

The Supreme Court - November 6, 2018

The Supreme Court of the United States issued the following decision today:

Mount Lemmon Fire Dist. v. Guido, No. 17-587: The Age Discrimination in Employment Act of 1967 (“ADEA”), applies to “employers,” which are defined in the Act as follows: “The term ‘employer’ means a person engaged in an industry affecting commerce who has twenty or more employees The term also means (1) any agent of such a person, and (2) a State or political subdivision of a State” 29 U.S.C. §630(b). When the Mount Lemmon Fire District, a political subdivision in Arizona, laid off its two oldest full-time firefighters when faced with budget issues, those firefighters brought suit under the ADEA. The district court granted summary judgment for the fire district, concluding that it was too small to qualify as an “employer” under the ADEA’s 20 or more employees specification. The Ninth Circuit reversed, holding that the category for States or political subdivisions had no attendant numerosity limitation. Today, the Court affirmed, holding that “twenty or more employees” is confining language, but the confinement is tied to §630(b)’s first sentence, and does not limit the ADEA’s governance of the employment practices of States and political subdivisions thereof.

The Court’s decision is available [here](#).

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