



January 31, 2011

Dear Rep. Fisher and members of the committee:

I am writing on behalf of AARP Missouri to oppose HB205, dealing with employment discrimination and wrongful termination. This bill makes it easier for employers to discriminate against their employees because of religion, age, race, disability, color, national origin or ancestry. It also allows employers to fire employees who are attempting to stop bad behavior or who refuse to break the law. This legislation would hurt Missouri's workforce and we urge you to **Vote No on HB205**.

As the population ages, so does the labor force. Nearly 45 million men and women age 50 and older are in the labor force today; 12.2 million of them were added between 2000 and 2008. In that period the number of people under age 50 in the labor force fell by 455,000.

AARP's membership in Missouri is 749,000 and House Bill 205 will affect our members in the following ways.

- **It will make it easier for employers to fire older workers in favor of younger ones.** Some employers have a bias against older workers because they are seen as too expensive, that they need to move on and make room for a younger workforce, that they are expendable or that they aren't as valuable as younger employees. These attitudes are not based on the skills of an individual employee, but rather on a bias against people of a certain age. **We don't want to tell employers they can have a pass on age discrimination.**
- **It will create a financial incentive for employers to fire whistleblowers.** Whistleblowers protect our community and our financial stability by exposing corporate wrongdoing and fraud. By removing protections for employees who report the bad behavior internally rather than externally, the bill gives employers a free pass to fire the whistleblower before he/she can report to an external authority. Furthermore, by limiting the amount of damages an employer can be held responsible for, the bill allows the employer to calculate the cost of firing the whistleblower versus the cost if the whistleblower reports to a regulatory agency. **Corporate wrongdoing and fraud will not stop unless there is a real cost to bad behavior.**
- **It will allow Federal judges to create Missouri law.** The three branches of Missouri government work together to create interpret and enforce Missouri law. When Missouri government is making the decisions, Missouri's citizens can rest assured their interests are being kept in mind. When Federal courts in Iowa, California or Texas are interpreting laws, they don't consider the

views or needs of Missourians. **This bill takes control of Missouri law and gives it to Federal judges around the country.**

House Bill 205 is a bad choice for our members and Missouri – we urge you to vote NO.

Sincerely,

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Advocacy Director

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