

Pt. 20

will certify the total amount of its collection on the debt. The Commerce entity will provide a copy of the certification to the creditor agency. The creditor agency is responsible for submitting a certified claim to the debtor's new employing agency before collection may begin.

(2) *Notice to the debtor.* The Commerce entity will provide to the debtor a copy of any notices and certifications sent to the creditor agency under paragraph (d)(1) of this section.

(e) *Request for hearing official.* A Commerce entity will provide a hearing official upon the creditor agency's request with respect to a Commerce entity employee. See 5 CFR 550.1107(a).

PART 20—NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Subpart A—General

Sec.

20.1 The purpose of DOC's age discrimination regulations.

20.2 Programs or activities to which these regulations apply.

20.3 Definitions.

Subpart B—Standards for Determining Age Discrimination

20.4 Rules against age discrimination.

20.5 Exceptions to the rules.

20.6 Burden of proof.

Subpart C—Responsibilities of DOC Recipients

20.7 General responsibilities.

20.8 Notice to subrecipients.

20.9 Information requirements.

Subpart D—Investigation, Conciliation, and Enforcement Procedures

20.10 Compliance reviews.

20.11 Complaints.

20.12 Mediation.

20.13 Investigation.

20.14 Prohibition against intimidation or retaliation.

20.15 Compliance procedure.

20.16 Hearings, decisions, post-termination proceedings.

20.17 Remedial action by recipients.

20.18 Alternative funds disbursement procedure.

15 CFR Subtitle A (1-1-09 Edition)

20.19 Private lawsuits after exhaustion of administrative remedies.

AUTHORITY: Age Discrimination Act of 1975, as amended, 42 U.S.C. sec. 6101 *et seq.* and the government-wide regulations implementing the Act, 45 CFR Part 90.

SOURCE: 51 FR 28926, Aug. 13, 1986, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 20 appear at 68 FR 51355, Aug. 26, 2003.

Subpart A—General

§20.1 The purpose of DOC's age discrimination regulations.

The purpose of these regulations is to set out DOC's policies and procedures under the Age Discrimination Act of 1975 and the general age discrimination regulations at 45 CFR Part 90. The Act and the general regulations prohibit discrimination on the basis of age in programs or activities receiving Federal financial assistance. The Act and the general regulations permit federally assisted programs or activities, and recipients of Federal funds, to continue to use age distinctions and factors other than age which meet the requirements of the Act and its implementing regulations.

§20.2 Programs or activities to which these regulations apply.

(a) The Act and these regulations apply to each DOC recipient and to each program or activity operated by the recipient which receives Federal financial assistance provided by any entity of DOC.

(b) The Act and these regulations do 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 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 or any employer, employment agency, labor