



Protecting Older Workers Against Discrimination Act Maine Public Opinion Report

June 2012

Key Survey Findings

- ◆ Nearly one-fourth of older Maine voters report that they or someone they know has experienced age discrimination in the workplace.
- ◆ Roughly 8 in 10 older Maine voters say:
 - ✓ It is important for Congress to take action and restore workplace protections against age discrimination (79%).
 - ✓ Across party and ideological lines, they support the Protecting Older Workers Against Discrimination Act (POWADA) (80%).

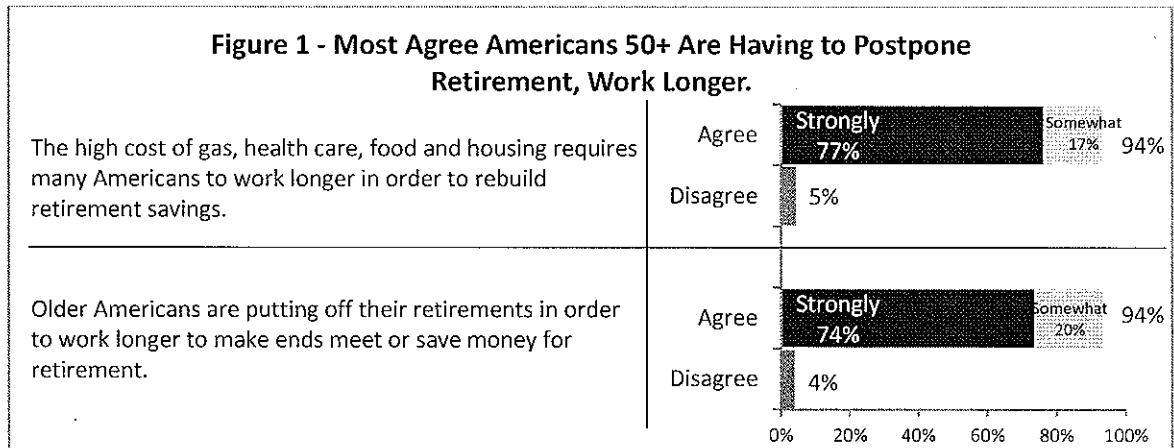
Since the mid-1980s, older workers have been working longer. The decline of traditional pensions, inadequate savings, and now the losses in jobs and wealth due to the Great Recession mean that millions of older Americans face a future of economic insecurity unless they are able to work. The unemployment rate for older workers has soared in recent years, and once out of work, older jobseekers experience far longer spells of unemployment – well over a year, on average – than their younger counterparts. Age discrimination is one of the significant reasons why it takes so much longer for older jobseekers to become reemployed. It can also pose barriers to those who want to stay employed or advance in their jobs.

In 2009, the US Supreme Court changed the rules and decided that workers who assert they were discriminated against because of their age would have to do more than prove that age was *one factor* behind how they were treated, which had been the law for everyone for decades. Unlike the rules that apply to workers who have been discriminated against due to race, sex, nationality, and religion, older workers must now prove that age was the *decisive* factor, making it far more difficult to prove their case. A bipartisan group of lawmakers has introduced legislation, the Protecting Older Workers Against Age Discrimination Act (POWADA), to restore the previous legal rules and protections that existed before the 2009 decision.

To determine public views on older workers, age discrimination, and the Protecting Older Workers Against Age Discrimination Act (POWADA), AARP commissioned GS Strategy Group to conduct a statewide survey in Maine. The survey was conducted by telephone from May 14 through May 20, 2012, with a random sample of 400 registered voters age 50 and over, stratified by geography to be proportional to Census 2010 data for those age 50+ across Maine. The margin of error for a sample of 400 randomly selected respondents is +/- 4.9 percentage points at the 95% confidence level. The full annotated questionnaire appears in the Appendix.

Finding: High Cost of Living, Making Ends Meet, and Saving for Retirement Require Americans 50+ to Work Longer

Ninety-four percent of respondents agree that the high cost of gas, health care, food, and housing requires many Americans to work longer in order to rebuild their retirement savings, with 77% strongly agreeing (figure 1). Furthermore, 94% agree that older Americans are putting off retirement either to make ends meet or to save money for retirement (figure 1).



Finding: Over Two-thirds of Non-Retirees Are Not Yet Able or Unsure of Their Ability to Retire (71%); 17% of Retirees May Need to Return to Work

Only 24% of non-retirees say they have or are close to having enough to retire comfortably. Seventy-one percent (71%) say they will have to work for a number of years more or are unsure when they will be able to retire (figure 2). Among retirees, 17% say that they may need to return to work.

Figure 2 - Which of the following best describes your current financial situation?

Non-Retirees	
You have or are close to having enough to retire comfortably.	24%
You have to work for a number of years to save enough to retire comfortably.	29%
You are unsure when you will be able to retire.	42%
Retirees	
You have already retired but may need to return to work.	17%
You saved enough prior to retirement to live comfortably.	66%

Finding: Three-fourths Are Concerned Age Could Be an Obstacle to Finding Work

Seventy-three percent of respondents are concerned that their age would be an obstacle to finding work if they had to find a new job in the current economic climate. In fact, 55% say they are “very concerned” (figure 3).

Figure 3 - If you had to find a new job in the current economic climate, how concerned are you that your age would be an obstacle to finding work?

Very	55%
Somewhat	18%
Not Too	10%
Not at All	13%

Finding: Over Half Think People Age 50 and Older Face Age Discrimination in the Workplace; 23% Say They or Someone They Know Has Experienced Age Discrimination

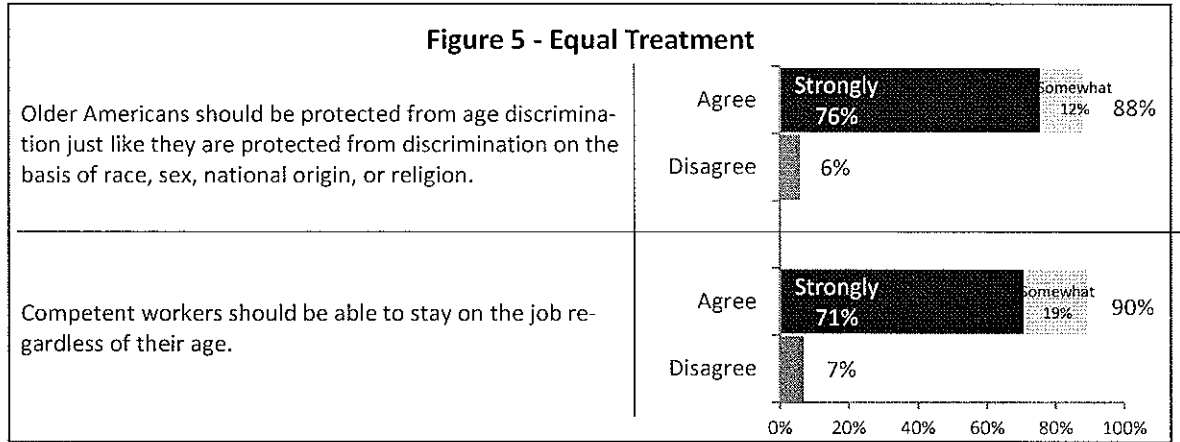
Age discrimination is an issue of concern for Maine voters 50 and over. Fifty-five percent of respondents think that people over age 50 face age discrimination in the workplace. Moreover, 23% report either they personally faced age discrimination in the last four years, or know someone who has, with 3% of total respondents having personally experienced age discrimination (figure 4).

Figure 4 - Experience with Age Discrimination

Based on what you have seen or experienced, do you think people over the age of 50 face age discrimination today in the workplace?		In the last four years, have you or has anyone you know faced age discrimination in the workplace, such as refusal to hire, reduced compensation, or limitations imposed by an employer?	
Yes	55%	YES	23%
No	26%	Self	3%
Unsure	19%	Co-Worker	2%
		Family/Friend	14%
		More than One	4%
		NO	74%

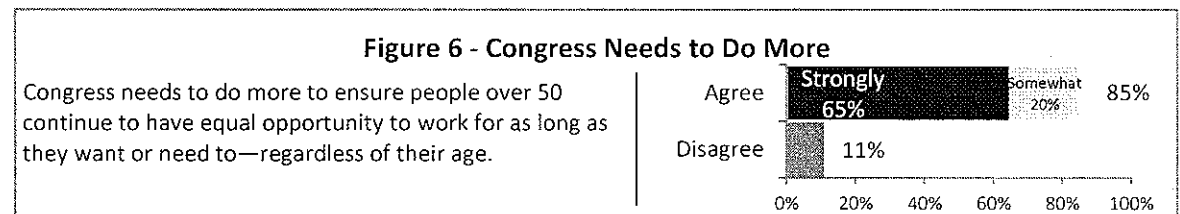
Finding: Older Maine Voters Feel Strongly That Age Discrimination Should Be Treated on Par with Other Forms of Job Discrimination

Nine in 10 respondents (90%) say that competent workers should be able to stay on the job regardless of their age. Accordingly, 88% agree that older Americans should be protected from age discrimination just as they are protected from other forms of discrimination, including a 76% supermajority of respondents who strongly agree (figure 5).



Finding: 85% Think Congress Has a Role, Needs to Do More to Ensure Equal Job Opportunity for Americans Age 50+

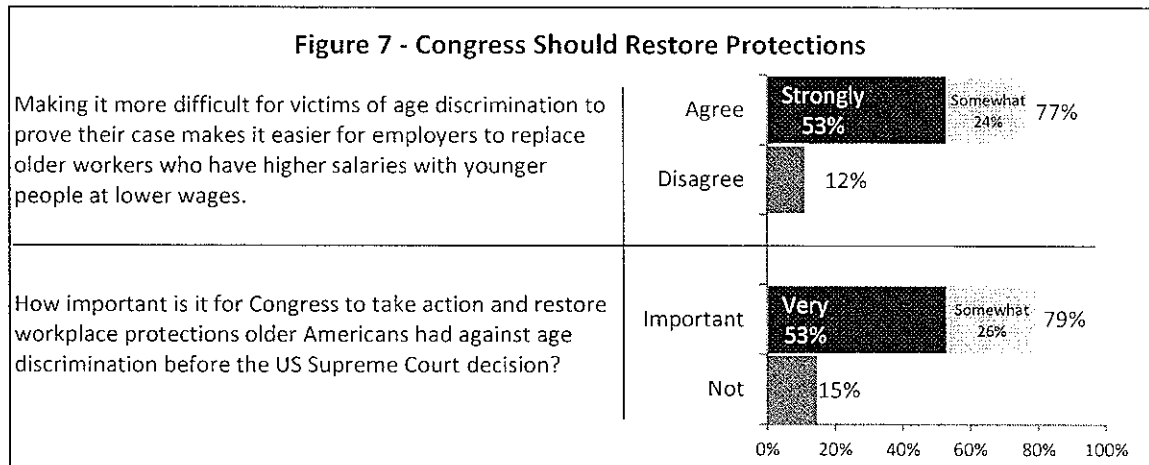
Eighty-five percent agree that Congress needs to do more to ensure that people over 50 continue to have equal opportunity in the workplace, with 65% strongly agreeing (figure 6).



Finding: 50+ Voters Are Overwhelmingly Concerned about the Court's Decision, Making It Tougher for Older Workers, and Think It's Important For Congress to Restore Legal Protections against Age Discrimination

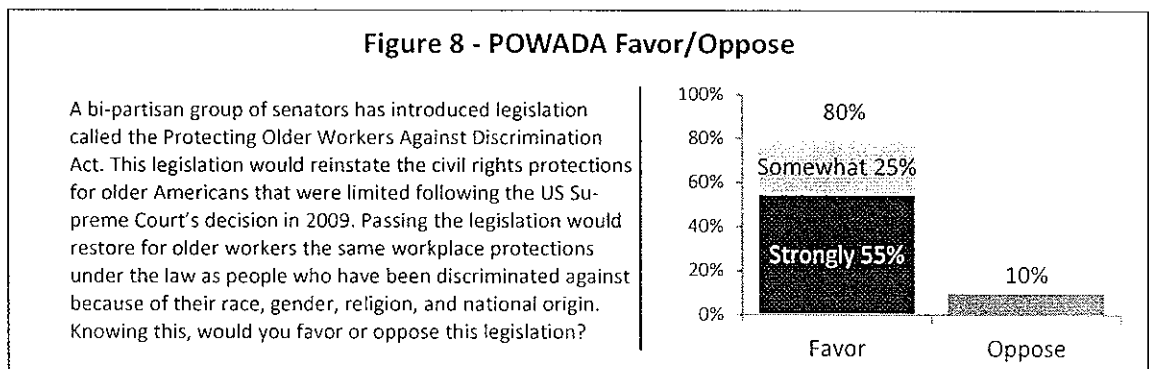
Respondents were provided a brief description of the 2009 Supreme Court decision that changed the legal standards that apply to age discrimination. The 50+ public seems to understand the connection between the legal burden on workers challenging age discrimination and employer behavior. More than 3 in 4 (77%) agree that making it more difficult to prove age discrimination also makes it easier for employers to discriminate, e.g., by replacing older, higher paid workers with younger, lower paid workers.

Moreover, nearly 8 in 10 (79%) say that they think it is important for Congress to take action and restore the workplace protections older Americans had against age discrimination before the US Supreme Court decision, with the majority, 53%, saying that it is very important that Congress take action (figure 7).



Finding: 80% Favor the Protecting Older Workers Against Discrimination Act

Respondents were provided a brief summary of the Protecting Older Workers Against Discrimination Act (POWADA), then asked whether they favor or oppose the act. Eighty percent favor the legislation (figure 8). Even more striking, 55% *strongly* favor it.



Finding: Support for POWADA Crosses Ideological and Party Lines

The support for POWADA is widespread, crossing ideological and party lines (figure 9). Favorable responses are at least 70% across all subgroups, with over one-third of self-identified conservatives and independents saying they strongly favor the bill.

Figure 9 - POWADA Favor/Oppose

	Overall	Ideology			Party			Age	
		Lib	Mod	Cons	Dem	Indy*	GOP	50-64	65+
Total Favor	80%	87%	85%	70%	85%	79%	73%	82%	78%
Strongly	55%	68%	64%	38%	64%	51%	44%	60%	51%
Somewhat	25%	19%	22%	33%	21%	28%	29%	22%	27%
Total Oppose	10%	7%	8%	15%	5%	13%	15%	10%	11%

** Due to small cell size, data is for directional use only.*

Finding: 81% Want Their Member of Congress to Support POWADA

More than 70% of respondents, again across ideological and party lines, say their member of Congress should support legislation like POWADA (figure 10).

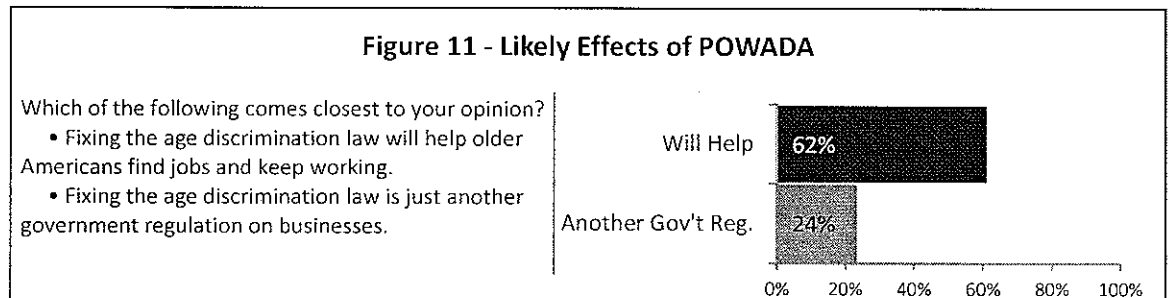
Figure 10 - Would you want your member of Congress to support legislation like this?

	Overall	Ideology			Party		
		Lib	Mod	Cons	Dem	Indy*	GOP
Yes	81%	87%	87%	72%	88%	80%	73%
No	10%	7%	9%	14%	4%	14%	15%
Don't Know	8%	6%	5%	13%	8%	6%	10%

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Finding: 62% Believe POWADA Will Help Older Americans Find Jobs and Keep Working

Respondents were asked what they thought the effects of POWADA would be. When asked to choose between two possible outcomes, 62% say they think that the bill will help older Americans find jobs and keep working. Only 24% think that its impact would mainly be just another government regulation on businesses (figure 11).



Survey Respondent Demographics

A random sample of 400 registered voters age 50 and over was used, stratified by geography to be proportional to Census 2010 data for those age 50+ across Maine.

Figure 12 - Respondent Demographics			
Ideology		Party	
Liberal	27%	Democrat	43%
Moderate	32%	Republican	31%
Conservative	35%	Independent	24%
Age		Gender	
50-64	48%	Male	48%
65+	53%	Female	52%
Employment Status			
Employed	30%	Retired	60%
Full Time	24%	Not Working at All	53%
Part Time	6%	Working at least Part Time	7%
Not Employed	6%	Other	5%
Looking for Work	3%		
Not Looking	2%		