

Mr. DENT. But don't you think we ought to have at least some factual knowledge as to what are the prevailing ages at which discrimination is practiced most?

Mr. PESTILLO. I think you should be guided more by that than the State limits.

Mr. DENT. We recognize there are isolated cases where they are controlled by so-called pre hiring contracts and whether or not the pre hiring contract in itself becomes a violation of equal opportunity in employment, whether it becomes a violation under an age-discrimination law is something we must consider. Pre hiring contracts have been in vogue for many years, in fact, I believe most of the utilities, at least those in my State, have an arbitrary 65-year requirement, whether it is a lineman or the president of the company or chairman of the board, all the utility employees are just automatically severed from their position or jobs, whichever the case may be, at age 65.

That is another problem we will have to get into. We can't completely ignore the existence of pre hiring contract because a person seeking a job will sign a pre hiring contract many times and when they get to the end of their contract they find they have spent their formative years or learning years of their life in an occupation that is going to be denied them. It is a serious problem to them. So we are attempting to review some of the pre hiring contracts we know are now in existence.

Mr. PUCINSKI. Did you say you did not agree with the 32-year-old cutoff for stewardesses?

Mr. PESTILLO. As an example, I don't think it is necessary to take it down that far.

Mr. PUCINSKI. I am glad to hear that.

Mr. PESTILLO. My point is, I don't think you have to take the law down that far to cover problems like that. We were talking of whether to take the age limit down to 40. One can't argue against going down as far as the problem in its most substantial form exists. If the evidence were contrary, I would have to back down; but I don't think there is enough age discrimination below 40 for the committee to go that far down. In the case of stewardesses I don't think it is such a problem.

Mr. PUCINSKI. I think the age is 32. What the company does is try to find her another job and try to keep her going, but as a stewardess I believe most companies have a policy that a stewardess cannot continue to be a stewardess except a small number of girls. The general trend is to retire a stewardess as a stewardess at age 32.

They try to get her another job or something.

Mr. PESTILLO. That is obviously age discrimination but whether it is of a type that should be made illegal, I would say, likely not. Maybe that is a bona fide qualification, to be young, pretty, and fly.

Mr. PUCINSKI. There are a lot of stewardesses very pretty after age 32. As a matter of fact, like a rare wine, they mature and get prettier and prettier as they get older.

Mr. DENT. Thank you. The committee appreciates your staying overtime to discuss this in our hearings. We find in informative discussion that sometimes when we have time we get closer to the problems. This chairman has always believed in the approach of personal contact on both sides of the controversy in any legislative