

action, including (but not limited to) hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership in any respondent labor organization, as, in the judgment of the department, will effectuate the purpose of this part, and including a requirement for report of the manner of compliance. If the department finds that a respondent has not engaged in any such unlawful employment practice or discrimination, the department shall state its findings of fact and shall issue and cause to be served on the complainant an order dismissing the accusation as to such respondent. A copy of its order shall be delivered in all cases to the attorney general, and such other public officers as the department deems proper.

Any order issued by the department shall have printed on its face references to the provisions of the Hawaii administrative procedure act which prescribe the rights of appeal to any party to the proceeding to whose position the order is adverse. [L. 1963, c. 180, s. 6; am. L. 1964, c. 44, s. 2c.]

L. 1964 substituted "act" for "part".

[§ 90A-7.] Rules and regulations. The department shall make such rules and regulations, not inconsistent with this part as in the judgment of the department seem appropriate for the carrying out of the provisions of this part and for the efficient administration thereof. [L. 1963, c. 180, s. 7.]

[§ 90A-8.] Exceptions. Nothing contained in this part shall be deemed to:

(a) repeal or affect any law or ordinance or government rule or regulation having the force and effect of law which prohibits, restricts or controls the employment of minors;

(b) prohibit or prevent the establishment and maintenance of bona fide occupations qualifications;

(c) prohibit or prevent the termination of or change the employment of any person who is unable to perform his duties;

(d) affect the operation of the terms or conditions of any bona fide retirement, pension, employee benefit or insurance plan;

(e) prohibit or prevent any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, from giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained;

(f) conflict with or affect the application of security regulations in employment established by the United States or the State of Hawaii. [L. 1963, c. 180, s. 8; am. L. 1964, c. 44, s. 2d.]

L. 1964 amended section generally.

[§ 90A-9.] Penalties. Whoever shall willfully resist, prevent, impede or interfere with the department or any of its agents or representatives in the performance of duties pursuant to this part, or who shall in any manner willfully violate an order of the department, shall be fined not more than \$200 for the first offense and for the second and any subsequent offense, shall be fined not more than \$500, or imprisoned for not more than ninety days, or both. [L. 1963, c. 180, s. 9.]

IDAHO CODE, § 44-1602

44-1602. Unlawful employment practice—Exceptions—Employee over 60—Age discrimination in employment prohibited.—It shall be an unlawful employment practice, except where based upon a bona fide occupational qualification, or retirement or pension plan, or upon applicable security regulations established by the United States or the state of Idaho, and except where the employee is 60 years of age or older, for any employer because of the age of any individual to refuse to hire or employ, or to bar or to discharge from employment such individual, or to otherwise discriminate against such individual with respect to compensation, hire, tenure, terms, conditions, or privileges of employment, if the individual is the best able and most competent to perform the services required. [1965, ch. 154, § 2, p. 299.]

MAINE REVISED STATUTES, § 852

§ 852. Unlawful employment practices

It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification, or except where based upon applicable security reg-