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Jury awards \$30 million to woman over age bias

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YOUNGSTOWN, Ohio - A \$30 million age discrimination judgment awarded to a 71-year-old woman should be a warning for employers when they trim their staffs, her attorney said Friday.

"I think it's a significant message about downsizing and corporate restructuring and the attitude of the American population about choosing older workers to fire," said Ellen Simon of Cleveland.

Her client, Donna Frederickson, of the Youngstown suburb of Poland, was awarded \$30 million in punitive damages and \$675,000 in compensatory damages by a Mahoning County Common Pleas Court jury on Wednesday.

Frederickson was fired in 1997 as Youngstown office manager of Olsten Health Services. She was 68 at the time.

While she was told the dismissal was part of a corporate restructuring, Frederickson was passed over in favor of younger co-workers who got other jobs for which Frederickson was qualified, Simon said.

Frederickson was given the choice to retire or be fired, according to Simon, who called the judgment the biggest in her 28 years of practice in the field of employment law.

The attorney for Olsten, John Kluznik of Cleveland, said he was not authorized to comment on the case. He referred questions to Michael Johns, spokesman for parent company Gentiva Health Services in Melville, N.Y.

Johns was away from his office and could not be reached. A message was left for him Friday.