

The law passed amending it only to age 40 and so, as I recall and as I believe the transcript will show the airlines argued, in specific at that time it was American Airlines, that if the law had been meant to apply to any discrimination under age 40 there would not have been a minimum age limitation spelled out in the legislation.

Mr. HAWKINS. The point I am trying to develop is, as the chairman has said, the possibility that this proposal in its present form will not be of much help in your situation. Further, since we have taken cognizance of the problem in these public hearings, I am afraid it might actually encourage restrictive regulations by some of the airlines, as indicated.

It seems to me it does argue for some action, Mr. Chairman, as you have indicated.

Mr. DENT. Will the gentleman yield? We must go to the floor for 15 or 20 minutes to answer a call from the floor.

Congressman Scherle has stated he has a couple of questions and Congressman Matsunaga has indicated he wants to present his testimony.

Would it be too much of an inconvenience to ask you to wait for us?

Mr. O'CONNELL. We will be happy to wait for you.

Mr. DENT. All right, we will return as quickly as we can.

(Whereupon, a brief recess was taken.)

Mr. DENT. While we are waiting for two other members, I would like to ask Miss Boland a question or two.

Miss Boland, are there male employees in the industry performing the same duties as the stewardesses and hostesses?

Miss BOLAND. Yes.

Mr. DENT. They have no such restrictive clauses in your contracts?

Miss BOLAND. No.

Mr. DENT. Mr. O'Connell, has there been any attempts on your part or the TWU in behalf of hostesses to take this matter up under the sex discrimination clause?

Mr. O'CONNELL. Yes, that is the case I referred to earlier.

Mr. DENT. Based on that assumption?

Mr. O'CONNELL. Yes sir.

Mr. DENT. As you stated, there was an injunction issued against the Commission from making a decision on that matter?

Mr. O'CONNELL. That is right.

Miss BOLAND. I believe we filed our first complaint under the Civil Rights Act as a matter of days after the law went into effect. We have no ruling to this date.

Mr. DENT. No indication of the decision?

Miss BOLAND. Except the one, as Mr. O'Connell said, that we have taken to court but there was no decision there.

Mr. DENT. I noted in the discussion this morning the gentleman from California, asked a question concerning the *New York Fair Employment Commission* decision and the case before it when the airlines made the premise that the qualification in this particular line of employment was young and beautiful, or young and pretty. Do they have the same qualification for the men?

You know it is astounding in this testimony there has been no opposition to this proposal that I know of.