



Civil Rights Department

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During Older Californians Month, Civil Rights Department Shares New Resource on Protections Against Age Discrimination

SACRAMENTO – During [Older Californians Month](#), the California Civil Rights Department (CRD) today [shared a new fact sheet on protections against age discrimination](#) in the workplace. While Older Californians Month refers to people 60 and above, many people may not know that age protections in employment begin at the age of 40. Each year, CRD investigates hundreds of complaints related to age discrimination. Whether through new informational materials, in-person events, or online webinars, the department regularly works to help ensure all Californians understand their civil rights and have the tools they need to exercise them.

“Age discrimination remains an all-too-common part of the workplace,” said **CRD Director Kevin Kish**. “From job ads that weed out ‘experienced’ candidates to being skipped over for promotions, older Californians often confront a range of challenges in the job market. Fortunately, in California, we have strong protections in place. I encourage all employers, workers, and job applicants to read our new fact sheet on age discrimination. Together, we can help ensure our state’s nearly nine million older residents have equal opportunities in the workplace.”

Age Isn’t Just a Number, It’s Also a Protected Characteristic

Under California’s Fair Employment and Housing Act, it is illegal for an employer to discriminate against or harass an employee or job applicant based on a range of protected characteristics, like age. In the employment context, people aged 40 and older are protected from age discrimination. These protections also apply when an employer discriminates against someone based on the mistaken belief that they are 40 or older. California law provides these protections in recognition of the fact that older Californians often face unique obstacles in their careers as a result of age-related biases and stereotypes. According to the AARP, roughly [two-thirds of older workers nationwide](#) reported seeing or experiencing age discrimination in the workplace.

What Does Age Discrimination Look Like?

Age discrimination can take a variety of different forms. Sometimes it is obvious, while other times it is more subtle. A few key examples of age discrimination include:

- **Excluding older people when hiring.** This can apply to job postings that express a preference for someone under the age of 40, such as “Looking for someone young and energetic to join the team.”
- **Asking about a candidate’s age before hiring.** For example, an employer generally cannot ask an applicant to share their date of birth on a job application or during an interview.
- **Giving lower wages or benefits because of age.** Employers cannot pay employees aged 40 and older less than other employees doing equivalent work.
- **Denying a promotion because of age.** Employers cannot deny someone a promotion or evaluate them unequally because they are 40 or older.
- **Making comments, jokes, or insults about age.** Age-based harassment can create a hostile work environment, including repeated comments like, “Okay, Boomer.”

Knowing Your Rights Helps Protect Your Rights

A key part of CRD’s mission to enforce the state’s robust civil rights laws and reduce discrimination is ensuring Californians have accurate and timely information about their rights and responsibilities. CRD does this through a range of proactive outreach efforts, including [conducting trainings and presentations](#), [publishing and disseminating guides and factsheets](#), and working directly with community partners to identify and respond to civil rights challenges faced by Californians across the state. Many of CRD’s webinars and trainings [can also be watched at any time](#) on the department’s YouTube channel.

State Continues to Take Action Against Age Discrimination

CRD is committed to combatting discrimination in all its forms. Just last year, CRD secured a [nearly \\$40,000 settlement](#) for a truck driver who was allegedly discriminated against because of their age. The department also announced a [\\$110,000 settlement](#) over alleged discrimination at Southern California assisted living facilities related to sign language interpretation for seniors with disabilities. In 2018, CRD reached a [\\$75,000 settlement](#) for a then-64-year-old woman who was allegedly fired from her job at a rehabilitation center so that she could be replaced by a younger worker. In 2017, CRD obtained a [\\$149,000 settlement](#) for five women who worked as food preparers at a deli in Napa Valley who allegedly faced discrimination based on their national origin and age. Over the last three years, CRD has reached approximately 150 settlements related to age discrimination in employment.

If you or someone you know has experienced employment discrimination, CRD may be able to assist you through its [complaint process](#). The department also [provides general information and factsheets online](#) about civil rights protections for members of the public.

The department’s new fact sheet on age discrimination is available [here](#).

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The California Civil Rights Department (CRD) is the state agency charged with enforcing California's civil rights laws. CRD's mission is to protect the people of California from unlawful discrimination in employment, housing, public accommodations, and state-funded programs and activities, and from hate violence and human trafficking. For more information, visit calcivilrights.ca.gov.

