

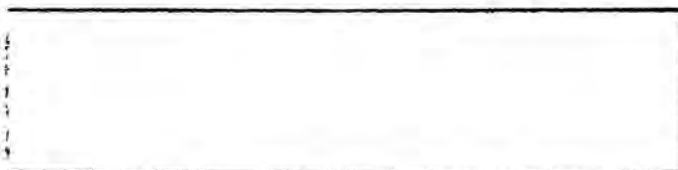
U. S. DEPARTMENT OF LABOR  
Wage and Hour and Public Contracts Divisions  
Washington, D. C. 20210

REX

January 23, 1970

Age Discrimination in Employment

ADEA 104



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DEPT. OF LABOR

This is in further reference to your letter of November 12, 1969,  
addressed to

in which you requested a review of a pro-  
posed revision of your employment application form.

Before making any comments on this matter, it should be pointed out that we cannot extend official sanction to any forms or publications which are not prepared in this office. With this understanding, we are glad to be of assistance to you.

With regard to preemployment inquiries which request an applicant's date of birth or graduation date, we have taken the position under the Age Discrimination in Employment Act of 1967 that such inquiries are not prohibited by the Act, provided that such requests are for a permissible purpose, and not for purposes prohibited by the statute. That such is not the purpose of the inquiry must be made known to the applicant. (In this connection see Interpretative Bulletin, Part 860, section 860.95(a).)

Since the Age Discrimination in Employment Act is a Federal statute we would suggest that the Note on the first page of the draft be revised to read as follows: Government laws or regulations prohibit discrimination on account of race, color, religion, sex, age, national origin, or draft status. (emphasis added)

There are currently 27 States and Puerto Rico with age discrimination laws in effect. We are enclosing a booklet which lists the major provisions in State laws which prohibit age discrimination in private