

Chairman Herb Kohl (D-WI)
U.S. Senate Special Committee on Aging
Older Worker Agenda

Legislation Introduced:

- S. 281, the Health Care and Training for Older Workers Act

This bill would extend COBRA coverage for older workers, improve access to Workforce Investment Act (WIA) job training programs, and require the Department of Labor (DOL) to establish a clearinghouse of best practices for hiring and retaining older workers.

- S. 501, the Older Worker Opportunity Act

This bill provides a tax credit to employers offering older workers flexible work programs with benefits.

- S. 1756, the Protecting Older Workers from Discrimination Act

This bill would make it easier for workers facing age discrimination to enforce their rights by reversing the Supreme Court's holding in *Gross v. FBL Financial*.

- The Incentives for Older Workers Act (introduced in 2008 as S. 2933, to be re-introduced in 2010)

This bill would end pension penalties for phased retirement programs, allow delayed Social Security Credits until 72, reduce the Social Security benefit offset from certain earnings, create a national resource center on aging and the workforce, require state and local WIA board to have an older worker representative and expand eligibility for the Work Opportunity Tax Credit to include older workers.

Support for Funding of Job Training Programs:

- The Senior Community Service and Employment Program (SCSEP)

SCSEP focuses specifically on training and securing employment for low income seniors and is critical to helping low income workers. Chairman Kohl applauds the \$120 million that was included for SCSEP in the stimulus package, but believes the program needs additional funding on a yearly basis to continue to help low income seniors.

- The Workforce Investment Act (WIA)

GAO and other senior organizations have long criticized WIA for its shortcomings in training older workers. Included in Chairman Kohl's legislation are provisions that would put older worker advocates onto state WIA boards, improve the performance measures to end penalties for placing older workers who tend to seek part-time work and earn less when they get new jobs, require states to report performances and participation of older workers, and set aside WIA funds specifically to train older individuals. WIA is expected to be reauthorized later this year and Chairman Kohl would like to see its services improved for older workers.

Other Priorities:

- The Equal Employment Opportunity Commission (EEOC)

The EEOC protects Americans from age discrimination in the workforce, but has been underfunded in the previous administration and is facing a growing backlog. Chairman Kohl believes additional funding is needed for the EEOC to reduce its backlog and ensure that older individuals do not face discrimination in the workforce.

- Department of Labor-led Interagency Taskforce on the Aging Workforce

In September, Senator Kohl wrote Secretary Solis to urge the DOL to continue the work of the Interagency Taskforce on the Aging Workforce. This taskforce was recommended by the Government Accountability Office and was established in the previous administration on behalf of Senator Kohl and then-Senator Gordon Smith. This task force has met several times, released a preliminary report, and broken down into subgroups to more closely examine specific issues that affect older workers. While Senator Kohl is pleased with these initial steps, the work of the task force must continue and ramp up.

- Remove the penalty for phased retirements in certain defined benefit pensions

More than three million Americans are in defined benefit pension plans that penalize older workers in phased retirement programs. A similar fix for federal workers in the Civil Service Retirement System (CSRS) was signed into law earlier this year, any pension funding relief efforts should similarly include such a fix for private pensions.

Legislation Passed:

- S. 469, A bill to modify the computation for part-time service under the CSRS

This bill removed the penalty for federal workers in the CSRS who would have otherwise had their pension reduced for working part time at the end of their career. The legislation was signed into law by President Barack Obama on October 28, 2009.

- S. 629, the Part-Time Reemployment of Annuitants Act of 2009

This bill allows the U.S. government to utilize retirees for specific short term projects without having their pension offset. The legislation was signed into law by President Barack Obama on October 28, 2009.

Related Hearings:

- Boomer Bust? Securing Retirement in a Volatile Economy. February 25, 2009
- Leading By Example: Making Government A Role Model For Hiring And Retaining Older Workers. April 30, 2008.
- The Aging Workforce: What Does It Mean for Business And The Economy? February 28, 2007