

## H.R. 2062, Protecting Older Workers Against Discrimination Act of 2021

As ordered reported by the House Committee on Education and Labor on May 26, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	*	*	*
Revenues	<b>0</b>	<b>0</b>	<b>0</b>
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	<b>14</b>	not estimated
Statutory pay-as-you-go procedures apply?	<b>Yes</b>	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	<b>No</b>	Contains intergovernmental mandate?	<b>Excluded from UMRA</b>
		Contains private-sector mandate?	<b>Excluded from UMRA</b>
* = between -\$500,000 and \$500,000.			

H.R. 2062 would ease the standard of proof for age discrimination claims as well as for certain other employment discrimination and retaliation claims under Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, and the Rehabilitation Act of 1973. Using information from the Equal Employment Opportunity Commission (EEOC), CBO estimates that the bill would increase the caseload related to age discrimination by 5 percent to 10 percent, or roughly 1,300 additional claims per year. CBO estimates that it would cost about \$3 million annually over the 2021-2026 period for the agency to hire 20 additional personnel to handle the additional workload and for the agency to provide additional training and outreach; such spending would be subject to the availability of appropriated funds. For fiscal year 2021, the Congress appropriated \$404 million for all of the EEOC's operations.

Enacting the bill could require federal agencies to respond to claims, thereby affecting direct spending because some agencies are allowed to use fees, receipts from the sale of goods, and other collections to cover operating costs. CBO estimates that any net changes in direct spending by those agencies would be negligible because most of them can adjust amounts collected to reflect changes in operating costs.

CBO has not reviewed H.R. 2062 for intergovernmental or private-sector mandates. Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provisions that would establish or enforce statutory rights prohibiting



discrimination. CBO has determined that this legislation falls within that exclusion because it would extend protections against discrimination based on age and disability in the workplace.

The CBO staff contacts for this estimate are Lindsay Wylie (for federal costs) and Lilia Ledezma (for mandates). The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.