



Addressing Age Discrimination in Colorado Workplaces

To address work-based age discrimination in Colorado, we need stronger state laws. SB21-176, a piece of legislation moving through our state legislature, would make real progress in addressing this issue. By passing this bill, and building on its progress, we can create an economy that truly works for everyone—regardless of age.



A Prevalent, Systemic Problem

Age discrimination is all too common throughout Colorado workplaces, showing up in forced retirements; the hiring of younger, less qualified applicants; and ageist stereotypes. But because we don't talk about age discrimination, few realize how widespread the phenomenon is. But research shows:

- In a recent, statewide survey of Coloradans 50 and older, conducted by Changing the Narrative, [over 30 percent](#) say they've experienced age discrimination.
- [Over half of long-time older employees](#) are forced to leave their positions before they want to, with only 1 in 10 ever able to fully recover financially from these setbacks.
- [Job applicants](#) between the ages of 64 and 66 are less likely to receive callbacks than similarly qualified younger or middle-aged individuals.

The Real Consequences of Age Discrimination

The impacts of age discrimination are broad and deep, felt by families, workplaces, and our economy.

- *Impact on Individuals:*
 - [Half of working older adults with household incomes](#) under \$50,000 feel unable to switch jobs due to the threat of age discrimination, threatening the financial security of thousands of Coloradans.
 - In addition to lost wages, perceived age discrimination has been connected to [poorer mental and physical health](#).
- *Impact on workplaces:*
 - By refusing to hire or retain older adults, workplaces lose the tremendous expertise, knowledge, and skills older individuals bring.
 - Age discrimination can lead to reduced employee morale, productivity, and motivation.
- *Impact on the economy:*
 - [In 2018](#), the country lost \$850 billion in GDP (Gross Domestic Product) due to age discrimination, a number projected to grow to \$3.9 trillion by 2050.
 - [Colorado](#) is experiencing a significant skills gap in the workforce. When age discrimination pushes older workers with these essential skills out of the workforce, our entire economy suffers.

A Way Forward

While we have state and federal laws to prevent age discrimination and support victims, they are deeply inadequate.

A bill making its way through the state legislature, [SB21-176](#), also known as the *Protecting Opportunities and Workers' Rights Act*, brought by Senators Winter and Pettersen and Representatives Lontine and Gray, takes an important step forward in strengthening legal protections for older workers. Existent Colorado anti-discrimination laws treat older workers differently than all other protected classes, in that victims of age discrimination are explicitly prohibited from receiving certain types of damages. [As a result](#), there's less of an incentive for victims to bring forward suits that deter bad actors who continue discriminatory practices against older workers. Among other changes, SB21-176 would remove these prohibitions, and place age discrimination on equal footing with other protected groups in Colorado.

Passing SB21-176 is an important step toward creating a stronger suite of laws to ensure our economy works better for everyone. But the need for more robust protections extends beyond a single bill. The passage of SB21-176 must be the start of a movement toward comprehensive change to our state laws—movement that can include prohibiting prospective employers from asking for high school or college graduate dates.

We Can Do This Together

Age discrimination in the workplace is a persistent and widespread problem. But we can make change together. By raising our collective voices and advocating for stronger workplace protections, we can make Colorado a place where everyone, regardless of age, can succeed.

Senators Winter and Pettersen

SENATE BILL 21-176 CONCERNING PROTECTIONS FOR COLORADO WORKERS
AGAINST DISCRIMINATORY EMPLOYMENT PRACTICES

CSL is Strongly Supporting this bill.

Two aspects of this bill are extremely important to CSL. The first is the addition of Caregiver, and the protection from discriminatory or unfair employment practices for individuals based on their "marital status" or "caregiver status";

In Section 24-34-401, page 7 lines 19-21

24-34-401. Definition caregiver, and

HIGHLIGHTED THE NEED FOR AND VALUE OF CAREGIVERS AND
ESSENTIAL WORKERS, THE VAST MAJORITY OF WHOM ARE
FEMALE AND MEMBERS OF A RACIAL MINORITY GROUP

The number of people in need of care in the U.S. was expected to reach 117 million in 2020 with over 53 million unpaid caregivers, according to research by **AARP** and the **National Alliance for Caregiving**. The number of Americans providing unpaid care has increased over the last five years from 43.5 million in 2015 to 53 million in 2020. Nearly one in five people are providing unpaid care to an adult with a health or functional need. Today, more caregivers are caught in the sandwich generation where they are caring for parents as well as children. More Americans are caring for someone with Alzheimer or dementia. And 23% of family caregivers are reporting their own health is getting worse.

61% of family caregivers are women, 45% have had at least one financial impact since providing this care and yet 61% are still working.

The second area that CSL is very happy to have included is Ensuring age discrimination statutes are in parity with discrimination protections for other protected demographics

SECTION 8. In Colorado Revised Statutes, 24-34-405, repeal (3)(g) as follows:

Pg 18 – lines 12-23 Repeals the limits on remedies in cases involving age discrimination.

Did you know that 33% of Older Coloradans who are 60+ are in the workforce? Did you know that that number is expected to triple by 2030; the average age for Coloradans to retire is almost 72?

- *Impact on workplaces:*
 - By refusing to hire or retain older adults, workplaces lose the tremendous expertise, knowledge, and skills older individuals bring.
 - Age discrimination can lead to reduced employee morale, productivity, and motivation.

The economic contribution made by older Coloradans annually is \$20.1 Billion – yes with a B.

Paid workforce - \$12 Billion

Volunteer work - \$1.5 B

Caregiving (child or adult) \$4 Billion

Informal Services to family and friends - \$2.6 B

- *Impact on the economy:*
 - [In 2018](#), the country lost \$850 billion in GDP due to age discrimination, a number projected to grow to \$3.9 trillion by 2050.
 - [Colorado](#) is experiencing a significant skills gap in the workforce. When age discrimination pushes older workers with these essential skills out of the workforce, our entire economy suffers

Therefore, CSL strongly supports this bill and is asking you for a yes vote as well. Please show the older adults that live in your district that you care for all they have and continue to do to keep Colorado running smoothly and profitably, please vote yes!