

*Labor Code**Summary*

- Sec. 3212.5** "Injury" in the course of employment includes heart trouble and pneumonia for members of police departments of cities or municipalities, the State Highway Patrol, sheriffs and deputy sheriffs. (For heart trouble, the member must have been employed at least five years.)
- Sec. 3212.6** Adds tuberculosis as an "injury" for employees mentioned in Section 3212.5.
- Sec. 3212.7** Employees defined as peace officers in the Penal Code, Section 817, in the Bureau of Narcotics Enforcement and the Bureau of Criminal Identification and Investigation are presumed to have a work-connected injury in the event of heart trouble, hernia, pneumonia, or tuberculosis.

In all cases, with the exception mentioned in Section 3212.5, the hernia, heart trouble, pneumonia, or tuberculosis shall not be attributed to any disease existing prior to its manifestation.

F. Federal Government Hiring Policies

The Federal Government has no age restrictions for regular civil service employment, although it employs many workers in jobs similar to those in the California state, county and city jurisdictions which do carry age limits.

Federal Civil Service Rules and Regulations prohibit the establishment of maximum age requirements for hiring (Reg. 338.601). The *Federal Personnel Manual* provides that no maximum age limitation may be established, and that limited temporary appointments may be made on or after the retirement age of 70, for a period of one year, and may be renewed under special circumstances. (Section 338-17, Par. 6.1)

It should be noted that some agencies recruiting for "Excepted Service" positions have established age limits for certain jobs. For instance, the Military Sea Transportation Service, Pacific Area (a part of the Department of the Navy) has set age limits of 18 to 55 for marine civilian employment in some occupations, and 21 to 55 in others, with some provision for waiving the requirements. Regulation CMPI 334.2-2.b provides:

"Age limits.—Age limits for appointment are established as follows: (1) *CONUS commands*.—For males: 18 years, minimum, and 55 years, maximum. For females: 21 years, minimum, and 55 years, maximum. (2) *Overseas commands*.—For males and females, 21 years, minimum, and 55 years, maximum. (3) *Waivers*.

"(a) In accordance with the Veterans' Preference Act of 1944, the age limits are to be waived for veterans unless the factor of age is considered essential to the performance of the duties of the position.

"(b) The maximum age limits may be waived for nonveteran candidates provided the waivers are required to meet emergency crewing situations

"(d) The maximum age limits will be waived for candidates who are otherwise eligible for reemployment consideration"