

in Part III). It is recommended that the Legislature look into this aspect of age limitations in public employment, and take any measures needed to enforce or improve existing legislation.

B. Newspaper Advertising

While private employers are not restricted in advertising age limits for jobs, newspaper ads from public agencies which stipulate age ranges would seem to contravene the spirit of the state policy on anti-age discrimination. However, where current legal restrictions apply, it is only fair to inform the applicant that he cannot be hired if he is older than the upper age limit for the position. An inspection of samples of classified advertising from more than 100 California newspapers during September, 1965, revealed only a few ads from public agencies, all for law enforcement or fireman jobs.

The State Personnel Board occasionally uses newspaper advertising for recruitment. As an example, the following ad appeared in the *San Diego Union* on September 1, 1965.

"COLLEGE GRADUATES

"Opportunity in San Diego and other locations with the Department of Justice as a Narcotic Agent Trainee. This is an opportunity to receive training and assist in investigations for the enforcement of narcotic laws.

"Requires college graduation within the last five years with specialization in police science, law enforcement, or criminology. Age limits: 21-35

"Excellent promotional opportunity.

"Application must be filed by September 17.

"STARTING SALARY—\$510.

"For information and application, please contact:

"STATE PERSONNEL BOARD
108 S. Broadway, Los Angeles 12
MA 0-2790"

The California State Employment Service has been handicapped in upholding the state's nondiscriminatory policies on age by the lack of provisions in the law to prohibit the mention of age in advertising. An employer who is told that his order for workers must be refused if it contains an upper age limit may legally place a classified ad giving the age range, in spite of the age discrimination provisions in the California Unemployment Insurance Code, Sections 2070-2078. It is recommended that the Legislature consider amending the law to eliminate mention of age limits in advertising.

Regardless of legal provisions concerning references to age in "help wanted" advertisements, the practice of the State of California in job advertising leads some employers to question why they should be prevented from establishing age limits for their jobs. The public policy of the State of California on age discrimination should impose an obligation on the state as an employer to provide outstanding leadership in combating such discrimination.