

He said, while he was honored to be Speaker of the House on more than one occasion, and he was fortunate enough to be the publisher of the largest newspaper in Cambria County, he found after reading this legislation he would be barred from State employment and could not get a job as janitor in a liquor store because he didn't have the equivalent of a high school education to take the qualifying examination.

It is one of the serious drawbacks to employment for the aging. Many employers use that as their dodge or coverup for not wanting to employ a person over 40 years of age. They will in their advertisement—for instance, advertising for millwrights or just ordinary men on common labor jobs—they will say persons without a high school education need not apply.

It is one of the factors that this legislation will take into consideration, I believe, and consider the effect.

I note your fear of the discriminatory powers of the Secretary to write rules and regulations that may be capricious, or at least harmful in your opinion.

You ask that this committee consider an amendment which I understand the Senate either has adopted or is considering the adoption of.

Mr. PESTILLO. I believe the subcommittee has.

Mr. DENT. They have adopted it?

Mr. PESTILLO. Yes.

Mr. DENT. The subcommittee of the Senate has adopted the suggestion that employers be relieved of the responsibility for the health and welfare and fringe benefits to employees over a certain age.

Mr. PESTILLO. The ones covered, 45 to 65, that would be the age.

Mr. DENT. Those covered in this bill?

Mr. PESTILLO. Right.

Mr. DENT. There is a great cry to reduce the age limit of this to age 40. What would be the program that we could hold out as a hope to a 40-year-old worker who has 25 years ahead of him if he is to be exempted from coverage under a pension plan. If all the employees around him are covered, how can we justify this kind of amendment? Give me your logic.

Mr. PESTILLO. Really, adoption of the amendment would not exclude every employee, but it would help the employer stabilize his costs. Under the Equal Pay Act we found an insurance differential; it costs more to buy insurance for women. The adjustment made was that the employer would comply by providing comparable benefits or paying a comparable amount of money. Such an amendment would provide that kind of latitude.

Maybe the employer could provide identical benefits with a contributory part paid by the older employees. It is not the intention of the employer to avoid pensions. Many have collective agreements but the majority were voluntarily provided. It is good public relations not to turn somebody loose at age 65 with no money, but they need this amendment in order to give them the latitude to do it in a way that is economically sound.

Mr. DENT. As you well know, the unemployed labor market is made up in the main of the younger jobseekers in the age grouping between 21 and 35. Now the pressure from this great mass of jobseekers is building up and mitigates against the employers of the aging worker, and