliation claims brought under the NYCHRL.

In so holding, the court opined that the NYCHRL's "unambiguous language" is supported by its

Legislative history and that the NYCHRL is not inconsistent with the New York State Human

Rights Law in creating a greater penalty for unlawful discrimination.

But what about retaliation?

What role does retaliation play, if any, in connection with age discrimination?

Retaliation is the one-two punch constant within all discrimination, most especially, age discrimination.

There can be no age discrimination without the implicit, or explicit, threat of retaliation.

Retaliation weaponizes age discrimination – which many times is still as ‘subtle’ as age discrimination itself.

That is why I ask the New York City Council to revisit the inter-relationship between discrimination and retaliation – specifically the legal standard of proof required to demonstrate retaliation in seeking damages for age-related discrimination.

Clear and unambiguous language – that has been the hallmark of the NYCHRL – that aims to pre-empt – in the first instance – and/or redress the threat and/or fact of retaliation – will increase the likelihood of valid age discrimination law suits successfully withstanding judicial scrutiny on appeal.

Further such an amendment to the NYCHRL standard relative establishing retaliation as an element of age discrimination causes of action will afford all workers more harmonious and more productive work place environments.

Employers must know they will pay for such wrong-doing. Boards of Directors must know that they as fiduciaries will be held legally accountable for failure to redress claims of retaliation via bona fide investigations.

#Retaliate Against Age Discrimination

The rights and responsibilities of workers and the rights and responsibilities of employers co-exist on a continuum.

As long as a “but for” standard of proof exists respecting establishing the existence of retaliation ^{of} the ability _{to} aging workers to step up and be heard will be quashed.

Retaliation is the particularly heinous axe – perceived and real – used by employers against aging employees.

Silence must not be the price aging workers pay to work through their ‘golden years’.

Silence is never golden when it is a direct by-product of retaliation.

The standard of proof regarding the award of damages for retaliation in connection with

Blocking age discrimination claims must not be so draconian – for example – “but for” – to render it a standard of impossibility of fulfillment by employees.

This is of paramount importance when one considers that retaliation is such a dangerous tool in the service of unscrupulous employers.

Such an untenably high standard of proof relative establishing retaliation may ironically be a driver in dwarfing the advancement and prosecution of the totality of otherwise completely valid age discrimination law suits. Full stop.

Specifically because the Federal standard – complained of retaliatory activity would not have occurred “but for” – is such a high bar to vault – it is critical – in my opinion – that each of your Committees re-examine the NYCHRL standard for proving retaliation associated with otherwise validly demonstrated age discrimination law suits.

Only then will aging workers truly know New York City is open for business for all workers, age notwithstanding.

Equally important: employers in New York City will be on absolute legal notice that retaliation that seeks to both simultaneously perpetuate and cover-up the initial unlawful underlying age-related misconduct will not be countenanced.

Treble damages will be assessed against employers who seek to retaliate against their employees who proffer otherwise valid age discrimination under the NYCHRL.

Such employers will pay twice: for the age discrimination itself and their retaliatory misbehavior. Big time.

That’s justice for all, whatever the age.

SENIORS WANT RESPECT

Lujira Cooper

SAGE & the RADICAL AGE MOVEMENT

I am, as one can see, an African American woman. What is invisible is I am seventy years old and a lesbian. In my life, I have had more challenges as a strong woman than as a lesbian. Unfortunately, this perception of strength may not exist for other older adults. Although this hearing is not about the LGBT community, age discrimination works against us as well.

Older adults face substantial challenges. Access is one. Seniors need better resources for food, health and transportation. Our community has many needs. We need better healthcare and food resources for individuals on very low budgets who question whether to get medical treatment or to eat? Professionally, we need to be seen as full-functioning adults. We need better information about the availability of government services. We need better transportation access.

The new lower buses need to pull into the sidewalk when they can. Getting around the city, using subways, can be harrowing for seniors because elevators or escalators are out of service and there are not enough of them.

For some of us, our jobs payed too low because of our identity be it gender and/or color, and the higher level of discrimination in the workplace that existed in the past. Unfortunately, housing and work place ageist discrimination is still an issue today.

SENIORS WANT RESPECT

Lujira Cooper

SAGE & the RADICAL AGE MOVEMENT

Racial and economic disparities hinder how communities age, as a young person I never thought of this. As a woman and as a person of color growing up, I had no images that were positive. Every image re-imposed negativity about who we are/were. Until the black movement was born in the 60's, I did not see people who were like me represented positively. The same is now true of seniors.

Today we are here to say that *we're not invisible*. As older adults, we stand together for a respectful and dignified ageist free community! Now is the time to march, protest, write, and as I wrote for the American Ethical Union "to learn about folks supposedly different from our clan, whichever ones we claim."

Testimony for the City Council Hearing on Age Discrimination 9/17/18

Sarah Safford
251 15th St
Brooklyn, NY 11215
917-364-9670
safford713@gmail.com

I worked as a teacher for the NYCDOE for 13 years and for the Office of Adult and Community Education from 2010- 2015. I retired early after a terribly disappointing downturn in the quality of our program that began when Rosemarie Mills took over as superintendent. The tyrannical tone she set from the beginning drove many good people away, starting with our wonderful principal Daisy Torres, our Instructional Facilitators and a host of other teachers who were either forced out through harassment and undeserved U ratings or who left in frustration with the degrading atmosphere.

I was one of those, choosing early retirement over a job that had changed from teaching and supporting students through a variety of activities, to a testing factory. Teachers and case managers were told to TABE test over and over, often before the limit of hours recommended by NYS guidelines, and students had to comply in bewilderment. The imperative to attain scores and numbers tied to our funding became paramount at the expense of all other educational goals.

Many of the senior staff were given U ratings for the first time in their careers and in the history of the program. Three U ratings can lead to dismissal or disqualify a teacher from future salary increases. Since salaries make up a large part of the school budget it seemed there was a concerted effort to get rid of older teachers as a way of saving money. There were grievances filed and I believe that these were cases of age discrimination.

Testimony for the City Council Hearing on Age Discrimination 9/17/18

Sarah Safford
251 15th St
Brooklyn, NY 11215
917-364-9670
safford713@gmail.com

I worked as a teacher for the NYCDOE for 13 years and for the Office of Adult and Community Education from 2010- 2015. I retired early after a terribly disappointing downturn in the quality of our program that began when Rosemarie Mills took over as superintendent. The tyrannical tone she set from the beginning drove many good people away, starting with our wonderful principal Daisy Torres, our Instructional Facilitators and a host of other teachers who were either forced out through harassment and undeserved U ratings or who left in frustration with the degrading atmosphere.

I was one of those, choosing early retirement over a job that had changed from teaching and supporting students through a variety of activities, to a testing factory. Teachers and case managers were told to TABE test over and over, often before the limit of hours recommended by NYS guidelines, and students had to comply in bewilderment. The imperative to attain scores and numbers tied to our funding became paramount at the expense of all other educational goals.

Many of the senior staff were given U ratings for the first time in their careers and in the history of the program. Three U ratings can lead to dismissal or disqualify a teacher from future salary increases. Since salaries make up a large part of the school budget it seemed there was a concerted effort to get rid of older teachers as a way of saving money. There were grievance filings and I believe that these were cases of age discrimination.

9/17/18

My name is Betty Gottfried. I cofounded the Adult Chapter more than fifty years ago, and I served as its Chapter Leader for over forty years. At the request of subsequent chapter Leaders, I have served as a resource person to the chapter since my retirement.

During my tenure as Chapter Leader a minimum number of teachers received end-of-year "U" ratings. Some years there were no "U" ratings. There were always some U ratings on observations, but because the majority of the leadership and support staff were hired from within the program, there was usually a genuine attempt to give support to these teachers.

Since the advent of the ^{Superior} Mills administration a wave of U ratings has hit the program like a Tsunami out of control. The U rated teachers who contacted me for advice all had the same thing in common: they were

over the age of fifty, and they were on the upper end of the salary scale.

Many of these teachers also had something else in common. They had built Adult Ed which had evolved from a group of Great Society programs that were formed in the Sixties and seventies in response to the demands of the civil rights movement. They created curriculum and participated in professional organizations. Some were prize winners for their contribution to the field.

The administration also drove several senior teachers out of the program by creating impossible schedules for them to work. These tactics severely diminished the number of full time staff, which sharply reduced the number of teachers who were entitled to the negotiated benefits that has brought Adult Ed in line with k-12.

I firmly believe that the underlying agenda that drives this pattern of behavior is to dismantle the hard earned benefits for which Adult Ed fought and to minimize the importance of the population that OACE serves. Disrespect for teachers is tantamount to disrespect for students.

We urge you to help us to redress these grievances and make OACE a viable program once again.

To: New York City Council

From: Donna Korol (OACE Teacher/Chapter Leader 2016/2017)

Date: September 17, 2018

Re: Oversight-Age Discrimination in the Workplace

One of my responsibilities as a chapter leader was to represent teachers at their disciplinary meetings with the principals. Often a teacher would be informed that a letter was being placed in her file initiating a process that may lead to the loss of employment.

In the 2016/2017 school year when I was the chapter leader, I averaged 4 such disciplinary meetings a month.

Given the fact that I was only allotted 3 hours twice a week to act as a chapter leader, most of my time advocating for the teachers was spent at these difficult, often teacher bashing and humiliating meetings.

Some of the infractions for which teachers were being written up and threatened with losing their jobs included failure to decorated bulletin boards on time, failure to use a word chart during instruction, excessive absence after only 2 days out, etc.

Since most of these problems could have been resolved with a conversation between the supervisors and the teachers, the extra heavy handed approach that Ms. Mills' administration took seemed excessive and abusive.

I will add that the majority of the teachers I had to represent were over 50 years old. I can only recollect one young mother who was being disciplined for being out too frequently after sustaining injuries in a car accident.

Personally, I had to endure surprise visits by Ms. Mills and her staff as well. On one such visit, six administrators entered my classroom. My principal, assistant principal, superintendent Mills with another person from central office, our staff developer and a counselor, all sat with somber expressions without introductions, without any recognition of my adult students. After 20 minutes, they all left without saying a word. The next day, it was reported to me that Ms. Mills engaged in a screaming session at my principal and AP after visiting my class. Intimidation and scare tactics do not make for better teachers or improvement of instruction. In fact, after that visit I lost some of my students who chose never to come back to our program. That was the day I decided to go into early retirement.

Please, help our teachers and save our wonderful program.

B

PATRICIA G. BARNES, J.D.

4910 E. Eastland St., Tucson, AZ 85711
775-546-0898, barnespatg@gmail.com

Sept. 11, 2018

Committee on Aging
Committee on Civil and Human Rights
New York City Council
New York, NY

Dear Committee members:

Thank you for permitting me to offer my comments about age discrimination in the workplace. I am an attorney, former judge and the author of [Betrayed: The Legalization of Age Discrimination in the Workplace](#) (2014) and [Overcoming Age Discrimination in Employment](#) (2016). I am the editor of the employment law blog, [agediscriminationinemployment.com](#). I also serve as a consultant and expert witness. Please consider me to be at your disposal in your endeavor.

Age discrimination in hiring is possibly the most important civil rights issue of our day but it has gone largely unrecognized and unaddressed.

Since the Great Recession, age discrimination has been epidemic. Older workers continue to languish disproportionately in long-term unemployment. Many are forced to take low wage part-time and temp jobs and retire as soon as they are eligible for Social Security benefits, thereby incurring at least a 25% decrease in benefits for the rest of their lives. Tens of millions of older workers face poverty or near poverty today solely because they were pushed out of the workplace by illegal age discrimination.

[Research](#) shows the primary victims of age discrimination in hiring are women, possibly due to the added problem of sex discrimination. It is likely that minority women are most adversely affected because they suffer both sex and race discrimination. One reason that age discrimination thrives may be that it affects a category of people – older women – who traditionally are invisible in society.

Lawsuits and studies in recent years have shown that recruiters/employers routinely use social media, internet screening tools and artful language to discriminate against older workers. The discrimination can be measured by the exclusion of older workers from whole industries, such as the [high tech industry](#). Yet, society's response is profoundly ambivalent.

A federal appeals court in Atlanta even [ruled](#) in 2016 that the Age Discrimination in Employment Act of 1967 (ADEA) does not cover systemic age discrimination against job applicants.

Many factors account for the present-day age discrimination crisis, including:

1. Age discrimination hides in plain sight in American society. It is the result of fear of illness and death, false stereotypes about aging and old people, and implicit dislike of older people. These attitudes are so ingrained that they are perceived to be normal.
2. The problem thrives due to lack of enforcement of the ADEA by the U.S. Equal Employment Opportunities Commission and the courts (particularly the federal courts).
3. Most importantly, the ADEA itself is far weaker than Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on race, sex, religion, color and national origin. Age was originally proposed for inclusion in Title VII but Congress felt more study was needed. The ADEA is a diluted hybrid of Title VII and the federal law that regulates payment of the minimum wage and overtime (Fair Labor Standards Act). The ADEA effectively legalizes a broad swath of discrimination that is illegal under Title VII.

The ADEA permits “reasonable” age discrimination whereas Title VII requires employers to show that any discrimination based on race, sex, religion, color and national origin is a “business necessity” and no less discriminatory alternative is available.

The ADEA is riddled with loopholes. For example, the ADEA doesn’t cover high ranking officials and permits the mandatory retirement of public safety personnel (many of whom go on to accept lucrative jobs in the private sector doing the type of work they left in the public sector).

Unlike Title VII, the ADEA does not permit plaintiffs to recover compensatory damages (i.e. emotional distress) or punitive damages. Age discrimination victims are limited to monetary damages (possibly doubled). There are cases where age discrimination victims prevailed but recovered nothing, thus relieving the discriminatory employer of the obligation to pay the plaintiff’s attorney fees. Many – if not most - private attorneys refuse to take age discrimination cases without charging a prohibitive retainer and hourly fee unless the case can be filed in a state court under a state age discrimination law.

In my books and blog, I advocate repealing the ADEA and adding age as a protected class to Title VII as was originally proposed. This at least would eliminate the age discrimination that is legalized under the ADEA.

Age discrimination is treated like a pesky nuisance by the U.S. Supreme Court.

The U.S. Supreme Court accords age discrimination a far lower standard of review than race or sex discrimination, making it impossible to challenge age discrimination under the U.S. Constitution's Equal Protection Clause. Moreover, the Court has eviscerated the ADEA in multiple rulings over the years, including a 2009 decision in [Gross v. FBL Financial Services](#) that requires plaintiffs to show the adverse employment action they suffered would not have occurred "but for" age discrimination. The prior standard and the one that still governs under Title VII allows plaintiffs to prevail if they can show the presence of illegal discrimination.

The Court's disastrous Gross ruling has stood for almost a decade even though it could have easily been fixed by the U.S. Congress. The proposed bipartisan [Protecting Older Workers against Discrimination Act](#) would restore the standard of causation that existed prior to Gross. Yet, since 2009 and year after year, Congress has failed to act.

Fundamentally, age discrimination is no different than race or sex discrimination. Older workers are being treated less favorably because of an arbitrary factor over which they have no control - their age. Older workers should not be fired, laid off or rejected for hire because they reach an arbitrary age. No one is arguing that the NFL is obligated to hire 90-year-old women. It is not and never has been discriminatory to fire older workers who cannot do the job.

It's that simple.

Race and sex discrimination were epidemic prior to the passage of Title VII; they are much less so today because Title VII has been vigorously enforced. Age discrimination remains epidemic today, fifty years after the passage of the ADEA, due to the factors listed above. I thoroughly applaud you for launching a joint investigation of this woefully neglected issue and, as I stated, please don't hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Patrick D. Barnes". The signature is written in a cursive style with a large, stylized initial "P".

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ROSA HARWIN

Address: 53-23 Roosevelt Ave. Apt. 3F Woodside N.Y. 11377

I represent: Sonnyside Senior Center

Address: 39 Ave. Sonnyside

**THE COUNCIL
THE CITY OF NEW YORK**

23

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Denice Hunter

Address: 2211 Ditmas Av

I represent: Agism

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

22

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 17 Sept 2018

(PLEASE PRINT)

Name: DARRELL T THOMPSON

Address: 156 James Deane #90 Bayside N.Y. 11305

I represent: PIKLE

Address: _____

Please complete this card and return to the Sergeant-at-Arms

Age Discrimination

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

Name: Chris W. deLo (PLEASE PRINT)

Address: 750 3rd Ave 31st FL

I represent: AARP

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 7/17/18

Name: Kristan Roehrs (PLEASE PRINT)

Address: 469 W. 163rd St #4W, NY, NY 10032

I represent: Radical Age Movement

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

Name: MOLLY KRAKOWSKI (PLEASE PRINT)

Address: _____

I represent: JASA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Katelyn Hosey

Address: 226 E 81st St.

I represent: Live On NY

Address: 49 W. 45th St., 7th floor

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DANA SUSSMAN

Address: 22 Reece St

I represent: CCHR

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Denice Hunter

Address: 2211 Ditmas Ave

I represent: Fair representation on Aging

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: CARYN RESNICK, DEPUTY COMMISSIONER

Address: 2 LAFAYETTE ST.

I represent: DEPARTMENT FOR THE AGING

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DIETY WONG

Address: 245 E 87th St NYC

I represent: Age 2 - 4 development / Health Department

Address: 245 E. 87 St, NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MARLENE GARR

Address: 43-33 46 St, SUNNYSIDE, NY 11104

I represent: JAP

Address: 247 W. 37th St NYC, NY 10018

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Steve Burghardt

Address: 13 W 13th St, NYC 10011

I represent: Radical Age Movement

Address: 1 E 5th St 5th Floor 10024

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/17/2018

(PLEASE PRINT)

Name: Renee Rosenberg

Address: 705 5th Hudson St Movement

I represent: Radical Age

Address: 10050

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 17 Sept 2018

(PLEASE PRINT)

Name: Ashton Applewhite

Address: 74 N 7th St, Brooklyn NY 11248

I represent: Radical Age Movement

Address: One E 53rd St, NY NY 10021

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/17/18

(PLEASE PRINT)

Name: Bobbie Sackman

Address: _____

I represent: Radical Age Movement

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Alice Fisher

Address: 13-10 25th Ave, Jackson Hts 11372

I represent: The Radical Age Movement

Address: 1 E. 53rd St NYC 10022

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JAIMIE DIZON

Address: 14 E 28th St NYC 10016

I represent: RADICAL AGE MOVEMENT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/17/18

(PLEASE PRINT)

Name: Donna Korol

Address: 36 Catherine St S Northport, NY

I represent: Adult Ed Chapter Teachers

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Betty Gottfried

Address: 305 W. 72nd Street

I represent: Adult Ed of ~~DE~~ UFT

Address: ~~475 115th Ave Bklyn~~
52 Brod Way

**THE COUNCIL
THE CITY OF NEW YORK**

AGE DISCRIMINATION

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/17/18

(PLEASE PRINT)

Name: Isabelle Velez 11265

Address: 65-76 160th St JL F.M.N.Y.

I represent: UFT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 9/17/18

(PLEASE PRINT)

Name: Sarah Safford

Address: 251 15 St Brooklyn NY 11215

I represent: Office of Adult + Community Education
(retired)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: LUSINA Cooper

Address: 166 W 87th St

I represent: SAGE / RADICAL AGE MOVEMENT

Address: 307 7th Ave NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Frances Scardlo

Address: 140 65th Street Fl 4

I represent: _____

Address: _____