

EMPLOYMENT LAW UPDATE

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General Dynamics Land Systems, Inc. v. Cline
(February 24, 2004) 2004 WL 329956 (U.S.)

Discrimination against relatively younger employees who are over the age of 40 is outside the protection of the Age Discrimination in Employment Act.

By Jason A. Geller and Kevin D. Whittaker

Approximately 200 present and former employees of General Dynamics who were between the ages of 40 and 49 sued General Dynamics for alleged violations of the Age Discrimination in Employment Act (“ADEA”). The employees claimed that their collective bargaining agreement, which limited the retiree health insurance benefits program to workers then age 50 and above, illegally discriminated against employees who were between the ages of 40 and 49.

After the employees appealed the dismissal of their claims, the Sixth Circuit Court of Appeal held that General Dynamics discriminated against the employees in violation of the ADEA because the ADEA protects employees over the age of 40 from such discrimination. However, the United States Supreme Court reversed the Sixth Circuit’s holding.

The Supreme Court determined that the purpose of the ADEA is to protect

relatively older workers from discrimination that works to the advantage of relatively younger ones. The Supreme Court concluded that the text, structure, purpose, and history of the ADEA, along with its relationship to other federal statutes, authorizes employers to favor older employees over younger ones.

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