CHAPTER 13—EXEMPLARY REHABILITATION CERTIFICATES


Section 601, Pub. L. 90–83, § 6(a), Sept. 11, 1967, 81 Stat. 221, provided that Secretary of Labor act on any application for an Exemplary Rehabilitation Certificate received under this chapter from any person discharged or dismissed under conditions other than honorable, or who received a general discharge, at least three years before date of receipt of such application.

Section 602. Pub. L. 90–83, § 6(b), Sept. 11, 1967, 81 Stat. 221, provided criteria for issuance of an Exemplary Rehabilitation Certificate and required notification of issuance of such certificate to Secretary of Defense and placement of certificate in military personnel file of person to whom it is issued.

Section 603. Pub. L. 90–83, § 6(c), Sept. 11, 1967, 81 Stat. 221, provided that no benefits under any laws of United States (including but not limited to those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) accrue to any person to whom an Exemplary Rehabilitation Certificate was issued under section 602 of this title unless he would have been entitled to those benefits under his original discharge or dismissal.

Section 604. Pub. L. 90–83, § 6(d), Sept. 11, 1967, 81 Stat. 221, provided that Secretary of Labor require national system of public employment offices established under chapter 45 of this title to accord special counseling and job development assistance to any person who had been discharged or dismissed under conditions other than honorable but who had been issued an Exemplary Rehabilitation Certificate.


Section, Pub. L. 90–83, § 6(a), Sept. 11, 1967, 81 Stat. 221, directed Secretary of Labor to report to Congress not later than Jan. 15 of each year the number of cases reviewed under this chapter and the number of certificates issued.


Section, Pub. L. 90–83, § 6(a), Sept. 11, 1967, 81 Stat. 221, provided that in carrying out provisions of this chapter Secretary of Labor was authorized to issues regulations, delegate authority, and utilize services of the Civil Service Commission for making such investigations as might have been mutually agreeable.

CHAPTER 14—AGE DISCRIMINATION IN EMPLOYMENT

Sec.

621. Congressional statement of findings and purpose.

622. Education and research program; recommendation to Congress.


624. Study by Secretary of Labor; reports to President and Congress; scope of study; implementation of study; transmittal date of reports.
this title and enacting provisions set out as notes under this section and sections 623 and 626 of this title] may be cited as the `Older Workers Benefit Protection Act'.”

**Short Title of 1986 Amendment**


**Short Title of 1978 Amendment**

Pub. L. 95–256, §1, Apr. 6, 1978, 92 Stat. 189, provided that: “This Act [enacting sections 623, 624, 626, 631, 633a, and 634 of this title and sections 8335 and 8339 of Title 5, Government Organization and Employees, repealing section 3322 of Title 5, and enacting provisions set out as notes under sections 623, 626, 631, and 633a of this title] may be cited as the ‘Age Discrimination in Employment Act Amendments of 1978’.”

**Short Title**

Section 1 of Pub. L. 90–202 provided: “That this Act [enacting this chapter] may be cited as the ‘Age Discrimination in Employment Act of 1967’.”

**Transfer of Functions**


**Servability**

Pub. L. 101–433, title III, §301, Oct. 16, 1990, 104 Stat. 978, provided that: “The Congress finds that, as a result of the decision of the Supreme Court in Public Employees Retirement System of Ohio v. Betts, 109 S.Ct. 256 (1989), legislative action is necessary to restore the original congressional intent in passing and amending the Age Discrimination in Employment Act of 1986 (29 U.S.C. 621 et seq.), which was to prohibit discrimination against older workers in all employee benefit plans, except when age-based reductions in employee benefit plans are justified by significant cost considerations.”

§ 622. Education and research program; recommendation to Congress

(a) The Secretary of Labor shall undertake studies and provide information to labor unions, management, and the general public concerning the needs and abilities of older workers, and their potentials for continued employment and contribution to the economy. In order to achieve the purposes of this chapter, the Secretary of Labor shall carry on a continuing program of education and information, under which he may, among other measures—

(1) undertake research, and promote research, with a view to reducing barriers to the employment of older persons, and the promotion of measures for utilizing their skills;

(2) publish and otherwise make available to employers, professional societies, the various media of communication, and other interested persons the findings of studies and other materials for the promotion of employment;

(3) foster through the public employment service system and through cooperative effort the development of facilities of public and private agencies for expanding the opportunities and potentials of older persons;

(4) sponsor and assist State and community informational and educational programs.

(b) Not later than six months after the effective date of this chapter, the Secretary shall recommend to the Congress any measures he may deem desirable to change the lower or upper age limits set forth in section 631 of this title.


**References in Text**

The effective date of this chapter, referred to in subsec. (b), means the effective date of Pub. L. 90–202, which is one hundred and eighty days after the enactment of this chapter, except that the Secretary of Labor may extend the delay in effective date an additional ninety days thereafter for any provision to permit adjustments to such provisions. See section 16 of Pub. L. 90–202, set out as a note under section 621 of this title.

**Study and Proposed Guidelines Relating to Police Officers and Firefighters**

Pub. L. 99–592, §5, Oct. 31, 1986, 100 Stat. 3343, provided that:

“(a) Study.—Not later than 4 years after the date of enactment of this Act [Oct. 31, 1986], the Secretary of Labor and the Equal Employment Opportunity Commission, jointly shall—

“(1) conduct a study—

“(A) to determine whether physical and mental fitness tests are valid measurements of the ability and competency of police officers and firefighters to perform the requirements of their jobs,

“(B) if such tests are found to be valid measurements of such ability and competency, to determine which particular types of tests most effectively measure such ability and competency, and

“(C) to develop recommendations with respect to specific standards that such tests, and the administration of such tests should satisfy, and

“(2) submit a report to the Speaker of the House of Representatives and the President pro tempore of the Senate that includes—

“(A) a description of the results of such study, and

“(B) a statement of the recommendations developed under paragraph (1)(C).

“(b) Consultation Requirement.—The Secretary of Labor and the Equal Employment Opportunity Commission shall, during the conduct of the study required under subsection (a) and prior to the development of recommendations under paragraph (1)(C), consult with the United States Fire Administration, the Federal Emergency Management Agency, organizations representing law enforcement officers, firefighters, and their employers, and organizations representing older Americans.

“(c) Proposed Guidelines.—Not later than 5 years after the date of the enactment of this Act [Oct. 31, 1986], the Equal Employment Opportunity Commission shall propose, in accordance with subchapter II of chapter 5 of title 5 of the United States Code, guidelines for the administration and use of physical and mental fitness tests to measure the ability and competency of police officers and firefighters to perform the requirements of their jobs.”