

**ANY DISCRIMINATION DUE TO AGE OR ELIGIBILITY OF RETIREMENT IS ILLEGAL
AND SHOULD NEVER BE TOLERATED BY ANY GOVERNMENT EMPLOYEE**

As one TTB Counsel Attorney once advised me, in effect , “If you as a government employee are aware of any violation of law or regulation by any co-worker, including managers/management and do not properly report it, you are considered to be in effect in collusion with the violation.” Refer to 27 CFR 0.107(a)(3).

As a chapter, many employees come to us for advice on various laws and regulations regarding their rights. We have noticed a number of employees that are within 5 years of retirement eligibility seem to have the most questions regarding age discrimination laws and if it only applies to hiring or if it covers all conditions of employment. Many seem to believe they have been treated unfairly and noticed the only change in their performance is that they are the older generation that management seems to want to remove from the work force to be replaced by a “younger face”.

Here is a link to the website that defines the law and regulations regarding the Age Discrimination in Employment Act (ADEA):

<https://www.nteu.org/UnionOffice/Training/default.aspx>

In addition, as we have been providing this information, there are a number of employees who are seriously considering a class action suit against the agency. We have noted that this appears to a wide spread issue and have identified what appears to be an ongoing pattern within this agency. If you feel that you have been harassed, treated differently or have been a victim of Age discrimination, please submit the following information to:

nteuch305@yahoo.com

- (1) Name, Age and proximity to retirement
- (2) A general history of your work history
- (3) A written statement as to why you feel you have been discriminated against and provide any evidence you have available to support your claim
- (4) Contact information (address, phone numbers etc.)

If you feel you have been a witness to age discrimination in the agency and would like to report it with NTEU, Chapter 305, please provide Items 3 & 4 to the same e-mail. Also, if you would prefer to provide information and do not want your name included, please provide that information to the above e-mail and state that you are provided documentation only and you would prefer to remain anonymous.

AS ALWAYS, if you have any questions, please do not hesitate to contact the chapter.