

17-587 MOUNT LEMMON FIRE DISTRICT V. GUIDO

DECISION BELOW: 859 F.3d 1168

LOWER COURT CASE NUMBER: 15-15030

QUESTION PRESENTED:

The Age Discrimination in Employment Act (ADEA) defines certain private and public entities as "employers" and prohibits them from discriminating against employees because of their age. The Act applies to private entities only if they had "twenty or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year." 29 U.S.C. § 630(b).

The question presented is:

Under the ADEA, does the same twenty-employee minimum that applies to private employers also apply to political subdivisions of a State, as the Sixth, Seventh, Eighth, and Tenth Circuits have held, or does the ADEA apply instead to all State political subdivisions of any size, as the Ninth Circuit held in this case?

CERT. GRANTED 2/26/2018