

informed me that he would not avail himself of the opportunity to appear before the Commission on December 15th but would instead seek to challenge the Commission's jurisdiction in court; and he requested a reasonable period of time within which to prepare to do so, which was granted. It is noted that on December 7th Mr. Freidin, stating he had full authority to speak for the airlines in this regard, rejected my suggestion that the airlines which fly into the State of New York and have a maximum age policy for airline stewardesses refrain from dismissing any person from the position of stewardess on the basis of age pending the resolution of this problem.

To date, no action in court has been taken by Mr. Freidin; and it is my opinion that no further extension of time is warranted. Accordingly, and based on the facts and arguments before me, I am herewith issuing my report and recommendations.

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The three phases of the investigation combined to yield the following background information and basic facts relating to the use of age ceilings by the airlines for continued employment of stewardesses:

(1) *Background Information*

(a) On the airlines, the job titles of "stewardess" and "hostess" are interchangeable; those of "flight service attendant" and "cabin attendant" cover both stewards and stewardesses; those of "purser" and "senior flight attendant" cover both males and females in a higher classification.

(b) The 38 United States airline companies currently employ some 15,000 stewardesses, and this number is expected to increase during the next few years. There is a high turn-over rate in the stewardess classification; the average length of service is about two years; each year over 5,000 new stewardesses are hired from an estimated 100,000 applicants. Despite this high turn-over rate, there are currently in active flight service several hundred stewardesses who have been flying between ten and thirty years and whose ages range between 30 to over 50 years.

(c) Of the 38 United States airlines, 20 fly into the State of New York and 9 of these have stewardess bases in the State of New York. "Stewardesses based in New York State" start and end their flight duties at airports within the State (for example, at John F. Kennedy International and LaGuardia airports). Attachment B identifies these airlines.

(d) Pursuant to regulations of the Federal Aviation Agency (FAA), airline stewardesses are required to pass, at least annually, various examinations relating to their continued ability to perform their duties in flight service; these include examinations for emergency evacuation procedures, familiarity with the airplanes in service, and personal health.

(2) *Age Ceiling for Continued Employment as Stewardess*

(a) The first airline stewardess was hired in 1935. Until the 1950's, no airline had set an age ceiling for continued employment as stewardess. A few airlines introduced such an age ceiling in the 1950's—setting it at age 32 or 35; others introduced it as recently as 1964.

With but few exceptions, the policy has been instituted unilaterally by the company and not as part of its contract with the union. With but two exceptions, the policy when instituted was not made retroactive, those employed prior thereto being permitted to continue flying until the employer's mandatory retirement age (generally 60 or 65).

The first application of a special maximum age ceiling (age 32) to produce discharge of a stewardess occurred in 1963; since then, others have been discharged or removed from flight duty because they reached the special maximum age ceiling (age 32 or 35) for continued employment as stewardess.

(b) The setting of an age ceiling for continued employment as stewardess is not a "general industry practice." Of the 38 airlines in the United States, 24 do not have this policy.

Pan American World Airways, the major United States international airline, does not have this policy. Of the group of domestic airlines frequently referred to as the "Big Four"—namely, American Airlines, Eastern Airlines, Trans World Airlines and United Airlines—only 2 (American Airlines and Trans World Airlines) had this policy at the time of the Informational Hearing. [The Commission is more recently in receipt of information that United Airlines is now seeking to establish an age ceiling for continued employment of its new stewardesses.]