

ready agreed, in the collective bargaining process, that their union contract shall not bar their termination as flight stewardesses at that age; (3) who are generally offered, at or about the age for expiration of their assignment as flight stewardesses, other employment on their airline, at no reduction in pay.

IV. No Justification for Altering Theory of "Older Worker" Legislation to Cover Airlines' Stewardesses Reassignment Policies

The Subcommittee has been told in effect by a leading union representative of those few stewardesses that they do not *want* the other "straight 40-hour week" ground jobs at ages 32 or 35 because those jobs would mean the loss of glamour, the aura that surrounds a woman who earns her living in the air. The Air Transport Association respectfully suggested to the Subcommittee that the fear of a small number of young women that they are going to lose some of their glamour at ages 32-35 if they accept airline employment in a position other than as flight stewardesses, hardly requires federal legislation. It clearly does not justify adding tens of millions to the coverage of the proposed statute.

Some of the union testimony before the Subcommittee may have left the impression that stewardesses who reach a certain age have their employment terminated at that age without regard to their future employment status. That is far from the fact. The airlines who have age restrictions generally recognize a responsibility to find alternative employment with the airlines at no loss of pay or seniority. That obligation has been formally recognized in agreements reached in collective bargaining which are applicable to all stewardesses who reach the reassignment age during the term of the contract, as shown by Attachment A. We also attach evidence of the alternate employment policy of another airline with age restrictions which is a typical illustration of the application of reassignment on carriers having such a policy (Attachment B).

We also submit, as Attachment C, a copy of a determination of the New York State Unemployment Insurance Appeals Board in a case involving American Airlines which describes how American's alternate employment policy works and which, in practice, finds that a stewardess who failed to accept assignment to different work under that policy had quit her employment without good cause. That finding emphasizes, we think, the fact that the proposals for sweeping changes in the age discrimination law because of the so-called "airline stewardess age problem" are unsupported by a single case in which the airlines' stewardess reassignment policies have resulted in forced unemployment.

The stewardess representatives have also suggested to the Subcommittee that stewardesses should not be required to transfer to other jobs at age 32-35 because they are not trained for the other employment. For that reason, it is said they should be permitted to remain as stewardesses "as long as they can."

Most stewardesses cannot physically expect to continue as stewardesses to or past middle age, and that they must stop flying as stewardesses long before normal retirement at age 65. If a woman of 35 would have difficulty adjusting to ground employment because, having been a stewardess for 15 years, she is not trained for anything else, she is likely to be in a far worse position if she is permitted to continue flying until 45 by which time chances are overwhelming that she will physically *have* to stop. Obviously, readjustment to other employment will be far more difficult at 45 than at 32 or 35. In sum, a policy of reassigning stewardesses to other employment provided by the airlines during the stewardesses' early 30's is in the interest of the stewardesses as well as the airlines. The policy does not create a problem; it is an attempt to solve one.

The airlines who have stewardess age regulations have them because they have been found necessary to maintenance of a satisfactory level of stewardess service under the conditions applicable to the particular airlines. Those airlines have studied their own problems carefully and can demonstrate that strength, agility, resilience, attractiveness, and high motivation—all natural attributes of youth—are characteristics necessary under the particular conditions of their operation to quality performance of the stewardess function.

However, following as it does, the close of the hearings on H.R. 3651 and other identical proposals, this is not the occasion to argue the merits of the airlines' stewardess age policies. The bills to which these hearings relate are applicable to the Older Worker and are not addressed to the airlines' stewardess age policies. The Subcommittee, we believe, simply has not an adequate basis to reach any conclusions on that matter as a result of these hearings.

V. Conclusion

Any effort to extend the pending bills to younger workers so as to cover stewardesses raises significant questions which would require serious study of the