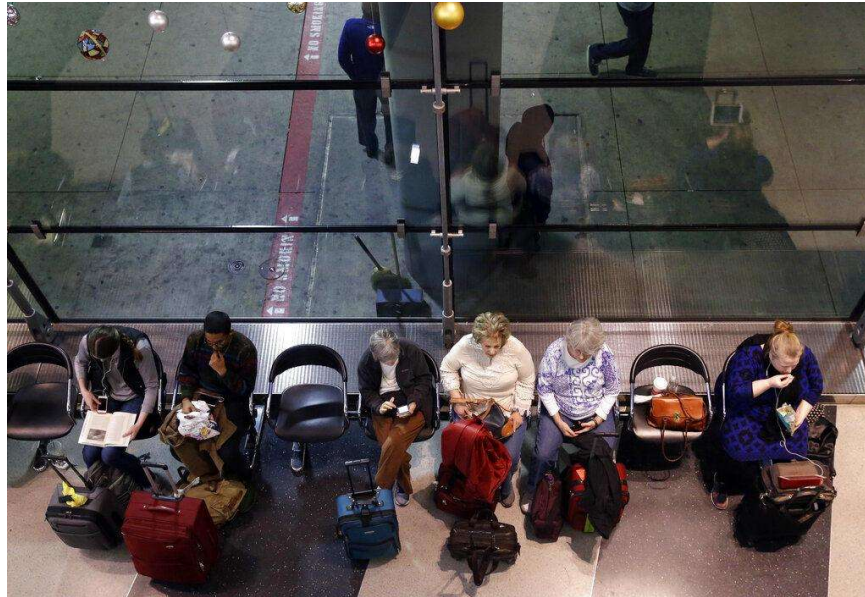


https://www.postandcourier.com/opinion/commentary/ageism-is-always-wrong-in-politics-and-the-workforce/article_a9754d32-2e1b-11e9-b12a-1fd073a17309.html

‘Ageism’ is always wrong in politics and the workforce

BY ROBERT S. WEINER AND ELAINE C. NALIKKA

FEB 11, 2019



FILE- In this Nov. 21, 2017, file photo passengers sit as they wait for their flight in Terminal 3 at O'Hare airport in Chicago. Most seniors have more free time for leisure activities including travel, but money is tighter when the paychecks stop at retirement. (AP Photo/Nam Y. Huh, File)

NAM Y. HUH

SUBSCRIBE FOR \$2.98 / WEEK

The popular misconception is that old politicians can't fix today's problems. When House Majority Whip Jim Clyburn, D-S.C., recently said the country needs an innovative, modern "smart wall" alternative to President Donald Trump's "medieval" solution to border security, he took the media by storm. Trump soon was touting the phrase "smart wall" in his announcement to reopen government, albeit with a different meaning.

Instead of having a big wall with a harsh message about America, Clyburn's "smart wall" would use modern technology such as drones, scanners and updated fencing where needed to police the southern border. The experienced majority whip is 78 and won't let you define him by his age.

"Ageism" is everywhere in politics, but the notion of "too old" flies in the face of accomplishments. House Speaker Nancy Pelosi, 78, and her top team of Clyburn and Steny Hoyer, 79, led the midterm efforts that secured a 40-vote Democratic pickup. They then led the fray against Trump's border wall shutdown. In the Senate, Majority Leader Mitch McConnell is 76, and Minority Leader Chuck Schumer is 68. Two of the leading potential Democratic candidates for the 2020 presidential elections include former Vice President Joe Biden, 76, and Sen. Bernie Sanders, 77. Declared candidate Sen. Elizabeth Warren is 71.

Harold Pollack, a Vox writer, said last year that, “Senators over the age of 75 should not ordinarily run for reelection. ... Candidates well over 70 should not ordinarily run for president either.”

Ageism is just another form of prejudice in America. It's a bias in politics. Congress has yet to fix the problem in the workplace for all Americans. Crucial amendments have sat lifeless while age-related layoffs rise and ADEA (Age Discrimination in Employment Act) lawsuits are climbing.

The Equal Employment Opportunity Commission reports that between 1997 and 2007, there were 16,000 to 19,000 filings for age discrimination complaints. From 2008 through the present, the numbers increased to 23,000 to 25,000 a year. With a longer average lifespan, people today are working longer than their grandparents.

Employers are less likely to hire older workers, especially if those workers are women. Sexism coupled with ageism occurs within the political arena as well. When Hilary Clinton's daughter announced she was having a baby, The Drudge Report posted an unflattering photo of Clinton with the headline “Grandma Hillary” implying she's too old to be president.

AARP calls the late Rep. Claude Pepper, D-Fla., “the first politician to grasp the potential political power of older Americans, and to marshal that clout to protect their interests.” Pepper, who chaired the U.S. House Select Committee on Aging from 1977-84, led the abolition of age-based mandatory retirement for all federal workers and most private mandatory age limits. “Ageism is as odious as racism or sexism,” he said in 1976 before his first of two pieces of legislation became law.

The legislative intent of the ADEA and its updates have been perverted by the Supreme Court. The Protecting Older Workers Against Discrimination Act, introduced by Sen. Charles Grassley, R-Iowa, in 2017 would restore the standard prior to the Supreme Court's 2009 5-4 decision in *Gross v. FBL Financial*. Gross made it much harder to prove age discrimination by insisting it be proven the sole cause. The court's decision, as Justice John Paul Stevens said in dissenting, was an “utter disregard of our precedent and Congress' intent.”

Justice Ruth Bader Ginsburg, dissenting in a 2013 employment age discrimination case, stated, “The ball is ... in Congress' court to correct the error into which this Court has fallen, and to restore the robust protections the Court weakens today.”

From the youngest to the oldest, we should elect, re-elect or defeat politicians because of what they bring to the table, not their age. All Americans hope to experience productive aging. Members of Congress and presidential candidates have the right to defeat stereotypes fueled by ageism by demonstrating poise, expertise and competence. Likewise, American workers should have the right to succeed on merit. Congress and the courts need to protect their right to do so.

Robert S. Weiner was chief of staff of the House Aging Committee and a spokesman in the Clinton and Bush White Houses. Elaine C. Nalikka is a policy analyst at Solutions for Change.