



2005–2006 Legislative Summary Sheet

Survey of Older Workers Bills Introduced into State Legislatures

This legislative summary sheet was developed to give an overview of the policy and legislation on older workers. Statutes and bills can be reviewed individually, but often it is useful to view them in “themes” or “clusters” to:

- Highlight legislative activity in one particular state
- Make it easier to compare legislation between states
- Illustrate varying legislation language and content

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Preventing age discrimination in the workplace

Alabama

- AL HB 90
Establishes that employers cannot require an employee to retire upon reaching a certain age.

Delaware

- DE EO 20
Prohibits discrimination in state employment based on gender, race, color, religion, national origin, age, marital status, disability, sexual orientation, or Vietnam Era veterans status.

Kentucky

- KY HB 215
Safeguards all individuals from discrimination based on familial status, race, color, religion, national origin, sex, age forty (40) and over, or because of the person's status as a qualified individual with a disability.

New Jersey

- NJ AB 607
Determines standards for what constitutes employment discrimination of older adults.

New York

- NY SB 2011
- NY SB 3327
Provides that the Office for the Aging will inform and instruct the public on issues relating to older workers and will report on age discrimination, retirement trends, recommendations for legislation, and the unemployment, self-employment and partial employment of older persons.

Ohio

- OH HB 28
Permits seniority systems or employee benefit plans, as long as they do not require an employee's involuntary retirement because of the individual's age.

Pennsylvania

- PA HB 537
Prohibits discrimination in employment based on race, color, familial status, religious creed, ancestry, handicap or disability, age, sex, national origin or the use of a guide or support animal.

**Retirement compensation for state employees:**

Mississippi

- MS HB 58
- MS HB 14
Establishes standards for public employees' retirement system regarding annual retirement allowance and contribution rate.
- MS HB 78
Mandates that the average compensation for public employees will be based on the average annual earned compensation for any period of five successive years of service as an employee during which the compensation was the highest.
- MS SB 2595
Defines the average compensation for public employees in terms of the state's retirement system.
- MS SB 2641
Sets retirement guidelines for state law enforcement officers, firefighters and emergency service employees who have worked for at least 20 years.

New York

- NY SB 2812
Establishes death and disability benefits for employees in state's teachers' retirement system.

**Creation of task forces:**

Massachusetts

- MA HB 3766
Establishes a task force to develop strategies for increasing training opportunities and resources for individuals not connected to the workforce, incumbent workers, youth ages 17 to 24, and older workers over 45 years of age.

- MA HB 4429
Establishes a task force to develop policies that advance skills and workforce development opportunities for unemployed and underemployed youth and adult workers whose lack of skills prevent or limit their employment.

New Jersey

- NJ AB 2529
- NJ AB 1449
Creates the New Jersey Senior Labor Task Force to study the needs of senior citizens in the workforce.

Oklahoma

- OK SB 765
Creates the Task Force for the Study of the Feasibility of Implementing a Hybrid Benefit to study combined defined benefit/defined contribution plans and the effect of a hybrid benefit plan on the System, including a comparison of the effect on older workers of defined benefit plans and hybrid benefit plans.



Increasing the desirability of older workers:

Kansas

- KS HB 2999
Provides grants to eligible entities for the purpose of implementing and administering training programs focused on developing an older workforce.
- KS SB 260
Provides access to workforce training for every older Kansan who desires such training.
- KS HCR 5037
Increases statewide funding and support for training and retraining services for older job seekers.

Massachusetts

- MA SB 1112
- MA HB 3940
- MA HB 4324
- MA HB 4381
- MA HB 4404
- MA HB 4831
- MA HB 2453
Establishes the Workforce Competitiveness Trust Fund to enhance worker skills, incomes, productivity and retention and to train older workers for new occupations.
- MA SB 2264
- MA SB 2256
Provides funds to improve occupational skills and expand the career potential for workers in Massachusetts including older workers.

Pennsylvania

- PA HB 481
Provides for tuition waivers for older adults at community colleges and State-owned and State-related institutions of higher education.

- ▀ PA HB 481
Provides information regarding the learning benefits of older adults and allows tuition waivers to attend community college and State-owned institutions of higher education.



Recognizing employment issues facing older workers:

California

- ▀ CA AB 2014
Recommends that the Department of Adult and Aging Services partner with the Industry Coalition on Age Equity in Media to change cultural attitudes and perceptions and to make the workplace more receptive to older workers.

Hawaii

- ▀ HI HB 2514
- ▀ HI HB 2416
Recognizes that older adults now lead longer, healthier lives and want to re-enter the workforce or stay longer.

Kansas

- ▀ KS HCR 5037
Establishes under the Workforce Investment Act, that older adults are a hard-to-serve population when it comes to establishing employment opportunities.

New Jersey

- ▀ NJ AB 2529
- ▀ NJ AB 1449
Provides information regarding older workers' barriers to employment and trends in the state's labor demographics.

New York

- ▀ NY SB 2011
- ▀ NY SB 3327
Provides that the Office for the Aging will inform and instruct the public on issues relating to older workers and will report on age discrimination, retirement trends, recommendations for legislation, and the unemployment, self-employment and partial employment of older persons.



Opportunities for older workers to re-enter the workforce:

Florida

- ▀ FL SB 1446
Establishes standards by which retired public employees may return to employment or participate in a phased retirement program.
- ▀ FL SB 2630
- ▀ FL SB 1538
Establishes a pilot program for training and employment opportunities for economically disadvantaged older workers and encourages the use of such workers in providing community-based care for older adults in the community.

Hawaii

- HI HB 2514
- HI SB 2416
Recommends the rehiring of retirees in state and county governments with vacancies.

Louisiana

- LA HCR 4
Requires state departments and agencies to train and mentor replacements, rehire retirees and recruit and retain quality employees.

Pennsylvania

- PA HB 1387
- PA SB 800
Provides for retired individuals to serve as paid mentors in a welfare-to-work mentoring program.



Benefits to older workers:

Arizona

- AZ HB 2726
Establishes the guidelines for seniority systems and employee benefit plans.

Illinois

- IL HB 3470
Requests the establishment of paid family and medical leave benefits for workers to recover from illness or provide caregiving services for family members while maintaining employment.

Kansas

- KS HB 2037
Allows for the development and implementation of a phased-retirement program for unclassified employees of state educational institutions.

Minnesota

- MN HB 1120
- MN SB 1057
Provides for voluntary unpaid leave options and early retirement incentives to state employees.

New Hampshire

- NH SB 377
Extends COBRA coverage to persons who are 55 years of age or older who are dismissed from employment or who retire at 55 years of age or older until they are eligible for Medicare.

New York

- NY AB 9587
Directs the Office of Aging to formulate a bill of rights for senior citizens.

Pennsylvania

- PA HB 27A
Authorizes selected school districts to provide senior citizens the opportunity to work off a percentage of their property tax through volunteering in the public school system.

Virginia

- VA HB 1313
Establishes that a member of the Virginia Retirement System who is transferred from state to local employment shall continue to be a member of the Retirement System during the period of local employment, under the same terms and conditions as if the employee had remained a state employee.

West Virginia

- WV HCR 18
- WV SCR 20
Provides information regarding the minimum wage and minimum wage jobs in reference to older workers, women and racial minorities.
- WV HB 2537
Provides that state institutions of higher education may offer incentives for voluntary, early or phased retirement of employees.

The Network has additional resources related to this topic:

1. The Network has a topic page on older workers. To view:
 - a) go back to our home page www.bc.edu/wfnetwork/
 - b) click on the appropriate user group (Research/Teaching, Workplace Practice, or State Policy)
 - c) and choose "Older Workers" from the Topics List
2. Our database of academic literature contains the citations and annotations of literature related to the issue of older workers. You can connect to this database at:
http://library.bc.edu/F?func=find-b-0&local_base=BCL_WF
3. For a list of bills and statutes related to other topics, please visit:
<http://wfnetwork.bc.edu/bills.php?area=policy>

