

Age discrimination



Dr. Roselyn Borg

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Agenda

- Setting the scene on Age
- Applicability of Regulations
- What the regulations say
- Take the knowledge test
- Check list

Setting the Scene on Age

- Pension Reform
- Gradual change in retirement age shall increase from the present 60 and 61 years for women and men respectively to 65 years for both genders.
- Life expectancy at birth is set to increase to 77.4 and 81.7 in 2010 and further to 80.1 and 83.7 in 2030 to reach 81.8 and 85.0 in 2050 for males and females respectively.

Applicability of regulations

This legal notice is applicable to all person in relation to

Conditions for access to employment:

- a) **advertising** opportunities,
- b) **selection** criteria and
- c) **recruitment conditions**

This is applicable for any branch of activity at all levels of the professional

hierarchy, including promotions.

- Access to all types and to all levels of vocational guidance, vocational training, advanced vocational training and retraining, including practical work experience
- Membership of and involvement or any other organization whose members carry a particular profession

What the regulations say

The regulations make it unlawful on the grounds of age to:

- Directly discrimination
- Indirectly discrimination

What the regulations say



- Subject someone to **harassment**.
- **Victimise** someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of age

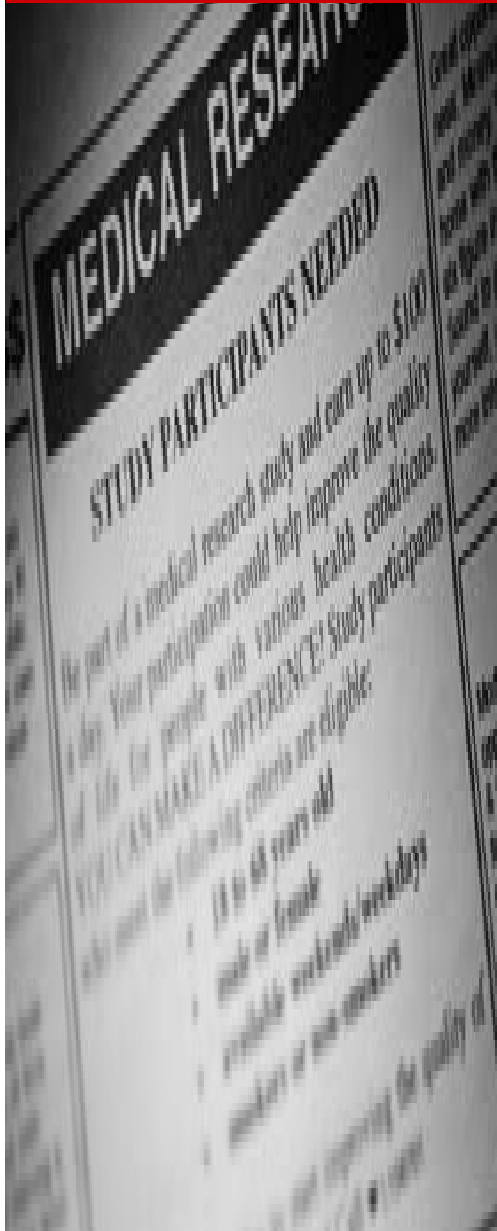
Exceptions

Not unlawful to discriminate

- If there is an **objective justification**
- **Genuine occupational requirement**



The Advert



- Advertise in a way that will be accessible to a large audience
- Avoid using language that might imply that you would prefer someone of a certain age...for example 'mature', 'young', 'energetic'
- Choose your pictures well!

The application form

- Remove age/date of birth from the main application form
- Include a diversity monitoring form to be retained by HR
- Review application form
- *Are you asking for unnecessary information about periods and dates?*



Job description and Person specification

- Avoid references, however oblique to age in both the job description and person specification
- Make sure that the qualifications you specify are not disadvantaging people at different ages

Ask yourself:

- *Are the qualifications really necessary?*
- *Are they still current?*
- *Are there other ways of specifying the skill level you require?*



Interviewing

- Do not carry the interview alone
- Try to avoid :
- Asking questions related to age for example:

How would you feel about managing older/younger people?



Scenario 1

- Whilst being interviewed, a job applicant says that she took her professional qualification 30 years ago.
- Although she has all the skills and competencies required of the job holder, the firm decides not to offer her the job because of her age.

Scenario 2

- 2 candidates (Peter and Paul) have done equally well for an advertised post so the selectors decide to review previous assessments to distinguish between them.
- On one they read ‘Despite his many years with the Company Peter remains capable and enthusiastic’ and ‘Peter does very well at work considering his age’
- No such comments on Paul’s assessment
- Which candidate has now a question mark against them?

Checklist

- Look at **your records** to establish your company age profile – insert 16-21, 22-30 etc..
- Look at **your application forms** for recent recruitments and compare with your age profile. Are you missing out on potential talent?
- Is your **equality and diversity policy** visibly supported by your board and Chief Executive?



Checklist

- Do you **train employees** to recognise and tackle age discrimination?
- Is age ever used as a factor in staff recruitment/selection or training and development?

If yes – can it be justified?

- Are your managers aware of what behaviour could be perceived as harassment on the grounds of age?
- Do you have **an action plan** to ensure you are compliant with the law?



THANK YOU

Email: roselynborg@gmail.com

Tel: 0044 78 167 66626