

● **GENERAL LABOR LAWS (*AGE DISCRIMINATION*)**

STATUTORY CITATION: N.D. Cent. Code § 34-01-17

GENERAL SUMMARY: No one carrying on any business in North Dakota may refuse to hire a job applicant or discharge an employee solely on the basis of age, when the reasonable demands of the position do not require an age distinction and the individual is otherwise qualified for the job. This provision does not, however, preclude operation of any retirement policy or system as long as the system is not used merely to evade the statutory prohibition against age discrimination.

PROVISIONS APPLICABLE TO AGRICULTURE: The age discrimination provision applies to all employment in North Dakota, without respect to industry or occupation.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *None.* A violation of the age discrimination in employment provision is defined as a Class B misdemeanor and can be prosecuted as such by state's attorneys.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*

PRIVATE CIVIL ACTION — A person who has suffered damages due to an act of age discrimination in employment may pursue civil action against the employer involved, using a private attorney or public legal service provider.