RECOMMENDATION OF THE UNIVERSITY COMMITTEE

to Adopt the Resolution Below

Be it resolved: The Faculty Senate of the University of Wisconsin-Milwaukee strongly urges the rejection of Section 7(A) of the Senate version of H.R. 5583, the section excluding tenured faculty members from protection under the amended Age Discrimination in Employment Act of 1967.

The bill currently under consideration is grossly discriminatory in singling out one category of employees, tenured faculty, in institutions of higher education for exclusion from the protection of the law. A provision in federal statute that would permit the forced retirement of a competent tenured teacher or scholar five years earlier than it would permit the forced retirement of any other competent person is unfair, unwarranted and contrary to the principle of equal protection under the law.

Explanation: The Senate version of the proposed statute does not exempt institutions of higher learning--all employees are protected from forced retirement before age 70 except tenured faculty members (the bill also exempts business executives from protection). The House version of the bill does not include these exemptions. The two versions are now under consideration in conference committee.