

# Subpart 22.9 - Nondiscrimination Because of Age

**Parent topic:** [Part 22 - Application of Labor Laws to Government Acquisitions](#)

## 22.901 Policy.

Executive Order 11141, February 12, 1964 (29 FR2477), states that the Government policy is as follows:

- (a) Contractors and subcontractors *shall* not, in connection with employment, advancement, or discharge of employees, or the terms, conditions, or privileges of their employment, discriminate against persons because of their age except upon the basis of a bona fide occupational qualification, retirement plan, or statutory requirement.
- (b) Contractors and subcontractors, or persons acting on their behalf, *shall* not specify in *solicitations* or advertisements for employees to work on Government contracts, a maximum age limit for employment unless the specified maximum age limit is based upon a bona fide occupational qualification, retirement plan, or statutory requirement.
- (c) Agencies will bring this policy to the attention of contractors. The use of *contract clauses* is not required.

## 22.902 Handling complaints.

Agencies *shall* bring complaints regarding a contractor's compliance with this policy to that contractor's attention (*in writing*, if appropriate), stating the policy, indicating that the contractor's compliance has been questioned, and requesting that the contractor take any appropriate steps that *may* be necessary to comply.