



SECTION BY SECTION

House Committee on Education and Labor
Chairman Robert C. "Bobby" Scott

Protect Older Job Applicants Act of 2021 (H.R. 3992)

Sec. 1. Short Title

This section specifies that the title of the bill may be cited as the "Protect Older Job Applicants Act of 2021" or "POJA Act of 2021".

Sec. 2. Prohibition Against Limiting, Segregating, or Classifying Applicants for Employment

This section clarifies the *Age Discrimination in Employment Act of 1967* disparate impact statute, 29 U.S.C. § 623(a)(2), by inserting "or applicants for employment" and "or as an applicant for employment" after the word "employee[s]" in the two places it appears therein. The purpose of this is to clarify that applicants for a job who can demonstrate they suffered an adverse hiring decision because of a statistically disparate hiring practice based on age may bring a claim for age discrimination against the employer. The changes made by the bill apply to claims brought by job applicants in the private, public, and not-for-profit sectors in the same manner and to the same extent as they are covered under current law.