

A photograph of three scientists in a laboratory setting. In the center, an older man with grey hair, a beard, and glasses is looking down at something off-camera. To his left, a woman with blonde hair and glasses is partially visible, looking towards him. To his right, a woman with dark curly hair and glasses is looking towards the center. They are all wearing white lab coats. The background is a bright, out-of-focus laboratory with various pieces of equipment.

Wales  
**TUC**  
Cymru

# Supporting older workers

A toolkit for trade unionists  
Wales TUC Cymru

# About the Supporting Older Workers Toolkit

The aim of this toolkit is to help union officers and reps in Wales raise awareness of how workplaces can provide better support and opportunities for older workers.

It provides ideas and resources to help trade union reps press employers for more age-friendly workplaces, tackle discrimination against older workers and create more inclusive, healthy and sustainable workplaces for everyone as they grow older.

It provides information to help union reps understand the issues older workers face as well as practical tools to make work fairer.

The definition of 'older worker' used in this toolkit is anyone over the age of 50.

## **About Wales TUC Cymru**

The Wales TUC exists to make the working world a better place for everyone. We want Wales to become a fair work nation.

With 49 member unions and over 400,000 members in Wales, the Wales TUC has a key role in raising issues that affect people in the workplace.

We support unions to grow and thrive, and we stand up for everyone who works for a living. Join us.

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# Older workers in the workplace

**Wales has a rapidly ageing population. There are 265,000 more people over the age of 50 than there were 20 years ago.**

By 2029 the country's over-50 population will have risen to 1.4 million – a remarkable 33% increase since the turn of the century.

The reasons for this are straightforward: people are having fewer children and are living longer.

**As Wales gets older so does its workforce.** There are more older workers – and for this toolkit we are using that term to refer to anyone over 50 – in the workforce than ever before. Within the next five years, one in three people of working age will be over 50.

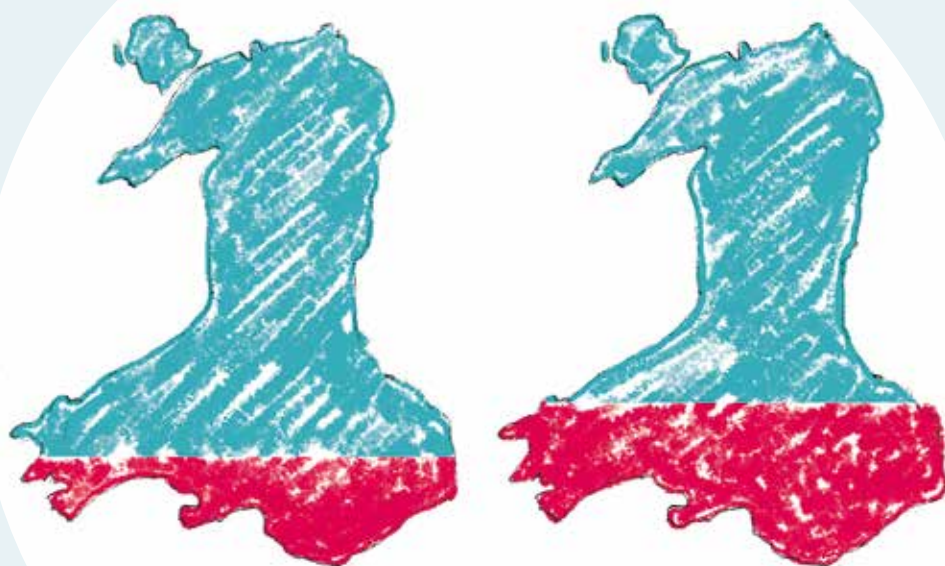
People are also working for longer. For 40 years after the second world war the average retirement age fell. That trend stalled in the 1980s and has been reversing ever since.

Research has found that one in three private sector employees over the age of 50 now expect to retire later than they had envisaged when they were 40. Of those surveyed, 36% expected to retire between 65-69, 15% expected to work past 70 and 18% said they will keep working until they physically or mentally are unable to continue.

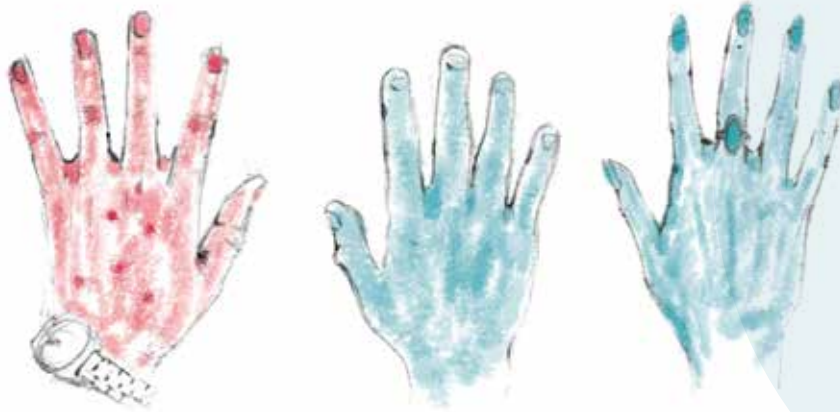
The employment rate for older workers has risen by a third since the mid-1990s. For workers over 65 it has doubled.

What is driving the shifts in the employment market for older workers?

→ **Insecurity:** Changes in the state pension age, weaker occupational pensions, and the lack of any growth in wages since 2008 mean that many people are working longer simply because they must.



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be over 50.

- **Choice:** Following the removal of the mandatory retirement age some people are choosing to work longer.
- **Demand:** With fewer younger workers entering the workforce, there is an increased demand for the skills of many older workers.

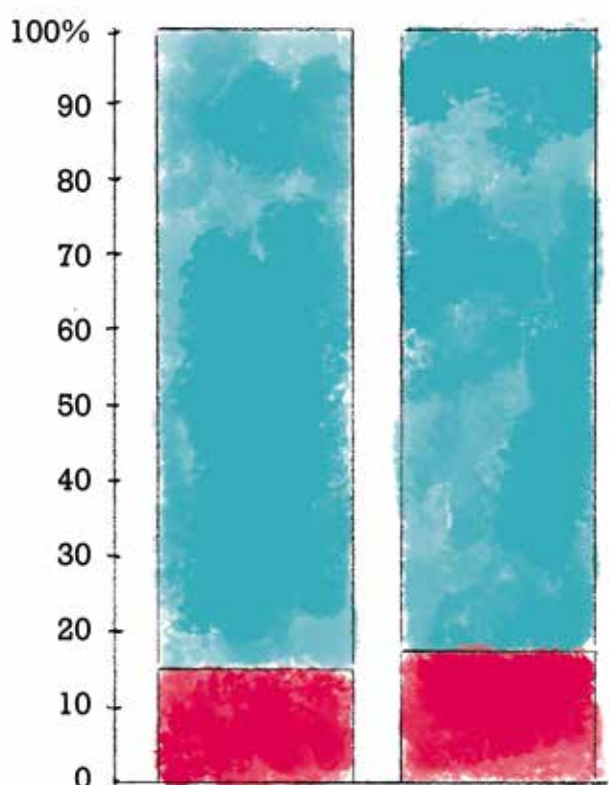
Decisions about retirement look very different in different parts of the labour market. Older workers with high-status, physically undemanding jobs and high-level qualifications are more likely to delay retirement by choice.

In contrast, those without qualifications and who are doing manual jobs are less likely to be in control over when they stop working. They are more likely to be forced out of work by health-related issues or forced to continue working for financial reasons.

**All workers deserve dignity, safety and security at work. But for far too many older people that is not currently the reality.**

Instead they are having to work under out-dated employment practices that fail to take account of the fact that the Welsh workforce has changed. We need new approaches that prioritise worker health and wellbeing, flexibility, lifelong learning, inclusivity, and support to ensure that everyone can plan properly for their future.

An ageing workforce also represents a challenge to trade unions. As the workforce ages, it is essential that trade unions set out a clear vision for how workplaces should adapt. It is equally important that trade unions lead the efforts to secure change. This toolkit provides the information and guidance trade union reps need to help meet those challenges.



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# Why is age a trade union issue?

Wales TUC believes that there is a good case to further the opportunities for older people to access good quality, decent jobs whilst defending the right to retirement and the rights of those too ill to continue working.

Skills shortages are a real problem for employers in many sectors including education, care, construction and customer service. Employers need to make better use of the skills and experiences of older workers and to develop more sustainable approaches to work in later life.

Unions are in a key position to promote age-inclusive approaches to recruitment, career development and job and workplace design. There is much that can be done to make workplace policies and practices more age friendly. Age-friendly workplaces are a key equality issue as well as a health and safety issue for unions.

As the boundaries between working life and retirement become more fluid, we also have much to gain from using the skills and experience of our older members and retired activists by including them in our union structures.

# Why should employers care?

Successful employers adapt to changing circumstances, and the business case for becoming an age-friendly employer is compelling.

**The older workforce is already a reality.** The population of Wales has aged considerably in recent years and that trend will continue in coming decades. As the population has aged so has the workforce.

If an employer's policies and practices don't change to reflect the reality of an older workforce then workers will move to a workplace that does.

**Older workers are essential to meeting skills shortages.** Employment is high, there are growing skills shortages and there are a record number of job vacancies. Brexit is likely to result in lower levels of immigration to the UK and this will further restrict the size of the workforce.

Between 2012 and 2022, an estimated 14.5 million vacancies will have been opened in the UK through a combination of older people leaving the workforce and new positions being created. Yet only 7 million younger people will enter the workforce to fill them.<sup>1</sup>

Unless older workers are provided with fair working conditions and opportunities, we are going to see an

increasing number of roles go unfilled. As a result, businesses – and the Welsh economy – will not be able to meet their potential.

**Supporting older workers is cost effective.** Older workers have higher levels of loyalty than younger workers. Taking steps to ensure that the workplace is not hostile to older workers means that employers should be able to retain staff and avoid the costs of recruiting and training a new member of staff - which is estimated by Chartered Institute of Personnel and Development to average £6,000.

**Older workers make a unique contribution.** All employers should benefit from the experience and adaptability of older workers and their capacity to help develop future generations. With an ageing general population, older workers can also help make sure organisations properly reflect the people they are looking to serve.

Older workers rights are protected in law. All employers should be fully aware of their legal obligations. This is examined in greater detail on page 28. Research from the Centre for Ageing Better has shown that employers have a lower awareness of the protections given to older workers than they do of other protected characteristics.



14.5m

**Number of  
vacancies created  
between 2012  
and 2022**



7m

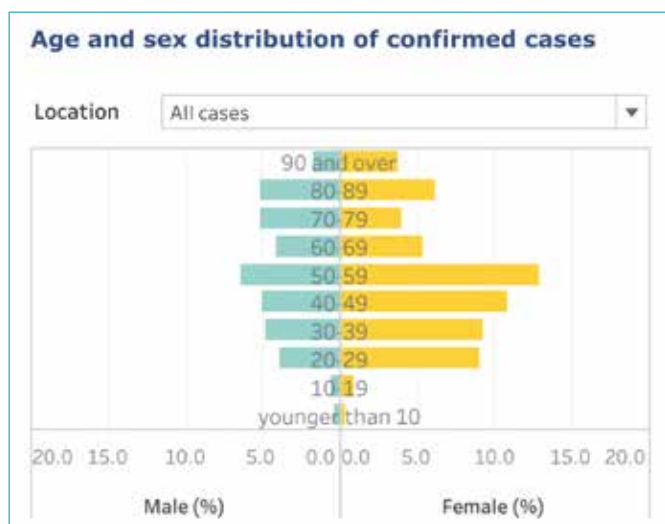
**Number of  
young workers  
entering the  
workforce**

<sup>1</sup> [https://age.bitc.org.uk/system/files/research/bitc-age\\_inthe\\_workplace\\_report.pdf](https://age.bitc.org.uk/system/files/research/bitc-age_inthe_workplace_report.pdf)





# Age and Covid-19



Source: Public Health Wales, 31 July 2020

## Introduction

For workers the Covid-19 crisis has created a fundamental shift in the way we work, where we work and how we work. Older people have faced some specific challenges during this crisis which will impact them well into the future.

Age is an important factor in how vulnerable you are to Covid-19 or its impacts. Official data has shown that Covid-19 can be more fatal for people over the age of 50. At the time of publishing, people in their 50s are the more likely to contract Covid-19.

Covid-19 is a new virus which can lead to serious illness or death, but its long-term impact is not known. So many workers may feel the health and societal effects of this crisis well into the future.

The current crisis has also forced many workers to consider how their employer values their health and safety at work. As with other groups, older workers need help to allow them to work from home where possible to reduce the risk of transmission. However, due to digital exclusion, a lack of safety measures from employers and a shift in how older workers consider the value of work means that many are considering taking early retirement or leaving the workplace. For those without emergency savings this can be financially devastating as they have far fewer working years left to pay off debts and rebuild savings.

## Issues facing older workers

Older people have faced specific issues in this crisis, during the lockdown and beyond. They include:

- Older people who are more vulnerable to Covid-19 have had to isolate for longer. This has increased isolation and loneliness amongst older people, who may also be more digitally excluded and unable or not as used to using technology to work and communicate with family, friends, and colleagues as younger generations. This has

potentially impacted on older people's mental health disproportionately.

- Many workers feel they have no choice other than to go to work to earn money or secure more work in the future. Older workers on precarious contracts may have chosen to go to work despite not feeling safe simply because they are able to access workplace benefits that should be universal such as sickness pay, holiday pay, redundancy payments, or the national minimum wage.

**Digital exclusion – a lack of knowledge, equipment, or money to pay for broadband or technology which stops people from benefiting from online services, work or opportunities.**

- Workers have reported problems with receiving adequate sickness pay when they need to self-isolate. A significant number of workers are not eligible for any sick pay, and many workplaces are only paying Statutory Sick Pay (SSP) when workers are self-isolating. This is £95.85 a week and, for most people, is too low to live on. This means that workers are placed in a difficult position where they must decide if they self-isolate as they should do but accept a wage they cannot live on or go into work but risk spreading the virus.
- During lockdown, many supermarkets provided specific time slots for older people to shop but

these have now stopped, leaving some older people feeling more vulnerable when shopping.

- Many older people have had to rely more on family, friends or neighbours during this time, making many feel beholden to those helping them, or a burden.
- For those living in a home where domestic abuse is taking place, home is not a solace and working from home has increased their risk of experiencing abuse. Domestic abuse helplines saw a surge in calls during the lockdown period and the number of deaths associated with domestic abuse also increased sharply during this period.
- The Office for National Statistics (ONS) has reported that those shielding between the ages of 50 and 59 years have been disproportionately affected during the coronavirus pandemic. They reported a lower life satisfaction than other age groups and a greater decline in their physical and mental health.
- Care homes have been particularly affected by Covid-19. Many older people and workers who look after residents have felt vulnerable to this virus and the decisions taken by the employers which have not resulted in protecting those who live and work in these settings. Concerns have been raised about older people's rights being upheld by the Older People's Commissioner and the EHRC in Wales.

**Your rights as a worker in relation to your age**

You have rights at work that make treating you differently because of your age illegal but also protect your health and safety. More information about these rights can be found on the Wales TUC website [www.tuc.org.uk/equalityguides](http://www.tuc.org.uk/equalityguides)

# Equality Act 2010

The Equality Act 2010 is the key piece of legislation dealing with workplace discrimination. It protects workers from discrimination based on age, sex, disability, race, religion or belief, sexual orientation, marriage or civil partnership status, pregnancy or maternity, or gender reassignment.

Employers have a duty under the Equality Act 2010 to make reasonable adjustments for disabled people. The law says an employer only has to do what is reasonable.

The test of what is reasonable is an objective test. It is not just what an individual worker thinks are reasonable. When thinking about making reasonable adjustments, an employer can consider:

- its practicality
- the cost
- the organisation's resources and size
- the availability of financial support

The overall aim should be, as far as possible, to remove, reduce or prevent any disadvantage faced by a disabled worker. This may include considering:

1. the way that a person works
2. any physical features of their workplace
3. the absence of an auxiliary aid or service
4. if it puts your disabled member at a substantial disadvantage compared with a person who is not disabled.
5. how effective the change will be in avoiding the disadvantage your member would otherwise experience.

Union representatives have a key role to play in:

- promoting equal rights for all members. Reps can negotiate with employers for policies and procedures that advance equality and do not lead to one group being disadvantaged.
- creating a supportive atmosphere at work and in the union in which all members feel that they can participate and that their opinions are valued.
- challenging instances of harassment and discrimination and ensuring complaints are dealt with effectively.
- acting as a role model in treating everyone fairly.



# Health and Safety

There are laws which already protect workers. However, during the Covid crisis there are extra measures that employers must take to protect workers. Wales is the only nation in the UK to bring in a new law requiring employers to take “all reasonable actions” to comply with the 2-metre rule.

It is a legal requirement, under the Health and Safety at Work Regulations Act 1974, for bosses to carry out a workplace risk assessment. Employers must also take the actions that are identified in their risk assessment. Additionally, during this crisis, employers must do a risk assessment before reopening or resuming business. Employers have been given advice that those who work from home should, they should be ensuring good hygiene and cleanliness and making sure workers can be at least two metres apart at all times or other protections (like screens or PPE) can be put in place. Where these actions don't mitigate the risk, workers may need personal protective equipment.

Employers must enable extremely vulnerable workers in the shielded category to observe NHS advice, and protect other vulnerable or pregnant workers.

## Right to refuse to return to work

The first thing to do is to talk to your colleagues and your union if you have concerns about safety in your workplace. You should ask your employer to rectify the issues you're worried about.

If problems persist, you can make a report to the Health and Safety Executive (HSE). Trade union reps can report concerns of breaches to the HSE via [union.covidconcerns@hse.gov.uk](mailto:union.covidconcerns@hse.gov.uk).

The actions HSE can take against employers refusing to follow guidance range from issuing advice to closing workplaces and prosecuting bosses.

If, after raising your concerns, there is still a serious or imminent danger, you and your colleagues may have the right to leave work. The relevant law is



Section 44 of the Employment Act 1996 and it covers all employees.

Section 44 of the Employment Rights Act 1996 provides workers with the right to withdraw from and refuse to return to a workplace that is unsafe.

There have been several examples of union branches walking off the job citing this law.

If you want to know more about your rights to work during this time take a look at this TUC blog <https://www.tuc.org.uk/blogs/can-i-refuse-work-because-coronavirus-we-explain-your-rights>

## Role of your Trade Union during the Covid-19 crisis

Trade Unions are working to protect you as always. If you feel your workplace is unsafe due to Covid-19, you should contact your union's legal team for urgent advice.

This pandemic is a testing and difficult time for many of us. Mental health and your wellbeing are extremely important, and your employer should support you during this crisis. Our Coping with Covid bitesize online learning sessions to give you tools and techniques to help you look after your mental health.

### **Union representatives have a key role to play in:**

- promoting equal rights for all members. Reps can negotiate with employers for policies and procedures that advance equality and do not lead to one group being disadvantaged
- creating a supportive atmosphere at work and in the union in which all members feel that they can participate and that their opinions are valued
- challenging instances of harassment and discrimination and ensuring complaints are dealt with effectively
- acting as a role model in treating everyone fairly.

### **What your employer should do**

Employers should still be adhering to the law on reasonable adjustments. There is a mistaken belief that 'normal business' has been suspended as far as the Equality Act goes. Any reasonable adjustments you have already negotiated should still be in place.

- People at increased risk, in discussion with their line manager, may require an adjustment to allow them to change their working arrangements or to work from home. Line managers ensure that workers have the right support and are safe at work.
- If you are working from home, your employer still must protect you. This means ensuring that you have a safe environment to work in, and that you have access to the correct equipment to allow you to do your job. Your employer should support you to continue doing your job, even if working from home means you do it in a different way.
- Employers should still be undertaking risk assessments in consultation with unions for home working. Employers should consider accidents, injuries, workers' mental health and stress levels

and the risk of violence, alongside other factors which allow workers to work comfortably and safely. Employers should provide equipment to keep workers comfortable at work. This might include equipment to support good posture or to manage temperatures.

- Employers should listen to issues specific to older workers within their workplace. Allowing workers a safe space to organise, network and discuss can be the first step, but employers need to make sure that workers are listened to when they raise concerns.
- While there are health and safety risks related to homeworking there are also many benefits. We hope in future bosses will be more open to offering flexibility. This flexibility can be particularly advantageous to older workers who need to manage their work in a different way. It is also helpful to people with caring responsibilities. Offering flexible working allows companies to recruit from a larger group of people. There are also benefits to the environment as workers spend less time commuting.
- Your employer has a legal obligation to protect your health and safety at work. Before you go to work, your employer should do a risk assessment that highlights the risks of Covid-19. This assessment should include questions on who you live with, whether you or members of your household are vulnerable, and how you intend to get to work if you are unable to work from home. The risk assessment should also include what adjustments you need to be able to do your job.
- If your employer has done everything they can to eliminate all other risks, and you are still required to work, then your employer has a duty to provide you with the appropriate personal protective equipment (PPE) to allow you to do your job. This isn't only the case in medical workplaces, but in all workplaces. It includes care homes, shops, warehouses and transport vehicles.



- If you have childcare or other caring responsibilities such as looking after grandchildren or older relatives, you should discuss this with your employer. They should consider your needs and make reasonable adjustments.
- If you are facing a change in your housing situation, your employer can help you and provide adjustments during this time.
- We've asked Welsh Government to act as part of a broader strategy to protect the health and safety of people at work. We have been consulted on guidance and a range of resources have been created by the Welsh Government which strengthens guidance and understanding on Health and Safety at work/
- We've been involved in meetings and discussion with Welsh Government about the future of work. This includes looking at what the workplace will look like in the future and how it must ensure equality for workers of all ages.

### **What we're asking Government to do to protect workers in relation to age**

- We're concerned that some employers are flouting the law. We're working with the Welsh Government to protect workers and their income, jobs and health and access to services. We have set up a National Health and Safety Forum with other social partners in Wales. This brings together both devolved and non-devolved agencies to oversee the effectiveness and enforcement of health and safety policy.







# Strengths of older workers

Encouraging a workforce that values older workers begins with leadership and engagement. However, it is also useful for older workers to understand that they are crucial to the workforce and they bring considerable benefits. With this knowledge comes an understanding of their worth, and employers should ensure that this worth is recognised and respected.

## Experience

Older workers' years in the workplace have given them an understanding of what is expected and how their work affects others. Their judgment, built over decades, often leads to better outcomes.

## Adaptability

Older workers have seen unprecedented change in their professional and personal lives. The baby

boomer generation of workers has experienced more change in the workplace than previous generations and this is set to continue. As a demographic, older workers have accepted new circumstances and requirements, and quickly and successfully adapted.

During the working lives of today's older workers, markets and jobs have expanded globally, automation and the advancement of technology has transformed the workplace, making it ever more connected and, in some cases, moving away from the physical into the virtual. Social change has made gains in achieving equality and participation in the workplace, allowing access that had previously been denied.

## Talent

The traditional three-stage life – education, work and then retirement – is giving way to a multistage life in which education, work and time spent in and out of the workforce all blend together. This means that there is a huge talent pool available. Employers need to be age-inclusive to gain both a competitive advantage and a dedicated multi-generational workplace.

Yet due to some outdated and simply incorrect misconceptions some companies are reluctant to hire older workers. By removing the age barrier, and simply looking at talent, employers are widening the net of who they can reach.

## Mentoring

Older workers have gained knowledge about the sector they work in and they are able to offer wisdom and a positive role model to other workers. As we age, our views about ourselves and the people around us change. This allows workers, if they feel comfortable, to be in the position of a mentor for other employees.

The maturity and knowledge that comes from years



of life and work enables older workers to make critical, often innovative decisions, considering factors that younger workers simply haven't had the time to experience.

A mentoring role provides a reinforcement when training has been delivered, a role model for other employees to look to, and guidance about workplace issues. When a mentor/mentee relationship develops, this can be beneficial to both parties and can represent a real opportunity for growth and skills.

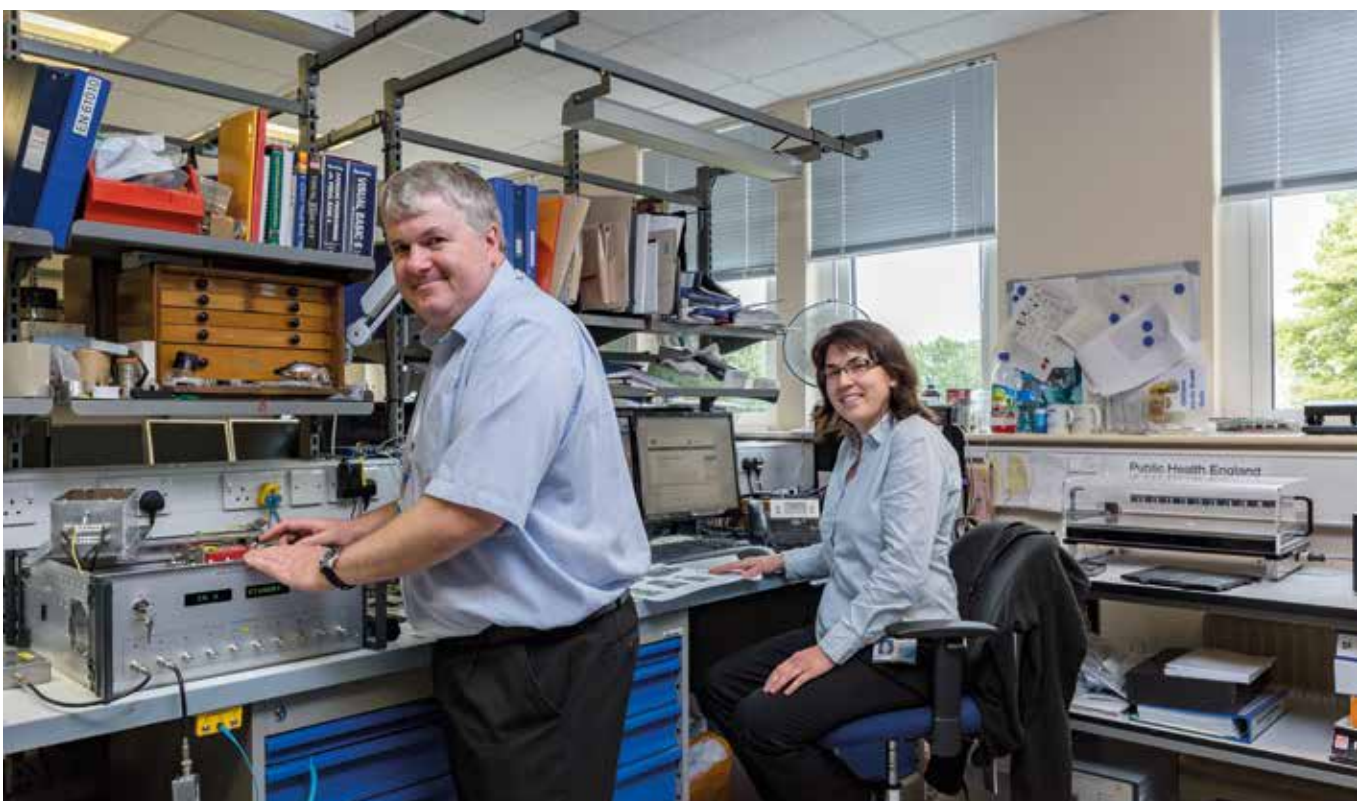
### **Skills**

Savvy workplaces concentrate on intergenerational working, allowing the transfer of skills between different generations, building support networks and providing a phased approach to retirement. Workplaces should consider how to motivate and

upskill older workers and value the attributes that they are able to bring to the workplace.

### **Matching the age profile of customers**

As the population ages, it makes sense for businesses and organisations to ensure that their staff profile mirrors the profile of the general population. Having an age-diverse workforce can help employers to ensure that they have a good understanding of a wide cross-section of the population. This can help improve customer service and can also be an incentive for customers who value the skills of older workers.



# Age and protected characteristics

**Older workers are not a homogenous group with a single set of issues, but people who present with many different identities or what's legally known as protected characteristics.**

The Equality Act 2010 sets out nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion
- Sex
- Sexual orientation

Lots of people have more than one protected characteristic and may therefore experience multiple levels of discrimination. Each person's needs should be addressed sensitively on an individual basis.

Employers should ensure that workplace policies, practices and environments are flexible, supportive and inclusive to accommodate any additional needs, and that any reasonable adjustments are regularly reviewed.







## Disability

Disability is part of the human condition. Everyone is likely to experience it, either permanently or temporarily, at some point in their life. The ageing process increases the likelihood of acquiring a disability and this can be visible or invisible.

There isn't a single definition of disability. The UN Convention on the Rights of Persons with Disabilities (UNCRPD) recognises that 'disability is an evolving concept'<sup>1</sup>:

*'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in*

*society on an equal basis with others'*<sup>2</sup>.

The Equality Act 2010 defines disability as having 'a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

- 'Substantial' is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed
- 'Long-term' means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection<sup>3</sup>

1 UNCRPD, 2006, p. 1

2 UNCRPD, 2006, p. 4

3 <https://www.gov.uk/definition-of-disability-under-equality-act-2010>

4 <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/nearlyoneinfivepeoplehadsomeformofdisabilityinenglandandwales/2015-07-13>



Whilst many workers recognise the impact on their health, wellbeing or ability to do something, not all recognise that they may meet this legal definition and so don't seek support. For these reasons, older disabled workers who do not recognise their disability or inform their employer are unable to access reasonable adjustments or support at work. Additionally, there has long been a stigma surrounding disability, and older workers who have seen this may be keen to avoid the discrimination that the disabled community has faced.

However, this is changing, and employers are legally and morally obliged to make sure that workplaces are accessible, do not discriminate and provide reasonable adjustments when required. Many unionised workplaces have equality representatives to carry out this role and provide support to those with a protected characteristic. Additionally, many trade unions have structures for disabled members.

Older workers are far less likely to be diagnosed with some invisible disabilities, for example, dyslexia and dyspraxia as these were less widely recognised or screened for when many of this age group were in full-time education. This may mean that older workers have developed alternative ways of coping, never knowing that help was available and never accessing adjustments that could support them.

Wales has a higher proportion of people living with a disability or long-term health condition than the UK overall<sup>4</sup> and so is particularly hard-hit by the disadvantages faced by disabled people. The growth of insecure work and changes to the way work is organised compounds this disadvantage for disabled older workers and makes it harder to find supportive, secure long-term employment.

Unions in many sectors report higher levels of workplace stress as work has intensified – especially in areas such as teaching, call centres and retail – and this will impact on health, wellbeing and longevity in work. Work intensification and ill-health are key reasons why people in their fifties

aren't in employment. However, many of those who are not currently working for health reasons would like to return to work. Employers need to engage with unions to address the problem of work intensification and the impact it has on workers. This is particularly important for older workers and those with a protected characteristic who may more impacted by this than other workers.

When considering disability in the workplace, it is important to ensure that this is done using the social model of disability. This is a way of viewing the world which has been developed by disabled people and it has been fully adopted by the Trade Union movement.

The social model considers impairment and disability separately. Impairment is a characteristic or long-term trait which may, or may not, result from an injury, disease or condition. Disability is the attitudinal or physical barriers that make life harder for disabled people. These can be people's attitudes to difference such as assuming that disabled people aren't able to do certain things, or physical barriers like inaccessible buildings. The social model aims to remove any unnecessary barriers which stop people living their lives in the way they want to. In doing so, it creates equality which allows people to live, work and access services in the way they choose. This gives people independence, choices and control over their own lives.



## Sex

Older women workers may find themselves discriminated against because of their sex and their age. Women have worked in roles that have paid less for the same work or in lower paying occupations, often to fit in their caring responsibilities or unpaid work. This continues to impact the gender pay gap, which UK Government data shows for women between the ages of 50 and 59 is severe.

For older women who have and still are working in such a gendered labour market, this can have an enormous impact on their pension status as they will have lower pay, less time in the labour market to build contributions or to save, and are also detrimentally affected by recent changes to Government state retirement ages.

Women will often bear the brunt of caring responsibilities, and there is now a 'sandwich generation' of women who are looking after older parents or relatives whilst also providing care for children or grandchildren.

Finding flexible work can be extremely difficult, with barely any higher salaried jobs advertised on a part time basis, leaving women with little option but to try and negotiate with their current employer and having to accept the employer's decision or leave their employment. Nearly every option in this scenario will detrimentally impact on the carer's finances.

In addition, around 1 in every 3 women has either experienced or is currently going through the menopause. Women make up nearly half of the Welsh workforce and with increasing numbers of

older workers, many more women are now working through and well beyond the menopause. Although some women do not experience difficulties as a result of the menopause, around 8 in every 10 women will experience noticeable symptoms and of these 45% will find their symptoms hard to deal with. Many women report that workplace environments and practices can make symptoms worse.

The menopause has traditionally been seen as a private matter or 'a women's issue' and is often not a topic which is discussed openly, or which has been taken into account in the design of workplaces and working practices.

Employers, even in workplaces dominated by women workers, have been slow to recognise the menopause as an issue, and that those going through the menopause might need additional consideration or adjustments. In many cases the menopause is still not recognised as a workplace issue by managers. Consequently, many women feel they must hide their symptoms or only talk about them in a humorous way. This means many are unable to access the adjustments they need. In some cases, women report feeling forced to leave the workforce altogether due to a lack of support.

If you would like to find out more about the menopause and the workplace, Wales TUC have a toolkit available online.

## Lesbian Gay Bisexual Transgender+ (LGBT+)

The legal context has changed in recent years in relation to lesbian, gay, bisexual and transgender people, mainly in a positive way. However older LGBT+ workers may have grown up during a time where it was not as socially acceptable to be out, particularly in a work environment and may therefore feel uncomfortable being out or may feel particularly vulnerable if 'outed' at work.

Despite the advancement of equality legislation, LGBT+ people still face discrimination when accessing some services and older LGBT+ workers may have additional challenges in their workplace. These could result in a mistrust of monitoring systems or in taking an active decision to not declare their LGBT+ status. The post-Brexit rise in hate crime has also affected LGBT+ people and there are many who feel that they must be more cautious when disclosing personal information.

Good practice around increasing disclosures may include provision of LGBT+ inclusive visual cues such as rainbow lanyards, or inclusive web materials and kite marks.

Some trans people may not wish to disclose their trans status and as a result may be reluctant to discuss any issues relating to this. Additionally, the menopause may present additional challenges to trans men. Employers who take active steps towards establishing inclusive work policies, by showing visible commitment to LGBT+ equality and showcasing best practice equality policies, have a real impact on the lives of LGBT+ staff, boost work morale and create a work environment that people are proud to work in.

LGBT+ people who are planning their future needs as they age, may consider how they access care. For those LGBT+ people who have experienced homophobia, biphobia or transphobia within their own families, this becomes even more important and the planning of this cannot be underestimated. LGBT+ workers must be able to access specialist help and support in planning for retirement and post work life. For those LGBT+ people who may use residential services, they must be assured that staff are properly trained and aware of the issues affecting LGBT+ people. However, there are no specific specialist housing options for older LGBT+ people in the UK and some may fear discrimination or tensions in residential care due to their LGBT+ status. It is therefore particularly important that staff in all caring environments receive regular diversity and inclusion training and that employers take this issue seriously.

**BAME older  
workers will  
make up  
22%  
of the total 50+  
population in the  
UK by 2051**



### **Black, Asian and minority ethnic (BAME)**

The UK's population is changing significantly and will continue to do so in the coming decades. Arguably the biggest changes are the ageing population and the increasing diversity of that population. According to Government data, BAME people aged 50+ will make up 22% of the total 50+ population in the UK in 2051<sup>15</sup>. It is therefore crucial that Black, Asian and minority ethnic workers who may have already faced many layers of discrimination throughout their working lives are able to work, retire and enjoy their older lives.

However, there is much to be done to address the huge inequalities faced by the BAME community when it comes to work and retirement. Overall BAME workers are over a third more likely than white workers to be stuck in temporary or zero-hours work. Black women have been the worst affected,



**1 in 8**

**BAME workers  
are in zero hours  
contracts**

**compared  
to**



**1 in 20**

**white  
workers**





with 82% more in temporary jobs than in 2011, compared to a 37% increase for Black men.<sup>6</sup> Previous TUC research shows that temporary and zero-hours workers typically get paid over a third less than workers on permanent contracts.<sup>7</sup>

Additionally, when in work BAME workers may be constrained by additional responsibilities. Runnymede Trust, an independent think tank reported that there was 'significant evidence of older BAME people being constrained in their retirement decision-making by family ties.'<sup>8</sup>

There is already evidence that older ethnic minority people are doing worse than older people overall. Nearly one in two Bangladeshi and Pakistani pensioners live in poverty, as do one in four older Black Caribbean people, compared to one in six white pensioners.

Given their already unequal starting point, BAME workers may feel that the labour market, workplaces and services are, at best, not inclusive, at worst discriminatory. These concerns will only grow for older BAME workers, who may have experienced racism, discrimination and unfair treatment throughout their working life and will now be at further risk from additional discrimination because of their age.

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6 <https://www.tuc.org.uk/news/bame-workers-over-third-more-likely-be-insecure-work-finds-tuc>

7 <https://www.tuc.org.uk/news/most-workers-zero-hours-contracts-earn-less-living-wage>

8 <https://www.runnymedetrust.org/uploads/publications/pdfs/ASenseOfPlace-2012.pdf>

# Family, community and caring

There are over 370,000 unpaid carers in Wales – around 1 in 10 of the population, with a large proportion of them working part time or full time. This number increases every year and Carers Wales estimate that these carers save the Welsh NHS about £8.1 billion every year.

With people both working and living longer, it is becoming more common for workers to have caring responsibilities for older family members, friends or neighbours. Many older workers are in the 'sandwich generation': caring for parents, while also helping care for children or grandchildren. This can be especially true for older women in the workplace, as women still tend to have a larger share of caring responsibilities.

Caring responsibilities often go unrecognised and unreported as few people identify with the word 'carer' and might not talk about their caring responsibilities with colleagues. Many people will consider that the additional help and support they

provide to someone because of illness, disability or frailty is just part of life. By not recognising themselves as carers many people miss out on important practical, financial and emotional support that would help them to better manage caring responsibilities and work.

Caring for others can detrimentally affect the health and wellbeing of the carer, and without proper support from their employer, juggling their responsibilities can be difficult or impossible.

TUC research suggests that many workers choose to retire instead of staying in work because they are not being offered the opportunity to access flexible working or to reduce their hours, which could help them to manage their caring responsibilities. Employers need to be receptive to the needs of those with caring responsibilities, allowing time off for them to care, or a change in working patterns so that they can carry out their role.



# Employment

Despite rising numbers of older people in the workplace, many older workers are being forced out of employment.

Older people who are unemployed are more likely to be in long-term unemployment (a year or more). Around 45% of unemployed people aged 50- 64 have been unemployed for a year or more compared to 30% for 18-24 year-olds and 38% for 25-49 year-olds<sup>8</sup>.

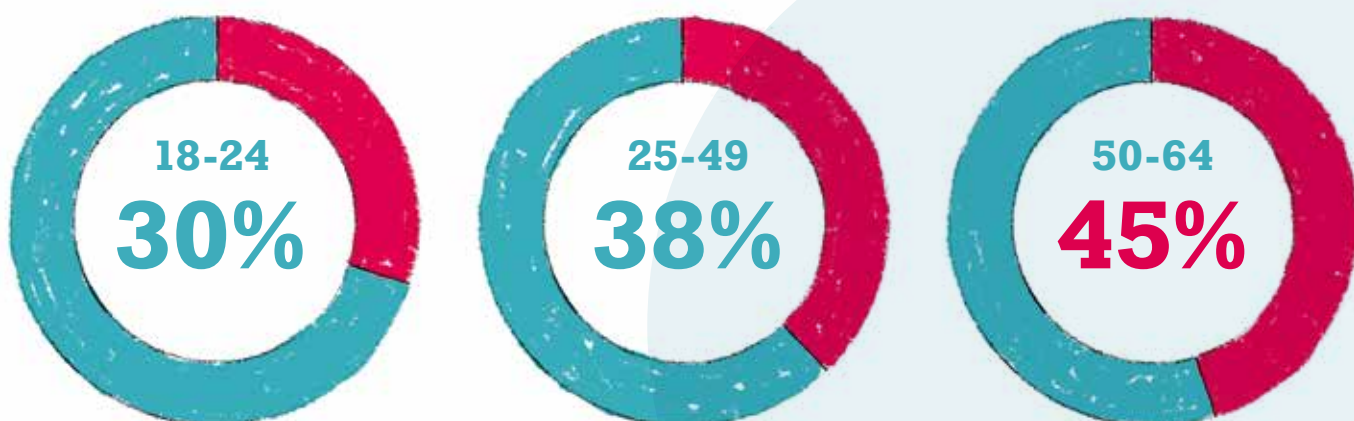
Across the economy, many are being made redundant, and in some parts of the public sector early retirements are being used. Returning to work after such displacement is harder for older workers than younger ones. Many who do find their way back to work are in jobs which underuse their skills. Displacement of older workers is not only bad for them but contributes to the UK's chronic skills shortage and leads to older people competing against younger people for entry level

work. There is a big gap in the support provided to the older unemployed by government and other stakeholders, but good international models could be followed to address this.

For older workers who want to work and who are able to do so, there is help available for re-skilling and retraining. The Welsh Government have committed to creating a minimum of 100,000 high quality apprenticeships for people of all ages. This will involve working with employers to ensure that they value the knowledge and skills that older people can bring to the workforce.<sup>9</sup>

Business in the Community has produced *Age in the Workplace: Retain, Retrain, Recruit* - an excellent guide for businesses on how to make workplaces age friendly. P34 in this toolkit also provides a list of actions that employers should be taking.

## % of unemployed people who have been unemployed for over a year, by age group



8 <https://gweddiill.gov.wales/docs/dhss/publications/130521olderpeoplestrategyen.pdf>

9 <https://gweddiill.gov.wales/docs/dhss/publications/130521olderpeoplestrategyen.pdf>

# Myths and facts

**Older workers make a massive – and often undervalued – contribution to the economy.**


**The facts below tackle some of the common misconceptions about older workers and can help you challenge unfair treatment in the workplace.**

| Myth  | Fact   |
|---|--|
| <b>Older workers cost more.</b>                                       | Older workers are five times less likely to change jobs compared with workers aged 20-24. This reduces training and recruitment costs. Older workers are paid more than younger workers but this will often reflect levels of knowledge and experience and may be more cost effective overall.   |
| <b>Older workers are set in their ways and inflexible.</b>            | This is an outdated assumption. Many older workers will have experienced considerable change throughout their working and personal lives, improving their resilience and adaptability. There is no evidence to suggest that older workers are less adaptable or flexible in comparison with their younger counterparts.  |
| <b>Older workers miss too much work due to illness or disability.</b> | <p>There are many different factors that can contribute to sickness absence rates including the type of work someone does, how good workplace health and safety is, and problems such as stress in the workplace. Age is just one factor in a bigger picture and by no means the most significant.</p> <p>Even though some older people (like other age groups) may have a long-term illness or disability, most can continue in work with effective support and adjustments. Whether this requires small physical adjustments, flexible working arrangements or changes to job content, ensuring supportive adjustments are in place for those who do have health concerns or an impairment is a legal requirement and can also ensure lower staff turnover and result in fewer sick days for workers of any age.</p> |
| <b>Older workers do not understand new technology.</b>                | <p>Research shows that older workers do keep up with changing technologies. It is often overlooked that there may also be aspects of work which younger people are less familiar with such as legacy IT systems or dealing with older customers.</p> <p>Employers should take appropriate measures to identify and address gaps in skills and knowledge of staff of all ages, and to continue to offer development opportunities to older workers.</p>   |



| Myth  | Fact  |
|---|---|
| <b>Older workers are slower, less productive and have poorer attention to detail.</b>         | The ability of someone to do their job is rarely age-dependent. It shouldn't be assumed that an older worker is less effective or less motivated than a younger colleague. In fact, many older employees may have grown and developed in the workplace as a result of training and experience. Research shows that there is no overall difference between the job performance of older and younger workers.   |
| <b>Older workers are out of touch and won't be as innovative or creative as young people.</b> | An efficient and productive mixed-age workforce makes sense for many organisations. Studies show that age-diversity in the workplace enhances innovation, creativity and productivity.  |
| <b>Older workers are weak and cannot do manual jobs.</b>                                      | <p>It should not be assumed that age will directly relate to a person's ability to do a job. Many older workers have greater physical and mental ability than similar people half their age.</p> <p>It is true that some abilities, including strength and mental agility do decline with age for most people, but much less and much later than many assume. Muscle strength decline is unlikely to be noticeable until after the age of 65. Cognitive performance does not usually show any marked decrease until after the age of 70.</p> <p>Rather than age, good workplace health and safety, exercise, nutrition, and other lifestyle factors are bigger influences on of the relative strength of workers. If strength or stamina does become an issue, an employer must consider how adjustments or retraining can support staff.</p> |





# Case study

## *BMW Today for Tomorrow* programme

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BMW's "Today for Tomorrow" programme is aimed at helping the workforce as a whole age better.

Engineers are trained in ergonomics to ensure that all new facilities are built to a standard where there is no unnecessary physical burden placed on workers.

One of the most celebrated changes to the assembly line was the "flipping" of cars to enable mechanics to work on the undercarriage from above rather than underneath. According to a Harvard Business School evaluation, younger workers who had initially resisted working on what was deemed the "pensioner line" changed their minds when they found that such reforms benefited the health of workers of all ages.

### **Other initiatives at BMW's Oxford plant include:**

- Job rotation to avoid repetitive stress or strains.
- A range of health management measures (e.g. smoking cessation programmes, cycle to work schemes, health checks).
- Well-being measures such as the introduction of shorter shifts to reduce daily working hours.
- Flexible working time arrangements.
- The introduction of processes such as 'reintegration forums' and a 'matching capability' process which facilitate job transfers for workers with medical constraints to more suitable roles.

# Skills

No matter what stage you are at in your life or work, it's important to keep your skills up-to-date.

Most of us are working longer, whether through choice or necessity. Developing your skills can help you keep your existing job, improve your pay, or help you in looking for a new job.

Digital skills are increasingly important for most jobs and can help you make the most of life outside work as well.



Learning isn't just about work-related skills, it's also a great way to meet people, make friends and have fun. Learning is also good for you, and is one of the Five Ways to Wellbeing, a set of actions that have been shown to improve personal wellbeing. While budget cuts have led to the closure of many traditional night classes and adult education, there are still lots of great community-based learning schemes available.

- Make sure your manager knows you want to develop your skills and be considered for any training programmes available. If you are excluded from relevant training because of age, you may be the subject of age discrimination.
- Talk to your union learning rep about training opportunities.
- Consider an apprenticeship – these aren't just for the young!
- Use the Unionlearn Value My Skills cards to evaluate your skills, and identify transferable skills, as well as skills you want to develop.
- Adult Learning Wales (previously known as WEA – Workers Educational Association) can provide support for both workplace and community learning.
- Websites such as OpenLearn (from the Open University) and FutureLearn offer a wide range of free online courses.
- Groups such as Men's Sheds and U3A offer community learning opportunities for older people.



# Case study

## You're never too old to learn

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Steve Cobner is a heating and plumbing fitter at Newport City Homes. He completed an Essential Skills qualifications with the support of his union and employer, and with funding from the Wales Union Learning Fund (WULF).

"I'd never really done that much on computers but now almost all of my work needs to be logged using a PDA/smart phone while I'm out and about, rather than filling in paperwork by hand."

**"I did my apprenticeship straight after school and since then I've only really done the qualifications I need to keep up to date with my trade such as gas safety certificates. So the Essential Skills courses were brilliant – they've given me a refresher in my writing and maths skills and they've made me much quicker with ICT. It's really made things a lot clearer.**

The exercises on the course were related to our work which were really useful – there are a lot of maths calculations involved in plumbing so you've got to be on the ball. I'm also much quicker now at entering information into the PDA. I wasn't sure what to expect from the course at first but we were made to feel relaxed and there was no pressure. I really learnt a lot more than I thought I would – I surprised myself!"

Steve is now going on to do the Level 2 ICT, and is pleased that the courses have not only helped him in his role, but have also helped him at home. "I used to have to get my daughter to help me with the internet, but now I've bought my own tablet and I'm a lot more confident. I've been using the internet to research the American Civil War as military history is a big interest of mine. I wouldn't hesitate to recommend these courses to others – you're never

too old to learn. It is great to keep your brain and body active and broaden your horizons."

**Steve's manager Darius Jazani says, "It's been great to see how Steve and other team members are now much more confident in using their PDAs and smart phones for work. A lot of the staff are from a generation that didn't grow up with computers, and some had never used computers at all. The training has helped overcome these barriers, improved morale and made my team much more efficient at completing tasks."**

# Welsh Government policy and older workers

The Welsh Government does not have the power to set employment or equalities laws. That means that it is unable to make fundamental changes to employment conditions for older workers. Primary legislation in these areas can only be made by the UK Government.

However, the Welsh Government still has influence through its policies and legislation in related devolved areas and through its funding decisions.

## Strategy for Older People

Wales was the first country in the UK to establish a Strategy for Older People and an Older People's Commissioner.

The Strategy for Older People was introduced in 2013 and will run until 2023. It recognises that tackling barriers to employment is a priority. One of the strategy's main targets is that:

*"Older people who want to work are able to do so and can access help with re-skilling and retraining."*

It also recognises some of the necessary steps to making that commitment a reality:

- Flexible working arrangements to combine work with other issues such as caring responsibilities, or long-term health conditions or disability.
- Access to appropriate job and skills training.
- Appropriate support programmes to help people over 50 into work or to find new roles.
- Tackling age discrimination against older employees and job seekers.

Related commitments have also been made by the Welsh Government in:

- Prosperity for All: the Welsh Government's overarching economic strategy. The strategy highlights the importance of ensuring the learning opportunities are extended to all so that 'we do not waste the abilities of older workers'.
- Employability Plan: This document stresses the importance of lifelong learning, flexible working conditions and the need for a focus on career planning for older workers.

## Older People's Commissioner

The Older People's Commissioner for Wales is an independent voice and champion for older people.

The Commissioner protects and promotes the rights of older people throughout Wales, scrutinising and influencing a wide range of policy and practice to improve their lives. She provides help and support directly to older people through her casework team and works to empower older people and ensure that their voices are heard and acted upon.

The Commissioner's role is underpinned by a set of unique legal powers to support her in reviewing the work of public bodies and holding them to account when necessary.

The Commissioner is taking action across three key priority areas to improve the lives of older people:

- Ending ageism and age discrimination
- Stopping the abuse of older people
- Enabling everyone to age well

The Commissioner wants Wales to be the best place in the world to grow older.

Heléna Herklots took up post as Commissioner



in August 2018. More information about the Commissioner's role and work can be found at: [www.olderpeoplewales.com](http://www.olderpeoplewales.com).

### **'People Don't Have a Best Before Date' Campaign**

In 2017 the Welsh Government launched the People Don't Have a Best Before Date campaign. The campaign seeks to challenge stereotypes, demonstrate the value of a multigenerational workforce and encourage employers to continually invest in skills throughout their colleagues' working lives.

A toolkit has been published as part of the campaign that aims to help people plan their working lives as they grow older.

# How does the law protect older workers?

## The Equality Act 2010

Many people might not consider themselves as old, but if a member is treated less fairly in work than someone in a similar situation because of their age then they may be the subject of age discrimination.

Workers are protected from age discrimination in all aspects of employment including:

- Recruitment.
- Employment terms and conditions.
- Promotions.
- Transfers.
- Training.
- Dismissals and redundancy.

Workers are also protected when taking advantage of workplace benefits such as holidays, pensions or considering retirement options.

The Equality Act protects you from direct discrimination, indirect discrimination, harassment and victimisation. Some examples of what these might include are below:

- **Direct discrimination** – If someone is overlooked for promotion or training opportunities because they are 'too old'.
- **Indirect discrimination** – If an employer offers a training course only to recent graduates, this could constitute indirect discrimination, as it could exclude older employees.
- **Harassment** – If colleagues made jokes about someone's age which they find offensive.

→ **Victimisation** – If someone is passed over for a promotion that they would otherwise have been given, after making a witness statement supporting a colleague's complaint of age discrimination.

The Equality Act applies to all employers in the UK and it protects all types of workers. It doesn't matter what size the company is or what kind of contract worker is on: bosses can't duck equality law.

There are a limited set of circumstances when being treated differently due to age can be lawful. This is the case when the treatment can be 'objectively justified' in what the law calls 'a proportionate means of achieving a legitimate aim'.

In some cases 'occupational requirements' can also apply. For example a theatre company that requires a younger actor to play a younger role. But in most cases, age discrimination is unlawful.

If you are concerned about age discrimination in your workplace, you can also speak to a full time official from your union for further advice.





# Health, safety and wellbeing of older workers

Older people may experience personal or health issues that can come with age. Employers must ensure that the workplace and working processes protect the health and safety of older workers and do not cause problems or make existing conditions worse.

Key to ensuring that the workplace is adapted to be a safe, suitable and welcoming environment for older workers is the risk assessment.

There are no health and safety laws that apply to older workers specifically, but the employer has a general duty to protect the health, safety and wellbeing of all workers. They should also carry out suitable risk assessments and provide any necessary training and workplace adjustments.

A separate risk assessment is not required specifically for older workers but there are specific risks faced by older workers.

There is no one size fits all solution when thinking about how to support older workers but the Health and Safety Executive (HSE) has given useful advice on risk assessments and older workers which says that employers should do the following:

- Carry out risk assessments routinely.
- Do not assume that certain jobs are too physically demanding for older workers. Many jobs are supported by technology, which can absorb the physical strain.
- Think about the activities older workers do as part of the overall risk assessment and consider whether any changes are needed. This might include:
- Allow older workers more time to absorb health and safety information or training.
- Introduce opportunities for older workers to move to other types of work.

- Design tasks that contain an element of manual handling in a way that they minimise the risk.
- Think about how older workers could help to improve the management of health and safety risks. Avoid assumptions and consult older workers.

## **Employers should also:**

- Base decisions on capability and objective risk – not age.
- Encourage or provide regular health checks for all workers.
- Encourage staff to take an interest in their health and fitness.
- Consider legislative duties such as those under the Equality Act or flexible working legislation. These could require businesses to make adjustments to help an employee with a health issue or consider a request to work flexibly.

The key is focussing not just on the job but the individual. The risk assessment simply assesses the risk but the important next step is to remove any hazards or, where it is not possible to remove them completely, to manage the risk.

Employers cannot simply use “health and safety” as an excuse for not continuing to employ an older worker, or for not providing training.



# Section 2

## Tools



# What can trade union reps do?

- Ask management to recognise workers with caring responsibilities, and to adopt formal policies to support them such as paid carers' leave and flexible working options (including flexible retirement options for older workers).
- Ensure workers are aware of their right to request flexible working arrangements. This could include flexi-time, part-time hours, job sharing, compressed hours, term-time only working, homeworking or unpaid leave.
- Provide information to workers about organisations which can help with caring for older people as well as for carers. Ask these organisations to provide posters and leaflets, or perhaps arrange opportunities for awareness sessions or information stalls in the workplace.
- Help normalise caring responsibilities – set up a lunch or after-work club for people with caring responsibilities. This can help create informal support networks which can be invaluable to carers.
- Organisations including the TUC, Carers Wales, and Carers Trust can provide information and support for people with caring responsibilities. Check the Useful links and further reading section for more information.
- Talk to older workers and find out if they are experiencing any issues related to their age in the workplace. Consider conducting an age survey to establish the age profile of the workforce and identify areas where change is needed.
- Talk openly about ageing and ageism in the workplace, challenging stigma and discrimination.
- Know your rights, and make sure members are aware of theirs. Remind management of their responsibility to prevent age discrimination.
- Raise managers' awareness of the tools and advice available to support an ageing workforce, including mid-career reviews, age audits, guidance for managers of older workers, and pre-retirement planning schemes.
- Promote good health, safety and wellbeing in your workplace. Check that risk assessments consider the needs of older workers and that they consider gender sensitive issues related to ageing, such as menopause. Tell your employer about the Healthy Working Wales scheme run by Public Health Wales.
- Look out for age discrimination in the workplace, especially in recruitment and training practices, or in the use of capability and sickness absence management policies. Work to remove age bias from all policies and actively challenge negative stereotypes. Remember that much bias and discrimination is often unconscious and based on wrong assumptions.
- Ask employers to consider new ways of working. This could be looking at 'ergonomic' job design (ways of working that are designed to maximise comfort and minimise any physical burden and reduce wear and tear on the body). Also look at offering more tailored and flexible work roles that give workers more control over the kind of work they do and how they will carry it out. Having more autonomy can help people work longer and stay healthier.
- Support career development for older workers and help colleagues to evaluate their skills. Unionlearn's Value My Skills cards are a great tool to help members identify transferable skills they may not be aware they have. Encourage employers to offer all workers regular development reviews and access to paid training opportunities.

# What can employers do?



*The Centre for Ageing Better* has undertaken comprehensive research into the actions that employers can take to create a positive working environment for older workers. Their recommendations include:

**Hire age positively:** Older workers are frozen out of the job market by inadequate processes, age bias, and the failure of employers to engage meaningfully on issues surrounding age. To correct this, employers should:

- Run age-positive recruitment campaigns: use images and language that are age-neutral and inclusive.

- Use blind application and shortlisting stages as well as structured interviews.
- Run 'returner' or 're-entry' programmes to bring former employees back into the workforce on a flexible basis.

**Offer flexible working:** Employees and employers are often unaware of what's involved in flexible working. Employers should publicise procedures and examples clearly.

- Discuss flexibility with candidates. Widen the range of formal and informal adjustments on offer (hours, schedule, location). Adopt a

personalised approach. Be willing to change with circumstances.

- Offering a 'right to reduce' working hours can help normalise flexible work adjustments and break down stigma.
- Train and assign flexible working champions.
- Provide training and support for managers.

**Promote a healthy work environment:** Health is the biggest driver pushing people out of work. A quarter of workers aged 55 or over are considering stopping work due to ill health.

- Early access to support, workplace adjustments, and empathy can help.
- It is illegal to penalise people when they disclose their health condition.
- Encourage early discussions of health issues and share positive examples. Train managers on how to hold effective discussions.
- Share records of agreed adjustments between employee and employer and ensure regular check-ins with employees.

**Create an age-positive culture:** Employers should know their workforce. Monitor workforce data on age diversity. Include:

- % of staff making flexible working requests and the number of those that are agreed.
- % of staff disclosing a health condition.
- % receiving support.
- age profile of applicants and successful candidates.

Support managers to:

- Recognise and challenge age related stereotypes.
- Respond to individual issues.
- Manage age diverse teams.
- Design and measure flexible working arrangements.
- Minimise bias in recruitment.
- Have supportive conversations.
- Younger managers can feel awkward managing older workers (and older workers can feel uncomfortable working for younger managers). Offer specific support to workers in this situation.
- Encourage interaction and networking among staff of all ages.

**Encourage career development opportunities at all ages:**

- Older workers need the same opportunities as younger workers.
- Discuss career plans with older workers.
- Mid-career reviews on a rolling basis. Ensure that workers know that these aren't geared towards forced retirement.
- Facilitate open discussions about retirement plans.
- Some leading employers are providing more holistic health, wellbeing and career support. Positive outcomes have been recorded from these.

# Examples of adjustments

| Problem                 | Examples of workplace factors which could worsen the problem   | Suggested adjustment  |
|-------------------------|--|---|
| Caring responsibilities | <ul style="list-style-type: none"> <li>→ A lack of flexible working hours</li> <li>→ Lack of formal policy to support carers within the workplace</li> <li>→ Poor or inconsistent management</li> <li>→ A lack of understanding of the toll that caring for others can take on a person</li> <li>→ A change in working conditions without proper consultation with workers, this can include time or place of employment</li> <li>→ Lack of secure employment. This could be a short-term contract or a zero hours contract role.</li> <li>→ Lack of paid leave placing an additional financial burden on caring responsibilities</li> </ul> | <ul style="list-style-type: none"> <li>→ Introduce flexible working wherever possible to help workers with caring responsibilities. Allowing workers to fit their working hours in around caring responsibilities can be hugely beneficial to organisations who benefit from staff loyalty, as well as covering hours that other workers may not choose to.</li> <li>→ Ask management to adopt formal policies to support carers such as paid carers' leave and flexible working options (including flexible retirement options for older workers).</li> <li>→ Ensure workers are aware of their right to request flexible working arrangements. This could include flexitime, part-time hours, job sharing, compressed hours, term-time only working, homeworking or unpaid leave.</li> <li>→ Provide information to workers about organisations which can help with caring for older people as well as for carers. Ask these organisations to provide posters and leaflets, or perhaps arrange opportunities for awareness sessions or information stalls in the workplace.</li> <li>→ Help de-stigmatise and normalise caring responsibilities – set up a lunch or after-work club for people with caring responsibilities. This can help create informal support networks which can be invaluable to carers.</li> <li>→ Organisations including the TUC, Carers Wales, and Carers Trust can provide information and support for people with caring responsibilities. Check the <i>Useful links and further reading</i> section for more information.</li> </ul> |



| Problem                   | Examples of workplace factors which could worsen the problem   | Suggested adjustment  |
|---------------------------|--|---|
| Age bias in recruitment   | <ul style="list-style-type: none"> <li>→ Language that excludes older workers in job adverts and person specifications. Language such as 'recent graduate' excludes older workers with the same qualifications.</li> <li>→ Job adverts asking for qualifications that older workers may not have because they completed an equivalent qualification or have learned the skill in other ways.</li> <li>→ Legally, you cannot ask for a candidate's date of birth on an application form, but job adverts may seek a timeline of when qualifications were gained, and it may be possible to surmise from this information how old a worker is.</li> <li>→ Jobs that are only advertised on social media and can only be applied for using profiles such as LinkedIn. Jobs that are only advertised on social media will be more visible to younger workers and can exclude older workers from applying.</li> </ul> | <ul style="list-style-type: none"> <li>→ Ensuring that job adverts and person specifications use inclusive language and do not ask for specific qualifications without the opportunity to allow workers to express the ways in which they have gained these skills such as work experience or work-based learning.</li> <li>→ Management who interview for new candidates should receive equality and diversity training and should be aware of the 'unconscious bias's they may have and seek to overcome them.</li> <li>→ Employers should recognise that there are talented, ambitious people of all ages.</li> <li>→ Ensure that jobs are advertised in several different places and mediums and there is more than one way to apply for the role.</li> </ul>   |
| Stereotyping + job typing | <ul style="list-style-type: none"> <li>→ Stereotyping - making assumptions about job applicants' and employees' capabilities and likely behaviours because of their age - is one of the most likely causes of age discrimination.</li> <li>→ Making assumptions can lead to poor decision making when recruiting and promoting or deciding who gets trained. It can also lead to discrimination.</li> <li>→ Job typing – assuming the role can only be carried out by a certain 'type' of person and creating a role around this type rather than around the organisational need.</li> </ul>   | <ul style="list-style-type: none"> <li>→ Avoiding stereotyping can mean confronting your unconscious bias and judging people on their job performance or quality of their job application not on the assumptions made because of their age</li> <li>→ It is useful and positive to have different intergenerational groups or teams working to achieve shared work goals. This can utilize everyone's skills and encourage the development of new skills as workers benefit from working together and learning off each other.</li> <li>→ Encouraging different age groups to swap ideas, knowledge and skills can help reduce both stereotyping and job typing.</li> <li>→ When workplaces use social media, it is useful to provide opportunities for training and workplace development on how to use social media in a work context. This may help older workers who may not have used social media as much outside of work.</li> </ul> |

| Problem                | Examples of workplace factors which could worsen the problem  | Suggested adjustment   |
|------------------------|---|--|
| Retirement             | <ul style="list-style-type: none"> <li>→ For many workers, retiring at a set age is no longer the case, and employees may decide when they want to stop working rather than this being determined by their birthday.</li> <li>→ For other workers, who have been forced to work longer than they planned for, this may mean that they feel financially underprepared to drop working hours or they may be finding it more difficult to cope with the demands of the role. This may be particularly the case in roles which are manual, or which require workers to be on their feet all day.</li> </ul> | <ul style="list-style-type: none"> <li>→ Employers must not assume that an employee is retiring or force them to retire and should instead help those who wish to continue to work, to be able to do so for however long they chose.</li> <li>→ Employers can help workers to plan for their retirement and work with Trade Unions who provide course and help on the transition to retirement.</li> <li>→ By facilitating an open dialogue about retirement, it can create a supportive environment for those who wish to retire and allow those who want to plan for their retirement the opportunity to do so.</li> <li>→ Ensure that workers of all ages are able to plan for their retirement. This is beneficial to younger workers who may not realise how best to plan for their retirement, and for older workers who may wish to remove the barriers to retirement.</li> </ul> |
| Training and promotion | <ul style="list-style-type: none"> <li>→ There can be the assumption that older workers may not want to develop or gain skills in the workplace, or even that it wouldn't be financially viable to develop the skills of older workers.</li> </ul>  | <ul style="list-style-type: none"> <li>→ Employers can take the initiative and suggest and support mid-career reviews</li> <li>→ By ensuring that older workers are offered the same opportunities to develop and learn as all other workers. For some, this may also mean carrying out additional learning such as improving digital literacy skills. Trade Unions can provide courses which can support workers in their workplaces. Contact your Trade Union to find out more.</li> <li>→ Employers and managers should take steps to ensure they don't make assumptions about an employee's needs or ambitions based on their age, length of experience in a job, or length of time with the employer.</li> </ul>  |

# Marion's Case Study – “Learning Welsh: now or never”



**Marion Burke is the Policy Officer for Trade Union Education at Wales TUC. She recently started learning Welsh at work.**

All my adult life I've made excuses why I didn't speak Welsh like "I didn't learn it in school", or "my family don't speak Welsh". I was embarrassed every time I was asked. But the truth was the real reason I didn't speak Welsh was that I had never bothered to learn.

So, when the chance came up to learn Welsh in work, I thought "it's now or never". I'm not worried about whether I will be able to learn at 55 and three quarter years old. I've worked in adult education long enough to know that it's never too late to learn, but I know learning a new language is a lifetime commitment – something I'm not that good at (I've just got a divorce). But hey, why wouldn't I be proud to speak one of the oldest languages in Europe, the language of my country? And now that the Wales TUC is giving me time off to do it – what's not to like?

I'm learning with an organisation called SaySomethingIn.com which has a specially designed Welsh language app. It's great because it focuses on speaking, not writing or reading. So, no paper, no pens, no dictionaries, just me the app and my new best friends – Iestyn and Kat. If you want to know who Iestyn and Kat are you can download the app for free and meet them yourselves. Say Something also has apps for Spanish, Manx, Dutch, Cornish and Latin so why not have a go yourself?

I'm just starting to learn Welsh, or "Dwi newydd ddechrau dysgu Cymraeg", as I can now confidently say. And just like the start of any journey I'm excited and apprehensive but I'm also looking forward to the challenges, the rewards and hopefully the new friends I'll make along the way.

And please wish me "pob lwc".





# Planning for retirement

There are many things members might want to consider as they approach retirement. While financial implications are important, it is also important to think about the social implications of no longer working. For many people, work is a key part of their identity and their social life.

Some people may want to continue to work as they get older, but under more flexible working conditions. It is helpful if an employer allows workers to phase their retirement. This means that the worker can reduce workload and take a portion of their retirement benefits and pension savings. As well as helping them transition into full-time retirement, there are a number of financial benefits to this. For the employer, it allows key skills and experience to be kept in the workplace and to be shared with younger workers.

Planning for retirement can make a massive difference to someone's quality of life when they retire. These are some ideas of things that could help members with planning:

- Understand how much you will receive as part of a state pension, and also from any private pensions or savings.
- Be aware of what benefits you are entitled to in retirement.
- Talk to your employer about phased retirement options.
- Take some time to think about your social connections – are they all work related? If so, what will you do when you stop working?
- Many people at 50+ consider self-employment. There can be benefits but also risks associated with this. Make sure that you get advice and consider the financial risks carefully.
- As well as advice on pensions, remember that unions can also help members with advice on money, tax, and other financial considerations.
- Find out if your union has a retired members branch locally. If not, ask them to start one. This can be a great way to stay connected with people after retirement. Many retired members branches are very active and can be an important source of support and activism for unions.
- Retiring from work doesn't mean retiring from life. Think about what you would like to do when you're no longer working. Volunteering can be a great way to stay connected, and make sure that you can utilise your skills and experience to benefit yourself and others.

# Mid-life career reviews

Workers can face many changes including restructuring, redeployment or redundancy. Unions work hard to support members through such changes and at the same time campaign for decent and secure work for everyone. Unions want to see Wales become a 'fair work' nation, where decent, good quality, secure jobs and pensions are available for all.

Workers over the age of 50 who lose their jobs often find it difficult to find new work. Many have developed skills and experience but are unaware of how they can be applied in new areas.

A *mid-life career review* provides workers with the opportunity to:

- Evaluate their skills and discuss their current life situation
- Identify changes they want to make in their life and career and what steps they need to take to realise these.

For employers, reviews can help identify skills which may not have previously been recognised and implement policies and schemes to fill skills gaps and improve productivity.

Further advice and guidance on mid-life career reviews can be found in the *Useful links and further reading* section of this toolkit.



# Review workplace policies



- Does your employer have a policy on how they are going to retain and support older workers?
- Are line managers trained in how to support and develop older workers?
- Are risk assessments done that take into account individual needs and abilities?
- Have these assessments identified possible risks that may be more likely to affect older workers and have these risks been managed properly?
- Are risk assessments gender-sensitive? Do they consider health and safety issues that may affect older women, such as the menopause?
- Are union health and safety representatives consulted on these risk assessments and do they involve older workers?
- Is training offered to all workers (regardless of age) and is it flexible enough to ensure it is appropriate for all age groups?
- Do workers have access to an occupational health service?
- Are all older workers given time off for regular health and eye checks?
- Do workers have access to services such as Employee Assistance, fitness and nutrition programs that are appropriate to all ages and genders?

# Useful links and further reading

## Age in the Workplace

**Age in the workplace: Retain, retrain, recruit, Business in the Community**

<http://bit.ly/2xiHVTG>

**Employment opportunities for people over 50 in Wales, National Assembly for Wales**

<http://bit.ly/1HwwPKr>

**The missing million: Illuminating the employment challenges of the over 50s, Business in the Community**

<http://bit.ly/2w3RtDj>

**Age immaterial: Women over 50 in the workplace, TUC**

<http://bit.ly/2vcGUiy>

**Representing an ageing workforce: challenges and opportunities for trade unions TUC**

<https://www.tuc.org.uk/sites/default/files/RepresentingAnAgeingWorkforce.pdf>

## Information and guidance for employers

**Top 10 tips for age aware employers, Gowling WLG**

<http://bit.ly/2w3vGM6>

**Guidance for managers of older workers, Age Action Alliance**

<http://bit.ly/2hVpfns>

**The missing million: Recommendations for action, Business in the Community**

<http://bit.ly/2vcJRQh>

**Fuller working lives: A partnership approach, Department for Work & Pensions**

<http://bit.ly/2jYPF6d>

**Healthy Working Wales**

[www.healthyworkingwales.wales.nhs.uk](http://www.healthyworkingwales.wales.nhs.uk)

**Chwarae Teg: Agile Nation 2 Employers Programme**

<https://www.agilenation2.org.uk/for-employers/>

## Age discrimination: Your rights

**Ageism at work, Age UK**

<http://bit.ly/2k9TitF>

**How the Equality Act protects you from ageism, Age UK**

<http://bit.ly/291N4aR>

**Age discrimination, Citizens Advice**

<http://bit.ly/2vn7Ecl>

**Age discrimination, ACAS**

<http://bit.ly/1OHY3by>

**Information on age discrimination, CIPD**

<http://bit.ly/2wMFU4f>

**WorkSMART, TUC**

<https://worksmart.org.uk/work-rights/discrimination/age-discrimination>

## Workplace skills

**Wales TUC Cymru learning and education services**

[www.wtuc.org.uk](http://www.wtuc.org.uk)

**Unionlearn, TUC**

[www.unionlearn.org.uk](http://www.unionlearn.org.uk)

**Learning & Work Institute**

[www.learningandwork.org.uk](http://www.learningandwork.org.uk)

**Adult Learning Wales**

[www.adultlearning.wales](http://www.adultlearning.wales)

**Workplace mentoring, TUC eNote for Union Reps (requires login)**

<http://bit.ly/1zonfJ2>



**Chwarae Teg: Agile Nation 2 Career Development Programmes**  
<https://www.agilenation2.org.uk/for-women/>

### **Lifelong learning**

**OpenLearn, Open University**  
[www.open.edu/openlearn](http://www.open.edu/openlearn)

**FutureLearn**  
[www.futurelearn.com](http://www.futurelearn.com)

**Adult Learning Wales**  
[www.adultlearning.wales](http://www.adultlearning.wales)

**U3A (University of the Third Age)**  
[www.u3a.org.uk](http://www.u3a.org.uk)

**Men's Sheds Cymru**  
[www.mensshedsymru.co.uk](http://www.mensshedsymru.co.uk)

### **Mid-life career reviews**

**Supporting mid-life development, Unionlearn**  
<http://bit.ly/1GJPnsl>

**Mid-life career development, TUC eNote for Union Reps** (requires login)  
<http://bit.ly/1zonfJ2>

**Mid-life career reviews toolkit, Business in the Community**  
<https://bit.ly/2X7AteM>

**Mid-life career review resources, Learning & Work Institute**  
<https://www.xtlearn.net/p/mlcr>

### **Family, community and caring**

**Carers Wales**  
[www.carersuk.org/wales](http://www.carersuk.org/wales)

**Carers Trust Wales**  
<https://carers.org/country/carers-trust-wales-cymru>

**Age Cymru**  
<http://www.ageuk.org.uk/cymru/>

**Age Connects Wales**  
<https://www.ageconnectswales.org.uk/>

**Time off and flexible working for carers, TUC**  
<http://bit.ly/2xl2jjA>

### **Health, safety and wellbeing of older workers**

**The health and safety of older workers: A guide for workplace representatives TUC**  
<http://bit.ly/2e0kQ3w>

**The menopause in the workplace: a toolkit for trade unionists Wales TUC**  
<https://bit.ly/2xewDkK>

**Disability and 'hidden' impairments in the workplace: a toolkit for trade unionists Wales TUC**  
<https://www.tuc.org.uk/DHIWtoolkit>

**Gender in occupational safety and health TUC**  
<https://www.tuc.org.uk/sites/default/files/GenderHS2017.pdf>

**The menopause and work, UNISON**  
<http://bit.ly/2vnsici>

**Women, menopause and the workplace, Business in the Community**  
<http://bit.ly/2vnkY0a>

**Drink wise age well workplace guide Drink Wise Age Well**  
<https://drinkwiseagewell.org.uk/wp-content/uploads/2016/12/DWAW-Workplace-Guide-newlogo.pdf>

### **Planning for retirement**

**Approaching retirement, Age UK**  
<http://bit.ly/2vvAu9z>

**Money matters, Age Cymru**

[www.ageuk.org.uk/cymru/money-matters](http://www.ageuk.org.uk/cymru/money-matters)

**Tax help for older people**

[www.taxvol.org.uk](http://www.taxvol.org.uk)

**Help in later life, Money Advice Service**

<http://bit.ly/2rax3E8>

**Getting involved in your community****Royal Voluntary Service**

[www.royalvoluntaryservice.org.uk](http://www.royalvoluntaryservice.org.uk)

**Volunteering Matters Wales**

[www.volunteeringmatters.org.uk](http://www.volunteeringmatters.org.uk)

**Volunteering Wales**

[www.volunteering-wales.net](http://www.volunteering-wales.net)

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## Notes



## Notes

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This publication is also available in the Welsh language

All TUC publications can be provided for dyslexic or visually impaired readers in an agreed accessible format, on request, at no extra cost.

This toolkit will be regularly updated, so we would welcome any comments or suggestions on how it could be improved. Please let us know if you notice anything that is out of date, unclear, or that you think may need correcting or updating.

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