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Date

Arthur Douville 3-30-88

MINUTES OF THE House COMMITTEE ON Labor and Industry

The meeting was called to order by Representative Arthur Douville at
Chairperson

9:05 a.m./~~p~~m. on March 29, 1988 in room 526-S of the Capitol.

All members were present except:

Representative Diane Gjerstad - Excused
Representative R.D. Miller - Excused

Committee staff present:

Jerry Ann Donaldson, Kansas Department of Legislative Research
Jim Wilson, Revisor of Statutes' Office
Juel Bennewitz, Secretary to the Committee

Conferees appearing before the committee:

Brandon Myers, Kansas Civil Rights Commission

Minutes of the March 3, 4, 15, 16, 17, 23 and 24, 1988, meetings were presented to the committee. The chairman announced they would be approved as presented unless objections were made to him before noon March 30, 1988.

re: H.B. 2563

Attachment #1 is an article referring to the federal age discrimination act, presented to the committee by Representative Whiteman for informational purposes.

Representative Patrick drew attention to lines 0138-0140. He stated that conversations with the Kansas Civil Rights Commission had revealed no objection to reinsertion of the language (lines 0138-0140) shown as stricken in the 3/2/88 recut (attachment #1, March 23, 1988, meeting). He indicated this provision protects small businesses in the transfer of ownership from one generation to another, particularly regarding the deferral or elimination of capital gains taxes. The representative made a motion, seconded by Representative Bideau, to reinsert the aforementioned language. The motion carried on a unanimous voice vote.

The impact of striking the minimum age requirement was discussed. Brandon Myers was asked to respond to this proposal. He foresaw no problem with such a change. For clarification, there would be no mandatory retirement age except for the exceptions already within the bill. It would not keep a person from retiring but neither would it force a person to retire. Representative Whiteman stated the existence of a statute covering minimum age. Representative Bideau's understanding was an employer could decide to not hire someone under the age of 40 years and moved to amend the bill in line 0023 to strike age 40 and insert 18 years. Representative Patrick seconded the motion. Representative Whiteman opposed the amendment on the ground the original intent of the bill was to remove the age 70 cap and bring Kansas law into compliance with the federal law. She called lowering the age limit a major policy decision and beyond the scope of the original intent of the bill. Representative Bideau's response was the amendment was a litmus test regarding equal treatment regardless of age. The motion carried on a voice vote.

Representative Whiteman made a motion, seconded by Representative Green, to adopt the other amendments in the 3/2/88 balloon of H.B. 2563. The motion carried on a unanimous voice vote.

Representative Hensley moved to report H.B. 2563 favorably as amended. It was seconded by Representative Roper. The motion carried on a unanimous voice vote.

The meeting adjourned at 9:30 a.m. This concludes the meeting of the House Labor and Industry Committee for the 1988 session.

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 401 W. FIRST
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HOUSE OF
 REPRESENTATIVES

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 JOINT COMMITTEE ON ADMINISTRATIVE
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 GOVERNOR'S ADVISORY COMMISSION
 ON JUVENILE OFFENDERS

Saturday, March 26, 1988 13A

SAS

Finding work difficult for older Kansans

By MATT TRUELL
Associated Press writer

Older people account for an ever-growing number of Kansas workers, yet they often have a harder time finding jobs when they become unemployed, state officials say.

"Although it is true that older workers in Kansas enjoy an unemployment rate lower than the overall rate, when they do become unemployed, they remain unemployed longer and return to the labor force at a lower paying job," said Esther Wolf, secretary of the Kansas Department on Aging.

In 1987, people 55 and older had an unemployment rate of 3.0 percent, compared to 4.9 percent for the total Kansas civilian labor force, according to the state Department of Human Resources.

Kansas is eighth in the nation in population of older people.

"About 22.5 percent of our population is over the age of 55," said Dennis R. Taylor, secretary of human resources. "The ratio of older people in Kansas has grown and will continue to grow more rapidly than the total population of 2.4 million."

People 55 and older who have been laid off from their jobs will spend an average of 20

weeks before finding another job, compared to 15.5 weeks for younger workers, according to a 1984 study. At the same time, older workers who find other jobs will, on the average, earn \$1,500 less a year than they earned at their previous jobs.

A program administered by the Department on Aging, called "Older Kansans Employment Program," is geared to remove many of the barriers that older workers encounter when they start looking for jobs.

The program is administered under a cooperative agreement between the Department on Aging and the Department of Human Resources.

"Many people are dislocated or displaced from jobs that are no longer there," said Marcia Schuley of Manhattan, director of the Older Kansas Employment Program for the North-Central Flint Hills Agency on Aging. Schuley administers the program in 18 counties.

"We have to train people to be effective job-seekers," she said.

Many of the older workers seeking jobs come from farming, manufacturing, aviation and the oil and gas industries, she said. All of these fields have undergone a slump in recent years.

Others are homemakers entering the job market for the first time or after years of being at home. Still others are retired but have decided

they do not want to spend their time fishing, or need a little extra money.

"It's a very cost-effective program," said Ardie Davis, employment specialist for the Department on Aging. "We don't spend a lot of money on vocational training. It's just a matter of marketing themselves."

Last year, 947 people found jobs under the Older Kansans Employment Program.

"There's still a lot of age discrimination, even though it is illegal," Davis said. Federal law prohibits age discrimination against anyone 40 years or older.

Older workers often are in for a shock when they start looking for work, officials say.

"Most of them have never done a resume," said Wichita's Judy Finnell, executive director of Senior Services Inc., which administers the program in Sedgwick and Reno counties.

She said she has talked to people in the program who have never filled out job applications, having been hired decades ago on a hand shake.

Older workers who find themselves laid off from a job they have held for many years frequently are at a loss, Schuley said.

"They often have difficulty identifying what else they can do," she said. That's where the program comes in, she added, in helping those older workers come to grips with with an changing labor demand.

HOUSE-LABOR & INDUSTRY
 Attachment #1
 3/29/88