

expertisecentrum

LEEF tijd

EU and older workers context and actions

Anouk Mulder, Dutch expertisecentre on
age and lifecourse

Mondorf-les-Bains, Luxemburg,

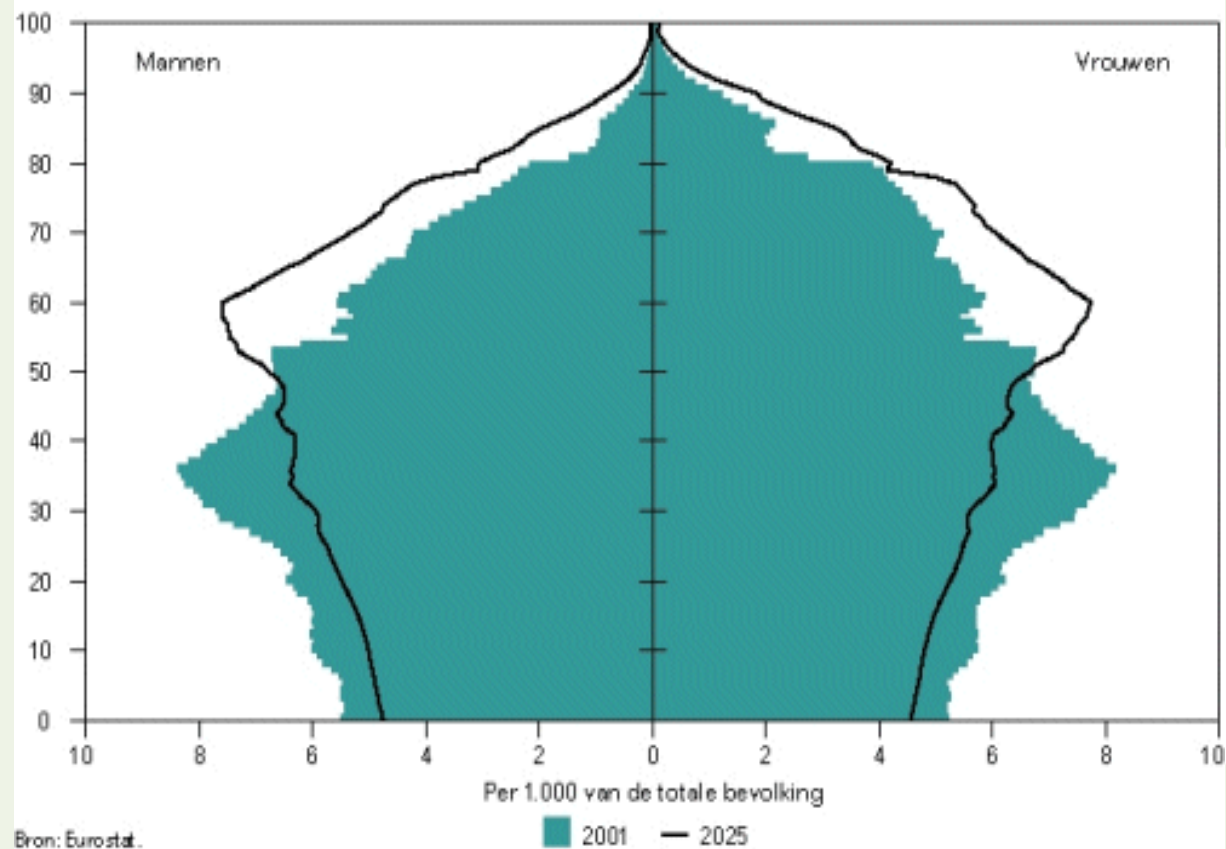
June 20, 2007

Demographics

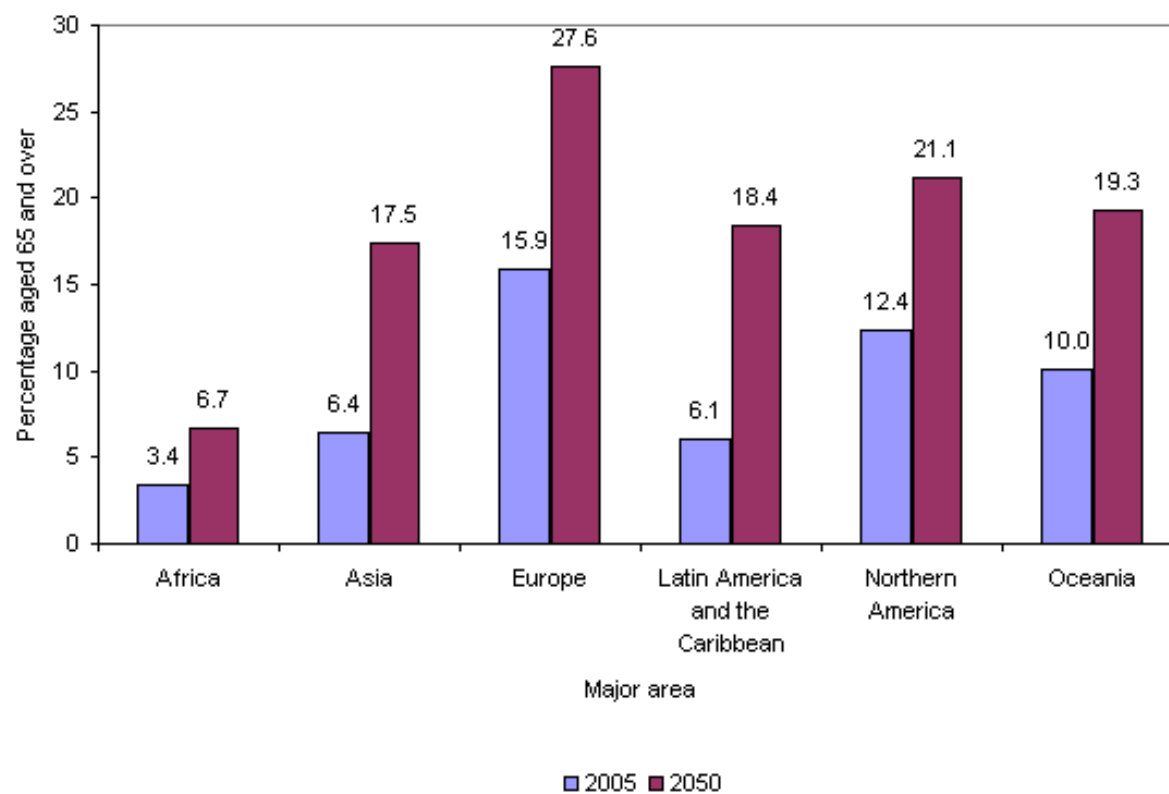


Demographics of EU

Figuur 1. Leeftijdspiramide van de Europese Unie, 1 januari 2001 en 2025



Ageing population in the world



Reaction of EU to this

- EU policy agenda participation older people

Lisbonstrategy

- EU work on age discrimination

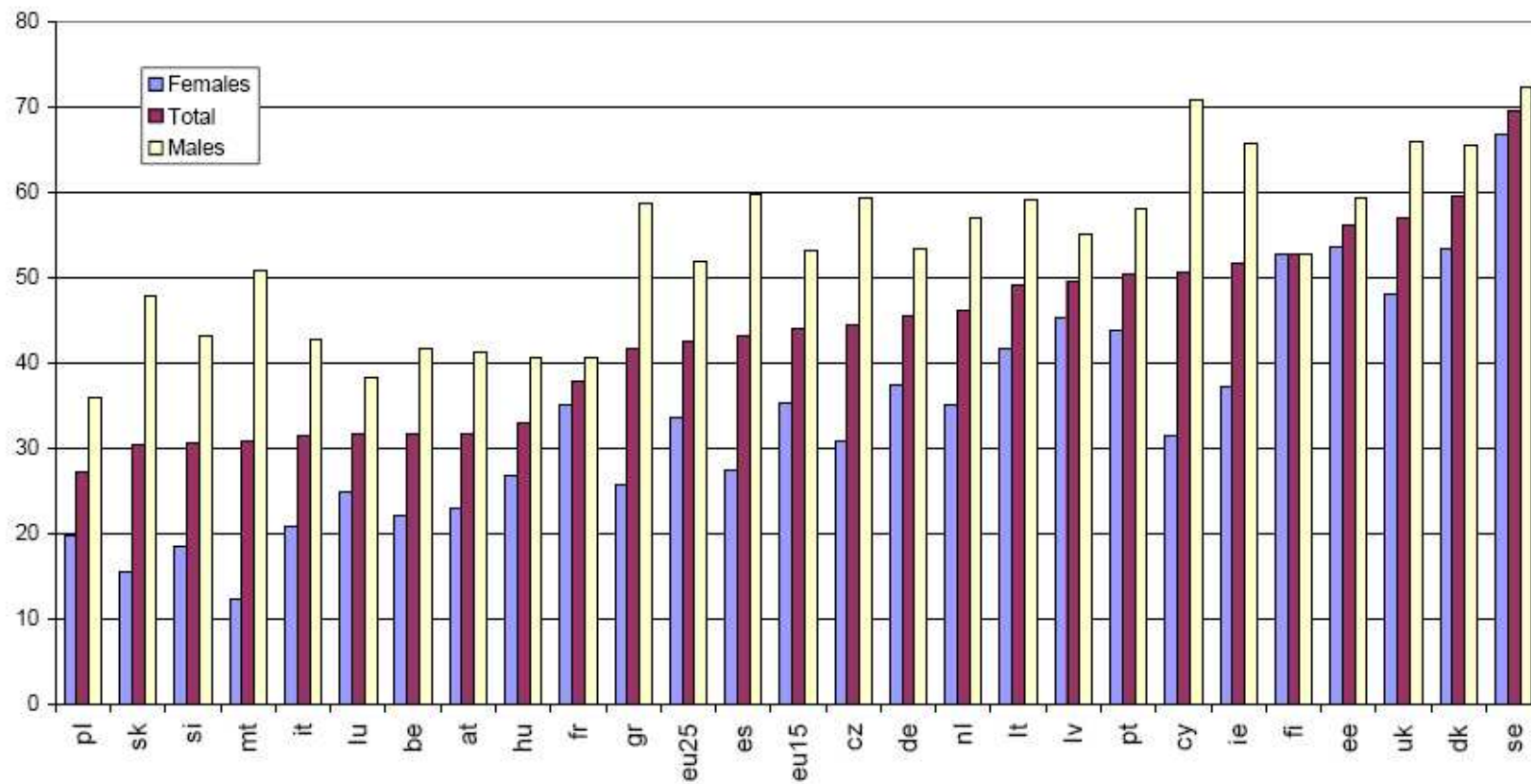
Directive 2000/78

Lisbon strategy (2000)

- By 2010 EU most competitive and dynamic economy of the world
- Concrete ambitions, e.g.
- 50% of 50 – 64 years old people work
- Raising of average exit age by 5 years

How is Lisbon coming on?

Employment Rate of Older Workers, 55-64 Years
(2005)



Source: Eurostat, Labour Force Survey

But, older people across EU face age discrimination

Main areas:

Employment

Health and care

Housing

Insurance, financial services

EU-actions against age discrimination

Directive 2000/78

Basis: Amsterdam Treaty, 1997

Situation before Directive with regard to age discrimination

Only Ireland had a law

Some member states had general anti-discrimination clauses, special measures for older workers

Outside EU: USA, New Zealand, Australia, Ontario

Content of directive 2000/78

All member states have to legislate on

4 grounds: age, sexual orientation, disability, belief

Areas :Employment, vocational training, membership of organisations

Contents of the law on age discrimination

- Scope: all of employment

Recital 14: provisions retirement ages

- No definition of age: everybody!
- Justification is possible

(so: not all age limits are age discrimination)

Dutch experience (1)

Law since 2004

Equal Treatment Commission

Over 200 cases

Only few “normal judge” cases

Dutch experience (2)

Difficulties:

Within labour conditions – “**seniority rules**”
protection on basis of age

(e.g. no night shift above 55, extra holidays
for older people, etc)

?Age as a criterion for protection?

Dutch experience (3)

“Guiding activities”

- Information campaigns
- Strengthening victims
- Legal measures to work longer
- 2007 Year of equal opportunities for all

Dutch experience (4)

"Guiding activities"

- Funding for projects for HR and age
- Advisory board to Dutch government
- Fighting stereotypes
- campaign "For Diversity against Discrimination"

European Court of Justice

Mangold case (november 2005)

German policy no limit to temporary contracts for 52+

“Principle of non discrimination on ground of age is a general principle of Community law”

“Coming up next”

More cases of ECJ clarify difficult issues

Protection against age discrimination outside employment?

Thank you for your attention
and have a great conference!

Ontwikkeling van cognitieve competenties tijdens de levensloop

