

ments, including but not limited to strength, dexterity, agility and endurance, is not an unlawful employment practice.

(2) It is an unlawful employment practice for any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment which expresses directly or indirectly any limitation, specification or discrimination as to age of any person who is 25 years of age or older and under 65 years of age, or any intent to make such limitation, specification or discrimination, unless based upon a bona fide occupational qualification.

(3) "Employer," as used in this section, means any person who has six or more persons in his employ, but does not include the state, counties, cities, districts, authorities, public corporations and entities and their instrumentalities.

(4) The provisions of this section apply to an apprentice under ORS chapter 660, but the selection of an apprentice on the basis of the ability to complete the required apprenticeship training and the industry average period of employment, thereafter before attaining the age of 65 years is not an unlawful employment practice.

[1959 c. 547 § 3; 1963 c. 622 § 5; 1965 c. 575 § 1]

659.026 Unlawful employment practice for public employer to discriminate because of age. (1) It is an unlawful employment practice for a public employer or any person acting for a public employer to disqualify or discriminate against any individual in any civil service entrance, appointment or promotion examination or rating, or to refuse to hire, employ or reemploy or to bar, discharge, dismiss, reduce, suspend or demote any individual because of his age if the individual is 25 years of age or older and under 65 years of age; but the compulsory retirement of employees required by law at an age under 65 years and the selection of employees on the basis of relevant educational or experience requirements or relevant physical requirements, including but not limited to, strength, dexterity, agility and endurance, are not unlawful employment practices.

(2) The complaint and appeal procedure provided under this chapter shall not apply to an employee, against whom an unlawful employment practice described in subsection (1) of this section has allegedly been practiced, to whom there applies a procedure for administrative review of the practice as provided under any other statute governing employment by a public employer.

(3) "Public employer," as used in this section, includes the state, counties, cities, districts, authorities, public corporations and entities and any of their instrumentalities organized and existing under charter or law, which employ one or more persons, except the Oregon National Guard, the Oregon unorganized militia and the Oregon Naval Militia.

(4) The provisions of this Act do not apply to:

(a) Employees of institutions under the Oregon State Board of Control, including but not limited to the Oregon State Penitentiary and of the Oregon State Correctional Institution, whose duties, as assigned by the warden or superintendent, include the custody of persons committed to the custody of or transferred to the institution.

(b) Employees of the Department of State Police who are classified as police officers by the Superintendent of State Police.

(c) Employees of the Oregon Liquor Control Commission who are classified as enforcement officers by the administrator of the commission.

(d) Employees of the State Department of Agriculture who are classified as enforcement officers by the director of the department.

(e) Sheriffs and those deputy sheriffs whose duties, as classified by the sheriff, are the regular duties of police officers.

(f) Police chiefs and policemen of a city who are classified as police officers by the council or other governing body of the city.

(g) Fire chiefs and firemen of a political subdivision of this state who are classified as fire fighters by the governing body of the political subdivision.

(h) Weighmasters employed by the State Highway Department.

PUERTO RICO FAIR EMPLOYMENT PRACTICE ACT, TITLE 29, PART I, CHAPTER 7

§ 146. Any employer who discharges, suspends or demotes his employee, or reduces the salary of, or imposes or attempts to impose more burdensome