

Mr. HAWKINS. No witness before this committee had denied that age discrimination does exist and everyone seems to be weeping tears about it but there are some in opposition to this approach on the basis that nonstatutory means do exist through education or through proliferating the problem into other agencies. For example, the Wage and Hour Division of the Labor Department has been suggested as an agency that might handle the subject, and so on.

Some have suggested the Equal Employment Opportunity Commission as the agency. Everyone differing with this proposal seems to suggest another agency, not always the same one. Out of your experience would you conclude that these methods are rather fruitless and that we should enact a statute of this type which deals directly with this problem which has some law enforcement provision which does have some meaning to it?

Mr. BECHILL. Absolutely.

Mr. PUCINSKI. Will the chairman yield?

Mr. HAWKINS. Yes.

Mr. PUCINSKI. I would hope to get this information together and give consideration to the proposal I introduced in Congress to eliminate the economic factor from this problem. I would like to amend the Civil Rights Act, as we attempted to do the last time it was before the House, and include age as a bar to discrimination along with race, religion, sex, and national origin.

As you recall, Commissioner, the last time the civil rights bill was before the Congress—there was substantial debate to include age in that category and I personally believe that is where it belongs.

I think the law needs teeth such as the civil rights law has and as we have in FEPC to enforce that act.

My own feeling is we have had enough studies. These proponents of more studies should do what I did a couple of years ago. While on a visit home I put on a sports shirt and slacks and went out with a lot of other people and got in line at a factory. The personnel man took a look at my grey hair and he did not even give me the courtesy of asking my name or ability. His first question was how old are you? When I said 47, he said I am sorry, the company policy is we don't hire anyone past 40.

You don't need a study to know this. Every middle-aged American in this country knows the problem he is having. The chamber of commerce has reports showing that when a man past 40 loses his job, his chances are 6-1 against getting another job. I say we know the problem and it seems to me what we need is firm, positive action to bar discrimination on the basis of age in hiring practices.

I would like to ask, Commissioner, that you undertake the study that we have discussed on the economic factor as quickly as possible so we can go before Congress and say let's remove the economic factor and then add to the Civil Rights Act to bar this discrimination against a man who has reached the calendar age of 40 or more.

I can walk through my district and talk to a middle-aged person and he will tell you the problem. A man past 40, 45, 47, or 50 tightens up every year. He knows better than anyone else if he loses that job his chances of getting another are practically nil.

Here is a man in the autumn of his life who enters into a period of great fear, great emotional strain because he is fearful of what will happen to him if for some reason or another he loses a job.