



Testimony of Nancy A. LeaMond
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Hearing on
“Protecting Older Americans: Leveling the Playing Field for Older Workers”

before the
Senate Special Committee on Aging

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Chair Scott, Ranking Member Gillibrand, and Members of the Committee:

My name is Nancy LeaMond, and I serve as the Executive Vice President and Chief Advocacy and Engagement Officer for AARP. I am honored to testify on behalf of more than 100 million Americans age 50 and older. I have dedicated much of my career to ensuring every older American has the opportunity to age with dignity and respect. Yet today, far too many hardworking, capable, and committed older workers face a barrier that undermines both their livelihoods and their families' financial well-being: age discrimination.

I want to begin by saying how much I appreciate Chairman Scott, Ranking Member Gillibrand, and the entire committee for working in a bipartisan way to put a spotlight on issues important to older adults. Hearings like this, as well as others you have done, including Senator Scott's recent field hearing on fighting fraud, and prior hearings focused on fighting isolation, exploitation, disaster preparation, and improving the wellness of older Americans, help move us toward solutions that will allow all of us to age with dignity. Solutions like Senators Gillibrand and Graham's Protecting Older Americans Act, which I discuss later in my testimony, will give older workers a choice in how they want their age discrimination claims resolved. My hope is that today's hearing will put us on a path towards ending pernicious age discrimination that is holding too many people back from fulfilling their dreams and achieving their financial security.

This hearing is vitally important as the impact of age discrimination is not only felt at the personal level – it's economically damaging to our country. [AARP has](#) found that age discrimination drains \$850 billion from the U.S. economy every year, a figure projected to reach nearly \$4 trillion by 2050. At a time of labor shortages, sidelining skilled and eager workers is a loss we simply cannot afford.

The effects are profound. An [Urban Institute study](#) found that about half of workers in their early 50s experience involuntary job loss that sharply reduces earnings or forces them into long-term unemployment – something older workers face at higher rates than younger peers. For example, in July 2025, the percentage of jobseekers ages 16 to 54 who were long-term unemployed was 23.1 percent, but it was 26.5 percent for jobseekers ages 55 and older.

This comes at a time when many older Americans are working later into life than ever before—some by choice, often by necessity. According to the Federal Reserve's [Survey](#) of Consumer Finances, 54 percent of households have no retirement savings, and among those who do, the median savings for folks age 55 – 64 is \$185,000. For those age 65 – 74, it is \$200,000. That is well below what is needed for a secure retirement – even factoring in Social Security – and likely one reason that folks 75 and older are the fastest growing segment of the workforce.

Whether for personal fulfilment, financial reasons, or a combination of both, older adults deserve a level playing field as they compete for, obtain, and retain jobs. Older workers are, and will continue to be, the key component to our economic success. Unfortunately, it's far too common that age discrimination proves to be a pervasive barrier in the workplace. That is why holding this hearing is vital.

According to [AARP research](#), 90 percent of workers age 50-plus believe that age discrimination is common in the workplace today, and 64 percent of older workers have seen or experienced age discrimination. These numbers are even higher for Black workers (74 percent) and women age 50-plus (67 percent). Age discrimination in hiring is also pervasive. Our [research](#) tells us that 40 percent of job seekers aged 45 and older have experienced age discrimination in their job search. In addition, [53 percent](#) of workers aged 40 and older were asked by an employer to provide their birth date, graduation date(s), or other age-related information during the application or interview process.

Sometimes the discrimination is not overt, but cloaked in seemingly harmless terms that send a clear signal about who employers are really looking for. For example, recruiters might use phrases such as “[digital native](#)” in their job ads, referring to the younger generation of people born into modern technological culture, particularly [social media](#). Other phrases, such as “high energy level,” are used as a euphemism for “young,” playing off the biased and inaccurate assumption that older employees lack energy. An employer also might discard applications if the candidates do not have email accounts ending in “.edu,” which are university accounts commonly used by students and recent college grads but are less common among older alumni.

Older workers bring expertise, leadership, perspective, and resilience. They have critical skills employers need. Yet outdated stereotypes persist, leading to unfair treatment that undermines both workers and businesses. Addressing age discrimination strengthens not only the financial security of individuals but also the health of our communities and economy.

Artificial Intelligence and Older Workers

Emerging technologies add urgency to the challenges we face. Older workers are encountering artificial intelligence (AI) in the workplace with both interest and concern. Nearly half express a desire to gain AI-related skills, and many already use AI tools to improve productivity. According to an [AARP survey](#), the top uses of AI include finding information, creating content, and analyzing data—functions that can enhance productivity and decision-making.

But it also poses risks. Algorithms can replicate and even accelerate bias. Data points such as graduation dates or years of experience can serve as proxies for age, leading to older applicants being screened out automatically. Policymakers must ensure AI is used to expand opportunity, not entrench age discrimination, by supporting upskilling programs and enforcing protections against algorithmic bias.

Bipartisan Legislative Solutions

Given the vital role older workers can play in meeting the demands of our economy, paired with increasing longevity, it is vital that Congress pass policies to ensure every older American has the opportunity to obtain and retain employment. And this isn't just AARP's view. The vast majority of older workers support strengthening age discrimination laws. According to a recent AARP survey, 90 percent of workers age 40-plus support efforts to strengthen the nation's age discrimination laws and 89 percent of workers age 40-plus agree that 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.

Several bipartisan, commonsense bills would do just that. One bill in particular that I noted at the beginning of my testimony is the AARP endorsed Protecting Older Americans Act (POAA), led by Ranking Member Gillibrand and Senator Graham. This bill would prohibit forced arbitration in age discrimination claims, ensuring workers can seek justice in court with full legal protection. This bill is not only needed, but it is just common sense. If we want true change, we must not force workers into agreements where their options are limited, and their stories are never shared or heard. Instead, Congress should pass legislation like the POAA and make sure every older American who is sidelined due to age discrimination has an opportunity to rectify the situation and have the opportunity to work. We applaud Senator Gillibrand, Senator Graham and others for their support of these important initiatives.

Other important pieces of legislation that have been proposed by leaders of both parties and should be passed by this Congress include:

The Protecting Older Workers Against Discrimination Act (POWADA)

Led by Senators Baldwin and Grassley, this bill would restore long-standing protections weakened by the Supreme Court's 2009 Gross decision, ensuring age discrimination is treated as seriously as other forms of workplace discrimination.

The Protect Older Job Applicants Act (POJA)

Sponsored by Representatives Garcia and Salazar, this measure would extend ADEA protections to job applicants—closing a gap that leaves many vulnerable at the hiring stage.

AARP also supports efforts to prohibit employers from seeking age-related information during hiring, unless required by law or directly tied to job performance.

Addressing Age Discrimination in the States

While AARP is pushing several pieces of federal legislation, states across the country are already taking action. Recent AARP-backed laws in Oregon, Colorado, Connecticut, and other states ban age-related inquiries in initial job applications, ensuring older workers are not discriminated against early in the hiring process. Other efforts include Massachusetts and the U.S. Virgin Islands securing funding for older worker retraining programs, and Nebraska declaring an Ageism Awareness Month. These efforts demonstrate bipartisan recognition that fairness in hiring is essential to a strong and thriving economy.

Employers' Role

Employers also have a critical role to play in combating age discrimination. [AARP research](#) highlights four key priorities:

- **Employers can benefit from promoting flexibility in the workplace.** Many older workers are not settling for stressful working conditions or fully in-person jobs.

Promoting flexibility can help increase productivity as well as job satisfaction. According to the [National Bureau of Economic Research](#), flexible work arrangements also provide more work accessibility for people with disabilities, many of whom are older, and have increased their labor force participation rate.

- **Employers need to recognize the growing number of workers who are also caregivers and embrace ways to mitigate burnout.** Offering caregiving benefits (e.g., paid leave for caregivers) can help workers maintain productivity and help employers stay competitive in the marketplace. In addition, offering flexible work options can help workers balance work and life responsibilities – including caring for themselves and their families – ultimately preventing family caregivers from leaving the workforce.
- **Employers can benefit from placing greater emphasis on training to reskill and upskill.** Training opportunities can help to meet older workers’ desires to continue learning, helping to enhance their job satisfaction. And given the skilled labor shortages, job-related skills training can help employers close their skills gap and avoid recruitment costs to fill positions.

AARP’s Work with Employers

AARP is working to provide tools and resources that meet the needs of the 50-plus wherever they are on their career journey, enabling them to embark on new careers, stay competitive in their current job, or find work that offers them flexibility and fulfillment. This includes resources to help older workers searching for a job by providing resume help, interview prep, career coaching through our job search toolkit, and AARP’s Skills Builder for Work resource.

On the employer side, we are trying to increase economic security through expanded access to quality employment opportunities. Both the AARP [Employer Pledge Program](#) and our job search collaboration with Indeed, offer practical resources with actionable steps employers can take to build and leverage age-inclusive workplaces. Other employers include AARP’s [Future of Skills](#) online resource, [Age-Inclusion training](#) for HR professionals, our [Intergenerational ERG Toolkit](#), and the [Guide to Managing Mixed-Age Teams](#).

Conclusion

Older workers want a fair shot. They are updating resumes, applying for jobs, learning new technologies, and taking training to keep their skills sharp. They bring experience, commitment, and a growth mindset that employers need – especially in today’s labor market.

Every day we hear about job openings going unfilled and the impact it has on our economy. At the same time older Americans experience age discrimination at alarming rates. This is a problem that Congress can and should work to address. Congress has an opportunity to act. Passing bipartisan reforms to strengthen age discrimination protections, promoting inclusive use of AI, and supporting age-diverse workplaces will allow older Americans to continue to contribute to, and meet the demands of, our economy.

Thank you for holding this important hearing and for the opportunity to testify on behalf of millions of older Americans, who play a critical role in helping our economy thrive and who ask only for fairness and respect in the workplace.