

**§ 566. Employee drug and alcohol abuse assistance programs**

**(a) Establishment**

The Secretary of Labor shall establish a program through which the Secretary shall provide grants to, or enter into contracts with, employers to enable such employers to develop employee drug and alcohol abuse assistance programs.

**(b) Applications**

Employers desiring to receive a grant or contract under this section shall submit to the Secretary of Labor, an application, in such form and containing such information as the Secretary may require.

**(c) Regulations**

The Secretary of Labor shall promulgate regulations necessary to carry out this section.

**(d) Authorization of appropriations**

There are authorized to be appropriated to carry out this section, \$4,000,000 for fiscal year 1989, and \$5,000,000 for each of the fiscal years 1990 and 1991.

(Pub. L. 100-690, title II, §2101, Nov. 18, 1988, 102 Stat. 4216.)

**§ 567. Labor-management dispute settlement expenses**

Appropriations in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts available for salaries and expenses shall be available for supplies, services, and rental of conference space within the District of Columbia, as the Secretary of Labor shall deem necessary for settlement of labor-management disputes.

(Pub. L. 102-394, title I, §101, Oct. 6, 1992, 106 Stat. 1798.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 102-170, title I, §101, Nov. 26, 1991, 105 Stat. 1114.

Pub. L. 101-517, title I, §101, Nov. 5, 1990, 104 Stat. 2196.

Pub. L. 101-166, title I, §101, Nov. 21, 1989, 103 Stat. 1165.

Pub. L. 100-202, §101(h) [title I, §101], Dec. 22, 1987, 101 Stat. 1329-256, 1329-263.

Pub. L. 99-500, §101(i) [H.R. 5233, title I, §101], Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, §101(i) [H.R. 5233, title I, §101], Oct. 30, 1986, 100 Stat. 3341-287.

Pub. L. 99-178, title I, §101, Dec. 12, 1985, 99 Stat. 1108.

Pub. L. 98-619, title I, §101, Nov. 8, 1984, 98 Stat. 3311.

Pub. L. 98-139, title I, §101, Oct. 31, 1983, 97 Stat. 877.

Pub. L. 97-377, title I, §101(e)(1) [title I, §101], Dec. 21, 1982, 96 Stat. 1878, 1884.

**§ 568. Acceptance of donations by Secretary**

The Secretary of Labor is authorized to accept, in the name of the Department of Labor, and employ or dispose of in furtherance of authorized activities of the Department of Labor, during the fiscal year ending September 30, 1995, and each fiscal year thereafter, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

(Pub. L. 103-333, title I, §105, Sept. 30, 1994, 108 Stat. 2548.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 103-112, title I, §101, Oct. 21, 1993, 107 Stat. 1089.

Pub. L. 102-394, title I, §105, Oct. 6, 1992, 106 Stat. 1799.

**CHAPTER 13—EXEMPLARY REHABILITATION CERTIFICATES**

**§§ 601 to 605. Repealed. Pub. L. 97-306, title III, §311, Oct. 14, 1982, 96 Stat. 1442**

Section 601, Pub. L. 90-83, §6(a), Sept. 11, 1967, 81 Stat. 221, provided that Secretary of Labor act on any application for an Exemplary Rehabilitation Certificate received under this chapter from any person discharged or dismissed under conditions other than honorable, or who received a general discharge, at least three years before date of receipt of such application.

Section 602, Pub. L. 90-83, §6(b), Sept. 11, 1967, 81 Stat. 221, provided criteria for issuance of an Exemplary Rehabilitation Certificate and required notification of issuance of such certificate to Secretary of Defense and placement of certificate in military personnel file of person to whom it is issued.

Section 603, Pub. L. 90-83, §6(c), Sept. 11, 1967, 81 Stat. 221, specified certain types of notarized statements that might be used in support of an application for an Exemplary Rehabilitation Certificate, and provided for independent investigations by Secretary of Labor and personal appearances by applicant or appearance by counsel before Secretary.

Section 604, Pub. L. 90-83, §6(d), Sept. 11, 1967, 81 Stat. 221, provided that no benefits under any laws of United States (including but not limited to those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) accrue to any person to whom an Exemplary Rehabilitation Certificate was issued under section 602 of this title unless he would have been entitled to those benefits under his original discharge or dismissal.

Section 605, Pub. L. 90-83, §6(e), Sept. 11, 1967, 81 Stat. 221, provided that Secretary of Labor require national system of public employment offices established under chapter 4B of this title to accord special counseling and job development assistance to any person who had been discharged or dismissed under conditions other than honorable but who had been issued an Exemplary Rehabilitation Certificate.

**§ 606. Repealed. Pub. L. 97-306, title III, §311, Oct. 14, 1982, 96 Stat. 1442; Pub. L. 97-375, title I, §110(a), Dec. 21, 1982, 96 Stat. 1820**

Section, Pub. L. 90-83, §6(f), Sept. 11, 1967, 81 Stat. 221, directed Secretary of Labor to report to Congress not later than Jan. 15 of each year the number of cases reviewed under this chapter and the number of certificates issued.

**§ 607. Repealed. Pub. L. 97-306, title III, §311, Oct. 14, 1982, 96 Stat. 1442**

Section, Pub. L. 90-83, §6(g), Sept. 11, 1967, 81 Stat. 221, provided that in carrying out provisions of this chapter Secretary of Labor was authorized to issued regulations, delegate authority, and utilize services of the Civil Service Commission for making such investigations as might have been mutually agreeable.

**CHAPTER 14—AGE DISCRIMINATION IN EMPLOYMENT**

Sec. 621.

Congressional statement of findings and purpose.

- Sec. 622. Education and research program; recommendation to Congress.
- 623. Prohibition of age discrimination.
  - (a) Employer practices.
  - (b) Employment agency practices.
  - (c) Labor organization practices.
  - (d) Opposition to unlawful practices; participation in investigations, proceedings, or litigation.
  - (e) Printing or publication of notice or advertisement indicating preference, limitation, etc.
  - (f) Lawful practices; age an occupational qualification; other reasonable factors; laws of foreign workplace; seniority system; employee benefit plans; discharge or discipline for good cause.
  - (g) Repealed.
  - (h) Practices of foreign corporations controlled by American employers; foreign employers not controlled by American employers; factors determining control.
  - (i) Employee pension benefit plans; cessation or reduction of benefit accrual or of allocation to employee account; distribution of benefits after attainment of normal retirement age; compliance; highly compensated employees.
  - (j) Employment as firefighter or law enforcement officer.
  - (k) Seniority system or employee benefit plan; compliance.
  - (l) Lawful practices; minimum age as condition of eligibility for retirement benefits; deductions from severance pay; reduction of long-term disability benefits.
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- 624. Study by Secretary of Labor; reports to President and Congress; scope of study; implementation of study; transmittal date of reports.
- 625. Administration.
  - (a) Delegation of functions; appointment of personnel; technical assistance.
  - (b) Cooperation with other agencies, employers, labor organizations, and employment agencies.
- 626. Recordkeeping, investigation, and enforcement.
  - (a) Attendance of witnesses; investigations, inspections, records, and homework regulations.
  - (b) Enforcement; prohibition of age discrimination under fair labor standards; unpaid minimum wages and unpaid overtime compensation; liquidated damages; judicial relief; conciliation, conference, and persuasion.
  - (c) Civil actions; persons aggrieved; jurisdiction; judicial relief; termination of individual action upon commencement of action by Commission; jury trial.
  - (d) Filing of charge with Commission; timeliness; conciliation, conference, and persuasion.
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- 627. Notices to be posted.
- 628. Rules and regulations; exemptions.
- 629. Criminal penalties.
- 630. Definitions.

- Sec. 631. Age limits.
  - (a) Individuals at least 40 years of age.
  - (b) Employees or applicants for employment in Federal Government.
  - (c) Bona fide executives or high policymakers.
- 632. Omitted.
- 633. Federal-State relationship.
  - (a) Federal action superseding State action.
  - (b) Limitation of Federal action upon commencement of State proceedings.
- 633a. Nondiscrimination on account of age in Federal Government employment.
  - (a) Federal agencies affected.
  - (b) Enforcement by Equal Employment Opportunity Commission and by Librarian of Congress in the Library of Congress; remedies; rules, regulations, orders, and instructions of Commission; compliance by Federal agencies; powers and duties of Commission; notification of final action on complaint of discrimination; exemptions; bona fide occupational qualification.
  - (c) Civil actions; jurisdiction; relief.
  - (d) Notice to Commission; time of notice; Commission notification of prospective defendants; Commission elimination of unlawful practices.
  - (e) Duty of Government agency or official.
  - (f) Applicability of statutory provisions to personnel action of Federal departments, etc.
  - (g) Study and report to President and Congress by Equal Employment Opportunity Commission; scope.
- 634. Authorization of appropriations.

**§ 621. Congressional statement of findings and purpose**

- (a) The Congress hereby finds and declares that—
  - (1) in the face of rising productivity and affluence, older workers find themselves disadvantaged in their efforts to retain employment, and especially to regain employment when displaced from jobs;
  - (2) the setting of arbitrary age limits regardless of potential for job performance has become a common practice, and certain otherwise desirable practices may work to the disadvantage of older persons;
  - (3) the incidence of unemployment, especially long-term unemployment with resultant deterioration of skill, morale, and employer acceptability is, relative to the younger ages, high among older workers; their numbers are great and growing; and their employment problems grave;
  - (4) the existence in industries affecting commerce, of arbitrary discrimination in employment because of age, burdens commerce and the free flow of goods in commerce.
- (b) It is therefore the purpose of this chapter to promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.