



Older workers

There is new law on ageing and work. It gives older workers some protection against discrimination but it doesn't provide a right to work at any age.

More important than the law is the government's need to get older people to work for longer. This is motivated by a shortage of people in some jobs and a shortage of income tax receipts to pay for pensions for the old and benefits for people who are out of work. If the inequalities of ageing at work are not challenged new age-friendly policies will only benefit those who are best off already.

Why is age an issue for workers?

Older workers are more likely to have health problems caused by work.

Preventing them from occurring in the first place is the best option.

Age affects some jobs but not others

There are areas – particularly heavy manual work – and particularly for men and women over 50 – where older workers are at a special disadvantage and alternative work is essential for almost all.

Age discrimination is unfair. There are also jobs where older workers have advantages; more experience, more able to weigh up alternatives effectively, fewer child care responsibilities (less likely to show signs of exhaustion) and more commitment to the job.

Increasing work demands unfairly penalise older workers. Over the last thirty years older workers have been edged out of work, as employers have looked for the super-fit to work flat out for long hours. Long hours and intense work have increased in the UK almost uniquely in Europe – so older workers are at a particular disadvantage in the labour market.

What employers need to do

Why should employers be more age aware?

- There's a shortage of skilled workers,
- Older workers provide the experience and knowledge that supports younger workers,
- Legal changes require employers to demonstrate that there is no

discrimination against workers of any age,

- Older workers are less likely to move jobs once trained than young workers,
- They have less short-term sick leave (though more long-term sick leave),
- They carry the core values of an organisation,
- Older workers can provide care and support for younger workers,
- Older workers give better rapport with older customers, clients, and patients,
- Flexible working arrangements lengthen working life, decreasing recruitment and training costs. They increase options for matching staff to jobs, and
- Ill-health retirement is almost impossible to get in most pension schemes.

Up until 2003 the number of older workers (50+) at work was declining. It is just beginning to increase. 30 years ago most people worked to retirement age. Now, most do

Ageism exposed in UK workplaces

By Sandra Haurant, Monday September 25, 2006, Guardian Unlimited

A week before age discrimination becomes illegal, a report published today has shown that almost two-thirds of Britons have witnessed some form of ageism at work.

The Employers Forum on Age (EFA) said that 61% of workers had been aware of ageist behaviour in the workplace, while half of those surveyed were unaware that the law will change to protect them against age discrimination at work on 1 October.



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not. There is evidence that work is becoming less age-friendly, not more. What can employers do to help people who want to stay in a job?

1. Develop a policy for older people at work (see box below)

A policy on older workers

All age-sensitive issues will be negotiated with the involvement of older workers and their representatives. A policy on older workers needs to cover:

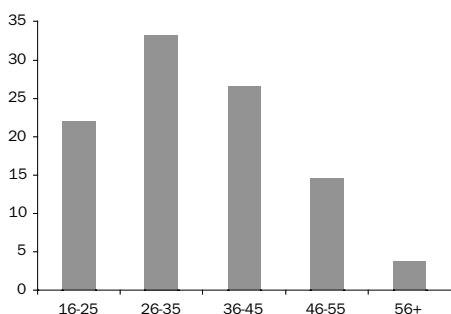
- Recruitment and appointment procedures,
- Training,
- Career structures and redeployment,
- Flexible working practices,
- Sickness absence,
- Health and safety,
- Health promotion,
- Retirement, and
- Pension schemes.

2. Profile the workforce

Are most workers old, or young or middle aged? If they are young, what prevents them from staying in work? If old, is there pressure for people to work beyond their safe levels? If middle-aged, what will happen as the workforce ages?

Profiling the workforce is the first step to knowing what your problem is.

Age profiling: HBOS
(from EFA website)



The Law

Two pieces of anti-discrimination legislation can help.

The Equality (Age Discrimination) Act

- Outlaws direct or indirect discrimination on grounds of age,
- Direct discrimination is when age is the declared reason for decisions at recruitment, promotion, dismissal or retirement,
- Indirect discrimination is when something that is more common as people get older (poor health, for example) is used to disadvantage an older worker,
- Sets a default retirement age of 65 when workers have the right to ask to work longer if they want to (but employers can deny them on 'reasonable' grounds),
- Applies to old and young workers, and
- Outlaws harassment or bullying on grounds of age.

Disability Discrimination Act (DDA)

Older workers are more likely to have a disability. The Disability Discrimination Act is more powerful in saying what employers must consider doing before someone with a disability can no longer work.

The DDA requires employers to carry out reasonable adjustments at work to help people with disabilities to remain in work. 45% of people over the age of 50 have a disability as defined by the law (a long-term health problem limiting normal activities for a year or more). Adjustments could include retraining, job redesign, offering an alternative job, changing working hours or providing equipment.

Compliance with health and safety legislation should prevent the problems that shorten working life and provide some of the remedies for people with disabilities. Health and safety reasons cannot be used in justification of disability discrimination. Test cases – and recent changes to the Management of Health and Safety at Work Regulations – make clear that disability must be taken into account in a risk assessment.

3. Age-proof jobs

Few jobs are suitable for people of any age. To allow people to work comfortably whatever their age, jobs need to be designed to suit them. An ageproofing check looks at:

- ① Jobs suitable for new entrants only; trainee roles, work across several departments,
- ② Jobs which allow people to progress gradually as they get older; taking on supervisory responsibilities, or training roles,
- ③ Jobs that are better suited to older workers with experience; training, mentoring, trouble-shooting roles, or lighter jobs, and
- ④ Jobs suitable for any age (as long as training is provided); some office work is of this kind.

4. Use the Work Ability Index to find those who needs help

A way of checking who will need help to stay on in work is to ask questions from the Work Ability Index (contact SOHAS for copies or go to www.whig.org.uk). These cover whether workers think they are coping now and will be able to do so in two years time, how many health problems they have and their psychological well-being, and recent time off through illness. Work Ability scores go down with age – but can be improved by the measures described below. The WAI predicts who will need help to stay in work in the future.

5. Plan and implement change

Redesigning jobs that put your working life at risk

Occupational illnesses, as well as general health problems have to be taken into account in making adaptations at work. (e.g. breathing problems, back problems, RSIs, arthritis, noise-induced deafness, hand-arm vibration syndrome) Preventing them from occurring in the first place is a better option. Others, such as occupational cancer, have long gaps between exposure and illness, or progress gradually like lung diseases.

Some kinds of stress affect people with young families more than older workers – but others like burnout, coping with physical illness and caring responsibilities, fear of job loss or exhaustion affect older workers more.

Special requirements of older workers

Much is made of how the ability to work declines with age. Physical strength, stamina, eyesight, hearing, etc certainly do decline. But the key thing to remember is that in most cases, the average decline is by a few percentage points over the last 15 years of working life, but the range of performance amongst younger workers is much larger; looking after most young workers will also accommodate most older workers too.

Recruitment and appointment procedures

Older workers must have equal access to jobs at recruitment or internal appointments. Those conducting interviews will need to be trained to carry out age-sensitive selection processes.

Training

Opportunities for training are offered to workers of all ages without restriction. Training should be provided in a way which is sensitive to the differing learning styles of individuals. Training should be made available in such a way as to allow older workers to prepare

for work that is appropriate to their skills and capabilities.

Career structures and redeployment

Career structures should allow older workers to move away from work that is a particular risk for them as they get older (e.g. heavy manual work). They need work that uses their particular skills and capabilities (e.g. jobs where experience is of particular importance, or where opportunities will exist to pass on experience).

Flexible working practices

Flexible working practices will permit older workers to reduce their working hours where they wish to do so, or to arrange their working hours around caring commitments or preparation for retirement. Examples would include phased reduction in working hours over the years leading to retirement.

Sickness absence

Older workers may need more time off to manage chronic health problems. This could be extra leave for people with disabilities (some employers already offer this). One Finnish firm introduced senior leave – extra sickleave that older workers could use to manage chronic illnesses; they found workers were willing to retire later when the scheme was introduced.

Health and safety

Risk assessments must always take into account particular susceptibility to injury or illness of individuals. Older workers who may have particular needs and susceptibilities must be consulted directly. Examples include shiftwork, noise exposure,

manual handling etc. Payment schemes based on achieving production targets should be adapted so that targets are equally achievable by employees of all ages.

Health promotion

Opportunities will be provided in work time to help employees to maintain their ability to work, through exercise or addressing physical health problems.

Retirement

Flexible retirement arrangements will be provided to enable employees to plan gradual retirement over several years. Opportunities to maintain contact between retired and existing employees will be developed. There is no set retirement age. Older workers should have the opportunity to decide between themselves the best way to remain in work until they are ready to retire.

Pension schemes

Company pension schemes will be negotiated that remove pressure to work longer hours in the years preceding retirement.

Help outside work

Vocational guidance: careers advice

Most local careers services will provide a basic advice session and access to their computerised vocational guidance packages, and information on training options. Remember by the time you are 50 you have acquired many skills and additional knowledge – in leisure time and at work - that were not part of your original job description. These skills may be the key to finding jobs of other kinds. A more expensive form of

XL Logistics in Bristol is a large warehousing operation. Workers were able to negotiate different bonus rates for older workers to reduce the pressure on older workers to put their health at risk.

Getting out of the pension straight jacket

Most pensions plans allow you to retire early but at reduced rates of pension – particularly if you have a health problem that prevents you from working. Pension rates in final salary schemes are often worked out on the basis of your best years' earnings in the last few years of working life. This puts pressure on people to work as many hours as they get older as when they were younger.

The Teachers Pension Scheme has been renegotiated by unions and employers from 2007 to give teachers a way of retiring on a more flexible basis and to encourage teachers to work for longer. It is now possible to retire partially, working part-time while receiving some pension. Pension rates are now calculated on best years over a longer period than before, reducing the pressure to work hardest at an age when it makes sense to cut your work commitments.

vocational guidance is 'life-coaching' which is one-to-one help offered by private consultants. Life-coaching can be good if you can afford it.

Training

Training advice is available from careers services and training providers. Training money is generally not. The biggest blocks for people who want to change jobs are the financial penalties of training; loss of pay during the training period, cost of courses, etc. Training is stressful – working in the evenings is working (ask a teacher) – think of it as a longer working day. Ask your employer for time-off to train – some workplaces allow time-off even for training that is not directly connected to the job.

The benefits system

The New Deal for the over-50s run by Jobcentre Plus helps older workers to return to work with cash incentives. Working Tax Credits also benefit older workers on low wages. Ask for

a state pension projection from the Department of Works and Pension. Read the small print in your pension plan about ill-health retirement or the effect of taking a pension early.

Planning for retirement

Counselling or training should be offered to employees during the years prior to retirement so that they can plan a suitable exit process from work. A course designed by Pre-retirement Consultant Services in Sheffield (www.prepinfo.co.uk) covers the benefits system, pensions, wills, health problems that affect people as they get older, planning for leisure. Larger employers in Sheffield are making the PREP course available to workers nearing retirement age.

What do governments need to do

Ageing is unfair. Life expectancy at retirement age has increased by 10 years; but it is five years less amongst unskilled manual workers than professional workers. In 1975, most men worked till they were 65. After retirement men in manual jobs lived, on average, just a few years before they died.

By 2002 only half of men and women between 55 and 65 were in work. Manual and unskilled workers are less likely to have jobs, have lower pay and get lower pensions if any. If they have to leave a job as they get older, they go into a lower paid job if they find work at all.

Half of all workers now will get no more than the state pension and means tested benefits (Pension Credit, etc) when they retire.

This is why the government must:

- Strengthen the age discrimination legislation to give workers rights to work, not just rights to ask,
- Require employers to give pension rights with flexible retirement arrangements,
- Provide subsidised training packages for older workers,

- Enforce health and safety legislation on risk assessment so that it is age-sensitive,
- Require employers to have ageing at work policies, and
- Remove working time optout which makes it harder for older workers to reduce their working hours.

Useful information

The Work and Health Information

Gateway has specimen ageing policies and more detailed information on the law see <http://whig.org.uk>.

The European Foundation for the improvement of Living and Working

Conditions has case histories of what can be done to help older workers see <http://www.eurofound.europa.eu/areas/populationandsociety/ageingworkforce.htm>.

Veto Programme. The objective of the Finish national Veto Programme is to maintain and promote the attractiveness of work and working life see <https://rtstm.teamware.com/Resource.phx/veto/index.htx?eng>.

The National Academies Press

publication: *Health and Safety Needs of Older Workers* (2004) see <http://www.nap.edu/books/030909111X/html/index.html>.

The European Public Health

Alliance produces an EC report "Promoting older workers: a greater focus on health and safety" see http://www.eph.org/a/830?var_recherche=older+Workers.

Age Positive a Department for Work

and Pensions (DWP) project tackling age discrimination and promoting age diversity in employment see <http://www.agepositive.gov.uk>.

Trades Union Congress (TUC). For a copy of *Managing age: A guide to good employment practice* a joint publication with the Chartered Institute of Personnel and Development (CIPD) see: <http://www.tuc.org.uk/equality/tuc-12989-f0.cfm> or http://www.cipd.co.uk/subjects/dvsequil/_mngagegd.htm?lsSrchRes=1