

Subpart B—What is Age Discrimination?

STANDARDS FOR DETERMINING
DISCRIMINATORY PRACTICES

- 90.11 Purpose of this subpart.
- 90.12 Rules against age discrimination.
- 90.13 Definitions of normal operation and statutory objective.
- 90.14 Exceptions to the rules against age discrimination. Normal operation or statutory objective of any program or activity.
- 90.15 Exceptions to the rules against age discrimination. Reasonable factors other than age.
- 90.16 Burden of proof.

Subpart C—What are the Responsibilities of the Federal Agencies?

- 90.31 Issuance of regulations.
- 90.32 Review of agency policies and administrative practices.
- 90.33 Interagency cooperation.
- 90.34 Agency reports.

Subpart D—Investigation, Conciliation and Enforcement Procedures

- 90.41 What is the purpose of this subpart?
- 90.42 What responsibilities do recipients and agencies have generally to ensure compliance with the Act?
- 90.43 What specific responsibilities do agencies and recipients have to ensure compliance with the Act?
- 90.44 Compliance reviews.
- 90.45 Information requirements.
- 90.46 Prohibition against intimidation or retaliation.
- 90.47 What further provisions must an agency make in order to enforce its regulations after an investigation indicates that a violation of the Act has been committed?
- 90.48 Alternate funds disbursement procedure.
- 90.49 Remedial and affirmative action by recipients.
- 90.50 Exhaustion of administrative remedies.

Subpart E—Future Review of Age Discrimination Regulations

- 90.61 Review of general regulations.
- 90.62 Review of agency regulations.

AUTHORITY: Age Discrimination Act of 1975, 42 U.S.C. 6101 et seq.

SOURCE: 44 FR 33776, June 12, 1979, unless otherwise noted.

Subpart A—General

§ 90.1 What is the purpose of the Age Discrimination Act of 1975?

The Age Discrimination Act of 1975, as amended, is designed to prohibit discrimination on the basis of age in programs or activities receiving Federal financial assistance. The Act also permits federally assisted programs and activities, and recipients of Federal funds, to continue to use certain age distinctions and factors other than age which meet the requirements of the Act and these regulations.

§ 90.2 What is the purpose of these regulations?

(a) The purpose of these regulations is to state general, government-wide rules for the implementation of the Age Discrimination Act of 1975, as amended, and to guide each agency in the preparation of agency-specific age discrimination regulations.

(b) These regulations apply to each Federal agency which provides Federal financial assistance to any program or activity.

§ 90.3 What programs and activities does the Age Discrimination Act of 1975 cover?

(a) The Age Discrimination Act of 1975 applies to any program or activity receiving Federal financial assistance, including programs or activities receiving funds under the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. 1221 *et seq.*).

(b) The Age Discrimination Act of 1975 does not apply to:

(1) An age distinction contained in that part of a Federal, State or local statute or ordinance adopted by an elected, general purpose legislative body which:

- (i) Provides any benefits or assistance to persons based on age; or
- (ii) Establishes criteria for participation in age-related terms; or
- (iii) Describes intended beneficiaries or target groups in age-related terms.

(2) Any employment practice of any employer, employment agency, labor