

AGE DISCRIMINATION IN EMPLOYMENT

AGE DISCRIMINATION PROHIBITED UNDER STATE LAWS—Continued
DELAWARE

Source	Coverage of persons of ages specified	Law applies to—	Exemptions	Discriminatory employment process prohibited	Administrative agency	Enforcement		Educational program authorized
						Procedure	Penalty	
Provisions on older workers enacted by: Antidiscrimination Act, ch. 337, approved and effective July 9, 1960; Ruling No. 2, issued 1960.	Between 45 and 65.	Employers; employment agencies; labor organizations.	None.	For employer or employment agency: Refusing to hire, employ, or license; harassing; discharging; discriminating in compensation, terms, conditions, or privileges of employment. Printing or circulating any statement, advertisement, or publication, using any application form, or making inquiry expressing limitation, specification, or discrimination. For labor organization: Excluding or expelling from membership; discriminating in any way against members, employers or employees because of age. For employer, labor organization, or employment agency: Discharging, expelling, penalizing, or otherwise discriminating against person for opposing forbidden practices, filing a complaint, testifying, or assisting in proceedings under this act. For any person: Aiding, abetting, inciting, compelling, or coercing the doing of such unlawful acts; or attempting to do so. Law does not apply to bona fide occupational qualifications; termination or change of employment of any person unable to perform his duties; operation of bona fide retirement, pension, employee benefit or insurance plan. Law will not be construed to conflict with law relating to child or female labor.	Division against discrimination in the department of labor and industrial relations.	Not specified in law. Division may make rules and regulations necessary to effectuate the act. When complaint has been filed, department shall endeavor to eliminate such practices by conference, conciliation, and persuasion.	For 1st offense, fine of not more than \$200; for 2d offense, fine of not more than \$500 and/or imprisonment of not more than 90 days.	