



Submission by **Agewell Foundation USA, Inc.**

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Right to Work and Access to the Labour Market

In United States of America, approx. 40% of older people are working or actively looking for job opportunities. That number, known as a labor force participation rate, is expected to increase faster for the oldest segments of the population—most notably, people aged 65 to 74 and 75 and older—through 2024. In contrast, participation rates for most other age groups in the labor force aren't projected to change much over the 2014–24 decade.

People are working later in life for a number of reasons. They are healthier and have a longer life expectancy than previous generations. They are better educated, which increases their likelihood of staying in the labor force along with the need to save more for retirement.

Right-to-work laws have been enacted by more than half of the U.S. states. These laws should not be confused with the provisions of the Taft-Hartley Act, which prohibit agreements between labor unions and employers that require union membership for employees. Under the Taft-Hartley Act, employees have the same right to employment whether or not they are members of a union. However, the Act does allow for unions to require that non-union employees pay for non-political union initiatives from which all employees may benefit.

Right-to-work laws essentially require unionized workplaces to become "open shops," where union membership is optional, in contrast to the traditional "closed shop," in which union membership in unionized workplaces is mandatory. While regular dues are not taken out of their paychecks, the right-to-work (nonunion) employees are still covered by the union. However, they might have to pay for the cost of the union representation if specific cases arise, such as pursuing grievances on their behalf.

With people staying in the labor force longer, planning for a career later in life may be increasingly important. Getting a post retirement job certainly isn't easy, but recent employment data suggests that prospects are improving, especially for older job seekers due to tight labor market in nearly two decades, causing some employers to more readily hire older job hunters.

The tightening labor market is hitting employers and it's one of the biggest challenges employers will face over the next couple of years.

The Positive Data on Older Job Seekers¹: Some recent uplifting statistics about older workers and older job hunters:

- The unemployment rate for people 55 and older is now just 3.1%, less than the overall jobless rate of 3.9%.

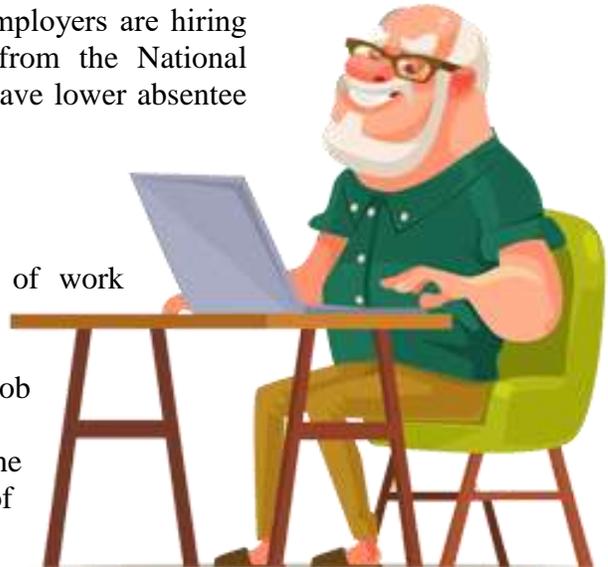
¹ <https://www.pbs.org/wnet/chasing-the-dream/stories/older-workers-are-seeing-more-job-opportunities-but-at-what-cost/>

- Workers 55 and older are the fastest-growing segment of the U.S. labor force.
- About 29% of job seekers 55+ are considered long-term unemployed (looking for work for 27 weeks or more).
- Job growth for people 55 and older is up 4.5%, that's more than twice as high as the 1.7% job growth for workers overall.

The tight labor market isn't the only reason some employers are hiring older workers. They're also finding, as research from the National Council on Aging has shown, that these employees have lower absentee and turnover rates than younger workers.

The Downbeat Numbers about Older Workers

- Job seekers 55 and older still tend to be out of work substantially longer than younger job seekers — about 34 weeks on average for those 55 to 64 and 30 weeks for those 65+ compared to 15 weeks for job hunters age 20 to 24.
- Hourly pay for full-time workers starts to decline after 60, according to the Federal Reserve Bank of Atlanta.
- And the 3.1% unemployment rate for people over 55 excludes the 1.1 million “long-term discouraged workers” who want a job but haven't looked for one in the last year. Discouraged workers ages 65 and older are more likely to say the reason they're not looking for work “is that employers think they are too old.”



Kinds of Jobs Older Persons are getting: The jobs that older job seekers get aren't necessarily the best-paying ones. Many workers over 55 “get funneled into lower-paying ‘older person jobs’ — from retail sales clerks to security or school crossing guards to taxi drivers”

Age Discrimination: Still a Big Problem: Age discrimination by employers remains a scourge. Older persons have personally seen or experienced age discrimination. Among those who've applied for a job in the past two years, 44% were asked for potentially job-losing age-related information such as birth dates and graduation years. Age discrimination is “the acceptable bias as Age discrimination “remains too common and too accepted.”

In certain fields, such as technology, older workers are often shunned or booted out. Finding work after 50 can be critically important to help make your retirement financially secure. In comparison to other parts of the world, American older persons has better access to the US labour market, however, there is still an urgent need to ensure safer and productive work environment for older persons.



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