

it was on the age of the worker. A new worker applying for a job had to supply the information that gives details as to the number of children and the age of the children and in many instances we found those under 40, if they had a large enough family, they were pretty well discriminated against.

However, we won't go into that subject except as it relates to the whole problem.

I wish to commend you, Mr. Secretary, for bringing this matter to the attention of Congress and for suggesting this remedial legislation. I may say to the Secretary in fairness there are problems that are not going to be resolved by the passage of this bill insofar as it is considered by some to be an arbitrary attitude on the part of some industries in having prehiring contracts which set age limitations that appear to be rather arbitrary in their determination and policy.

One of the larger labor organizations has asked whether or not we could consider hearing testimony, since we are dealing with age discrimination, on the subject matter of under age 45, and whether or not we could work out with the Secretary some position in this matter.

I would like to say to the Secretary that we will discuss it with the committee after this hearing is over. I hope that it will not be upsetting any plans of his, or be harmful to the progress of the legislation if we hold hearings and take testimony in this particular regard.

As you and I well know, prehiring contracts are legitimate, legal, and have been in vogue for many years. But there are some cases which have come to the front in the last few years which makes it imperative that at least we take testimony. And I would like to advise the Secretary that, with his cooperation, when we have the hearings the committee would like to sit down with him and discuss the possibilities in this area if he sees there can be some benefit in it.

Secretary WIRTZ. I would welcome the opportunity.

Mr. DENT. Mr. Hawkins, any questions?

Mr. HAWKINS. I have no questions.

Mr. DENT. Mr. Daniels.

Mr. DANIELS. Just one question, First I would like to compliment the Secretary for a very fine statement. In looking over the bill I note in section 4 on page 3:

It shall be unlawful for an employer to fail or refuse to hire or discharge a member of any group or discriminate against him because of age.

There is no age set forth. Are we to enact a bill that says, "There shall be no discrimination because of age"?

Secretary WIRTZ. There is a limitation in section 13 which results in this bill covering only the period between 45 and 65 years of age.

Mr. DANIELS. I did not observe that.

Secretary WIRTZ. It is a sensitive question. I know it is a point to which the chairman referred before. The bill does include discretionary authority on the part of the Secretary to extend those limits in particular circumstances.

I would concur in the chairman's suggestion that the flexibility is not such as to include all matters which might arise under this. There will, I know, be serious consideration by the committee of whether those limitations should be extended or dropped.

Mr. DANIELS. Thank you.