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PRESS RELEASE

8-20-09

EEOC FILES AGE DISCRIMINATION SUIT AGAINST TELECOMMUNICATIONS GIANT AT&T

Former AT&T Workers Denied Reemployment Because They Retired, Agency Charges

NEW YORK – The U.S. Equal Employment Opportunity Commission (EEOC) has filed an age discrimination lawsuit against AT&T, Inc. and a number of its subsidiaries, the agency announced today. The EEOC charged that AT&T discriminated against a class of retired AT&T workers by denying them the ability for reemployment solely because they retired under early retirement plans including the Voluntary Retirement Incentive Program (VRIP), the Enhanced Pension and Retirement Program (EPR) or other retirement plan. The effect of this denial of reemployment results in a disproportionate number of older workers not having the same opportunity to apply for reemployment, in violation of the Age Discrimination in Employment Act (ADEA).

According to the EEOC's lawsuit, Case No. 09 Civ 7323, filed in U.S. District Court for the Southern District of New York, John Yates, who filed the discrimination charge with the EEOC, and a class of other retired AT&T workers, are denied reemployment because they had participated in the VRIP, EPR or other retirement program. Yates and all other retirees who are age 40 or older are protected by law from discrimination because of their age. The result of AT&T's policy is to exclude this class of older workers because of their age from being reemployed by AT&T regardless of their qualifications. This violation has been ongoing since at least October 1, 2006, the EEOC said.

"We've been taking a new and hard look at age discrimination recently, and we're intent on enforcing the ADEA strategically and vigorously," said EEOC Acting Chairman Stuart J. Ishimaru. "This particular case highlights the Commission's commitment to combating age-based disparate impact discrimination."

EEOC Trial Attorney Louis Graziano said, "Federal law prohibits employers from instituting policies that adversely affect workers because of their age. AT&T's policy has that effect."

EEOC New York District Director Spencer H. Lewis added, "All employees, regardless of their age, should be permitted to compete for jobs equally. That is the fundamental right that the ADEA grants to older workers. We hope this lawsuit sends a message to such employers that the EEOC will seek relief when it finds the law has been violated."

According to company information, Dallas-based AT&T is the largest telecommunications company in the world by revenue, with more than \$124 billion in 2008.

In July of this year the EEOC held a public hearing on recent developments in age discrimination, including the effect on older workers of widespread layoffs, threats to employee benefits and

controversial recent court decisions. The Commission also issued a technical assistance document on waivers of discrimination claims as part of severance agreements. Further information is available at <http://www.eeoc.gov/press/7-15-09.html> and http://www.eeoc.gov/policy/docs/qanda_severance-agreements.html.

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on its web site at www.eeoc.gov.

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