

U. S. DEPARTMENT OF LABOR
Employment Standards Administration
Washington, D. C. 20210

May 28, 1971

ADEA 201.2

[REDACTED]

This is in further reference to your letter of April 27, 1971, addressed to Secretary of Labor Hodgson, concerning the Age Discrimination in Employment Act.

This Act, which is enforced by the Wage and Hour Division of the Department of Labor, protects most individuals who are at least 40 but less than 65 years old from discrimination in employment on the basis of age in such matters as hiring, discharge, compensation, and other terms, conditions or privileges of employment. The phrase ". . . terms, conditions or privileges of employment . . ." encompasses employee promotion and a covered employer will be deemed to have violated the Act if he discriminates on the basis of age against any individual within its protection unless a statutory exception applies. In this connection, see Interpretative Bulletin, Part 860, section 860.50(c).

The Act is applicable to supervisory as well as nonsupervisory employees. Thus, supervisors and applicants for supervisory positions are protected by the statute, where its provisions otherwise apply.

A selection of material about the age discrimination law is enclosed for your reference. If, after reading it, you have any further questions about the Act please get in touch with our Area Office at 535 Grain Exchange Building, 741 N. Milwaukee Street, Milwaukee, Wisconsin 53202. Our people in that office will be happy to assist you.

Sincerely,

/s/ Francis J. Costello

Assistant Administrator
Wage and Hour Division