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Representing an ageing workforce: Challenges and opportunities for trade unions

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Executive summary

Ageing workplaces present major challenges to the trade union movement in terms of organising, representation and bargaining. Trade unions' approach to work and retirement has rested on four pillars: that it represents release from financial dependency on work; is a reward for a lifetime of work; frees up jobs for younger workers; and prevents employers from exploiting older people as sources of cheap labour (Duncan et al., 2000). These principles remain as valid now as when the Old Age Pension was introduced over a century ago.

However, the nature of work in later life has changed and many people either want or are being pushed to work longer. Based on interviews with officials, activists and ordinary union members in eight unions, as well as previous CROW research, this report discusses the main challenges facing unions.

An expanding economy in which employers need older workers

Britain faces chronic skills and labour shortages which, if left unremedied, will impact on future growth and stability of the economy. According to the UK Commission on Employment and Skills, over the next decade, 13.5 million vacancies will open up, but only seven million school leavers will be available to fill them. Skills shortages are significant problems for employers in education, care, construction and customer service. Most of the growth in jobs will be in part-time work.

Employers need to make better use of the skills and experience of their older workers, and to develop more sustainable approaches to work in later life. They also need to find ways to benefit from the knowledge and abilities within the nine million-strong workforce of older people seeking employers.

This presents an opportunity for unions to promote age inclusive approaches to matters such as recruitment, career development and job and workplace design. Employers who fail to respond to the needs and aspirations of older workers risk missing out on the valuable skills and experiences that older workers can bring.

Older workforce participation trends

Since 2000, the proportion of people 50-64 in work has grown from 60.6% of the population to 66.2% today. The employment rate for people over 65 has risen faster from 8.2% to 14.4% today.¹

¹ EUROSTAT figures

The older workforce is not a homogenous group, and there are quite significant differences by gender, education and occupation. Older women are heavily concentrated in the public sector and those who stay in work beyond 65 mainly work in administrative roles. Older men are more likely to be found in the private sector, and those who stay in work beyond 65 are most often employed as managers, directors and professional staff. According to UKCES (2011), most of the 1.5 million job growth over the next decade will be in work which is now female dominated, and so it is expected that we will see further significant rises in older women's employment. There will be a net increase of three million women 50-59 in the workforce, while the increase of the older male workforce is projected to be less than 1.9 million.

The older workforce is more stratified than the younger one. Older workers with qualifications and high status jobs tend to delay retirement out of choice: they enjoy work and have the ability to tailor their work to their needs. Those without qualifications and in manual work are more likely to either be pushed out of work early due to health issues or be forced to stay longer because they lack pensions and savings to retire comfortably. The workforce is forecast to become more stratified over the next decade, and unions will have a big challenge in ensuring that older workers in manual and low skilled work have decent opportunities to move out of physically demanding work.

Changing pension entitlements

Major changes have occurred in both the state and public sector pensions. The State Pension Age (SPA) is scheduled to rise to 68 by 2029, and members of the largest public sector pension schemes who are under 50 will see their normal pension ages² linked to the rising SPA. Private sector pension entitlements are shrinking and many businesses have closed their defined benefit pension schemes to new employees, while a few have also closed them for existing members. Against this background, the National Employment Savings Trust (NEST) is being rolled out by 2018. While requiring automatic enrolment of most employees, membership is not compulsory as employees can opt out.

With rising pension ages, unions are campaigning and bargaining with employers to ensure that older public servants are working in jobs in which they will be able to work to normal pension age. The health sector unions, for example, are working with employers on a review of the impact which higher pension ages will have on the delivery of National Health Services.

The recession and public sector austerity

Older workers' participation rates have not fallen since 2008, and for those over 65, they have continued to rise significantly. Unlike in previous recessions, it appears that many private sector employers held onto their more experienced

² Defined as the age at which an employee is eligible to retire on a full pension

workers, opting instead to make use of flexible working arrangements to reduce labour costs. Both private and public sector organisations also had less scope for using early retirement incentives to encourage older employees to leave work early. For example, since 2008, local authorities have had to meet the costs for the early retirement of teachers. Older workers are also less likely to accept early retirement than they would in the past, in part because of continuing financial commitments such as a mortgage (AVIVA, 2013). That said, early retirement is still being used by some public sector organisations to manage job attrition, with 17,400 civil servants taking early retirement between 2010 and 2012.

However, with the decline in early retirement, there has been a rise in redundancies of older workers – 1.8% of the 50-59 year old workforce is out of work because of early retirement, but 2.6% are unemployed or inactive for reasons of redundancy.

Trade unions in both the public and private sector also report an increase in case load resulting from older workers being pushed out of work on performance or ill-health grounds. Women in particular are likely to be pushed out of work before reaching the state pension age on health grounds. As an official of the NUT noted:

“The horror that I see for colleagues, which I just can't believe would be the case, is that you will be pressured and that you will end up going either through sickness or stress or capability when you've had 30 years as an excellent teacher.”

There is a significant gap in the delivery of job-seeking support for the older unemployed, one third of whom are out of work for over a year before they find work. Older unemployed find job-seeking more difficult than their younger equivalents, as they are less likely to have formal qualifications and are reliant on the skills they have generated from work experience, and employers tend to value formal qualifications over experience (Kirkpatrick, 2012).

Abolition of the Default Retirement Age

The Default Retirement Age (DRA) was abolished in 2011. This was something which the TUC supported, recognising the injustice of forced retirement based solely on reaching a certain age.

A 2010 Supreme Court ruling³, however, gave employers some leeway in justifying reintroducing mandatory retirement ages for workforce planning reasons. Cambridge and Oxford Universities have done so for academics, but few other employers seem to be following their lead, although it seems a majority of employers are still struggling with the concept of not having a fixed

³ Seldon v Clarkson Wright and Jakes [2012] UKSC 16 SC

retirement age for their workforce as many say they would like to see the DRA reintroduced (Irwin Mitchell, 2012).

While most employers have not reintroduced a retirement age, it is still fairly uncommon for employers to introduce phased retirement options (such as flexible working, mentoring and job rotation) for employees who would like to delay retirement and work to later in life in different roles or working hours. Some organisations, such as BAE Systems have, and as well as giving individuals more choice around retirement, they have found that it benefits the business as it enhances workforce planning.

Age, work and performance

Older workers are less likely than young ones to have access to training and development, career planning support and opportunities to change jobs, either laterally or through promotion.

Historically, employers have allowed employees to “coast” to retirement, but unions report that many are now using capabilities and performance routes to dismiss older employees, and trade unions report that those older workers who are “performance managed” are often given inadequate support to improve their performance. As a Unison officer noted:

“a problem in your performance should not come as a shock to you, therefore it should be proactively managed. Managers have been very poor, to date, at managing that process.”

Older workers are less likely to participate in workplace learning than younger ones and they have fewer opportunities to train. However, Unionlearn has a good record of matching training and development needs of employees with the business demands of the organisation because workers are more likely to reveal their needs to a fellow worker – a workplace Union Learning Representative – than a manager. Unionlearn has recently been involved in a successful pilot of mid-life development reviews for 50+ workers.

Work intensification and health

Ill-health remains the main reason for labour market inactivity for people in their fifties (44% of those aged 50-59 who are inactive are long-term sick or disabled according to the Labour Force Survey), and 30% of those who are inactive for health reasons would like to return to work.

In addition, unions in many sectors report higher levels of workplace stress as work has become more intensified, especially in teaching, call centres, and retail and this will impact on health and longevity in work. Few examples were given of employers providing workers with support in managing workload.

This is in marked contrast with other European countries such as Germany and Finland in which unions and employers are working in partnership to

adapt workplaces to prepare for ageing workforces. However, employers in these countries face greater pressure to make adaptations for older workers, as they are less able to dismiss older workers before pension age.

In the UK, public sector pension ages are rising – eventually to 68 – and unions are putting pressure on employers in the public sector to review work processes with a view toward preparing for ageing workforces. Also, skills shortages may push more employers to make better use of their older skills sets.

Ageing union membership

Trade union membership is ageing faster than the UK population as a whole, and most unions have active retired membership bases. Although precise figures are hard to attain, one source estimates that 10% of union membership is retired or otherwise out of work (Carney, 2009). Retired union members tend to be fairly active constituencies, and are important sources of support and activism for many unions. However, retired members can feel marginalised within their unions. Some unions, such as UNISON and UNITE have developed self-organised groups for retired members to have influence over union policy making. The NUJ has recently established a 60+ group to represent older members, many of whom are freelance journalists or semi-retired. The group has become a major asset for the union, for example, in assisting with campaigns on freelancers' rights and in helping to organise and retain members.

As boundaries between working life and retirement are more permeable now than a decade ago – a more inclusive approach to retired and semi-retired activists holds many of the same benefits to trade unions as older workers do for business.

Seven key recommendations

Recognise diversity within the older workforce

The older workforce is not a homogenous group. As people age, divisions between the rich and poor grow and become more defined. The TUC has highlighted significant inequalities in terms of class, gender and geography in life expectancy, physical ability to work and retirement income (TUC, 2013). Clearly, some older workers are delaying retirement because they want to do so. Work gives them the opportunity to maintain income, status and social networks. But others are compelled to work longer by poor retirement savings and pensions, some would like to work but are limited by health problems and some are incapable of working for longer because of ill-health or disability. Older workers are looking to their unions to support them in a variety of ways: not only in protecting pension rights (although this is very important), but also supporting life-long learning, work-life balance and healthy working

environments. Different older workers will be looking to their unions to help them get the right balance between work and retirement.

Work needs to be better tailored to older workers

The government has raised the State Pension Age (SPA) to 68 and has linked the largest public sector normal pension ages to it for workers who are now under 50. These changes have been pushed through, although unions will continue to look for opportunities to lower pension ages, especially for workers in physically demanding or stressful work. Unions also need to use their organisational strength to push employers to revisit how they manage work in later life with a view towards promoting healthier and higher quality workplaces for older workers.

Hold the line on the Default Retirement Age

The abolition of the DRA in 2011 was a positive step in tackling age discrimination in the labour market. But the main employer bodies were not supportive of this change. Many employers appear reluctant to change their working culture and practices to ensure more age inclusive workplaces and are more concerned with how to get older workers to exit the workplace without a fixed retirement age. Unions need to press employers to do more on creating age inclusive workplaces and to hold the line on the repeal of a fixed retirement age.

Campaign for a fair deal for the older unemployed

Despite rising older workforce participation rates, many older workers are being forced out of employment. 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 ones for entry level work. There is a big gap in the support provided to older unemployed by government and other stakeholders, but good international models, including in Japan, could be followed to address this.

Support career development for older workers

Most employers focus their performance management and appraisal systems on their younger employees. They want to make sure that newer employees can complete the tasks required of their jobs and want to foster career development for those starting to make their way up the career ladder. Older and longer serving employees usually receive less attention, partly because they have already demonstrated that they are competent in their work, and partly

because they are assumed to be settled in their jobs. Mid- and late-career reviews are opportunities for older workers to consider their career plans with the support of their employers, managers and trade union representatives. Unionlearn and union learning reps have proven to be effective vehicles in promoting such planning.

Promote healthy working

Although technology, regulations and trade union action have reduced the number of jobs which are physically damaging to health, work in most sectors has intensified through the recession and the number of older workers who are forced out of work for stress related reasons has increased (Houdmont et al., 2012). Both young and older people experience stress in work, but the latter are more likely to be permanently forced out of work because of it. Over half of people 50-59 who are out of work for ill-health report a stress-related or mental health issue.⁴ Action needs to be taken to address work intensification and stress, as well as the physical aspects of work, to enable extended working lives.

Give voice to retired union members

About 10% of trade union members are outside of employment, most of whom are retired. The retired constituency has a wealth of knowledge and experience which can benefit the union movement. As the boundaries between work and retirement are becoming more permeable, there is a case for older, retired and semi-retired members of unions having greater involvement in union matters.

⁴ Labour Force Survey Spring 2013

Introduction

Retirement ages are rising in the UK. Labour market participation rates of men aged 55-64 have been increasing since the 1990s and women in this age group have seen a steady increase in their participation rates since the 1970s. 19.5 percent of people 65 and over are in work which is an all-time high.⁵ This is partly due to changes in the labour market – there has been a long term upward trend in women’s labour market participation, for example – as well as changes in employment law and pension rules.

The 2006 Employment Equality (Age) Regulations (now part of the Equality Act 2010) followed by the 2011 abolition of the Default Retirement Age (DRA) have made it easier for older workers to delay retirement, while changes to state and occupational pensions have limited early retirement routes. Since 2010, there has been a significant drop in older women’s economic inactivity rates which can be directly explained by the raising of the state pension age for women. Further planned rises are likely to lead to more older women seeking work (TUC, 2014.) Culturally, older people’s views of work are changing as well, with more considering flexible retirement arrangements. Against this background, people are living longer, and the UK population as a whole is getting older.

Views on age and work within trade unions are also changing. In the past, unions have sometimes favoured early retirement as a way for employers to manage organisational change (Ebbinghaus, 2001). Early retirement was meant as a way to free up jobs for younger people while rewarding older workers for a life of work with a longer retirement. However, demographic changes have made such policies largely unsustainable. The UK is facing potential labour and skills shortages, if businesses do not make use of the older workers’ skills and experience.

Additionally, while poor quality work is bad for older people’s health and well-being, good work can bring benefits such as social engagement, identity, routine, intellectual stimulation and money (Black, 2008). Consequently, while trade unions have continued to fight for the protection of pension rights and retirement options through campaigns such as “68 is too late”,⁶ the union movement has also focused campaigning on measures to enhance the quality of working life and employment protection for older workers. The TUC was an early supporter of the age discrimination regulations (TUC, 2003) and supported the abolition of the DRA (TUC, 2011). Further, individual unions, while protecting pension rights for older members, have negotiated

⁵ IBID

⁶ <http://www.68istoolate.org.uk/>

arrangements concerning flexible working, healthy work environments, lifelong learning, and re-employment to support older people in maintaining sustainable employment.

The aims of this research were: to identify and share ways in which unions are promoting healthy and high quality workplaces for older workers; and to find out what union officials and representatives at the national and workplace levels see as the major bargaining issues in relation to ageing workplaces. The report is based on interviews with officials and representatives of public and private sector trade unions as well as focus group discussions with older people both in and out of work. Table 1 gives a full list of interviewees.

Figure 1: List of interviews

Sector	Trade union interview	Focus group	Other
Finance	Unite the Union	Call centre employees	HR managers
Education	National Union of Teachers; Association of Teachers and Lecturers	Teachers, NUT workplace representatives	Head teachers, Local authority HR managers
Civil Service	Public and Commercial Services Union	Retired and unemployed civil servants	
Higher education	University College Union		Individual responses from academics
Retail	USDAW	Retail employees	Supermarket manager
Health	UNISON		
Manufacturing	Prospect		

Particular objectives of the research were:

- To identify HR approaches which employers are taking with regard to managing age, work and retirement; the reasons behind such HR policies and practices; and their impact on older workers
- To identify instances in which approaches to age, work and retirement have been negotiated by social partners
- To assess the impact of the current economic climate on older workers' employability, with a particular focus on the impact of public sector austerity measures on older public servants
- To look at whether organisations which are either raising pension ages or reducing pension rights are also supporting older employees in delaying retirement.

HR policies and practices to support age diversity can be broadly categorised into the following areas, taking definition according to EUROFOUND

(Naegele and Walker, 2006), the ILO (2009), the United Nations (2006) the Department for Work and Pensions (2013a) and the TUC's own age diversity good practice guide (Flynn and McNair, 2011):

- *Flexible working hours*: the opportunity to adjust working hours in order to improve work/life balance; accommodate caring responsibilities; or participate in voluntary work or other retirement activities
- *Lifelong learning*: the opportunity to improve one's skills through training, especially employer sponsored workplace training
- *Job rotation*: the opportunity to adjust job content through promotion, lateral transfer or winding down towards retirement. This can also include measures such as experienced workers engaging in skills transfer, for example, by mentoring younger workers
- *Healthy working*: Interventions to improve health and well-being and to address physical and mental health risks associated with work
- *Age inclusivity*: the promotion of age inclusive work environments through formal age equality and diversity policies; age mixed work teams; and age management training for managers
- *Pre-retirement planning* so that employees can make informed choices on when they retire and how they can afford to retire comfortably
- *Career planning and appraisals* so that employees, especially older ones have the opportunity to discuss their plans with their managers about their work and retirement plans, as well as what support they need to make the best use of their skills, experience and abilities.

Pension and retirement ages are important influences on age management HR policies and practices. In all of the workplaces which were investigated for this report, pension schemes are in the midst of transition – most prominently in the form of rising state and occupational pension ages; increased employee contributions; and (in the private sector) shifts from defined benefit to defined contribution schemes. Only one of the workplaces investigated has reintroduced a mandatory retirement age (Oxford University).

However, the aim of this report is not to discuss what the state or occupational pensions ought to be or to discuss the merits of government changes to the public or public sector pension rights. Such debates are being had elsewhere. Trade unions are running high profile campaigns to protect pension rights, including the “68 is too late” and “Protect our pensions” campaigns.⁷

Protecting older workers' employment rights and pension entitlements are not mutually exclusive endeavours as they have the common denominator of promoting choice for older people in terms of work and retirement planning.

⁷ <http://www.pcs.org.uk/en/campaigns/national-campaigns/pensions/index.cfm>

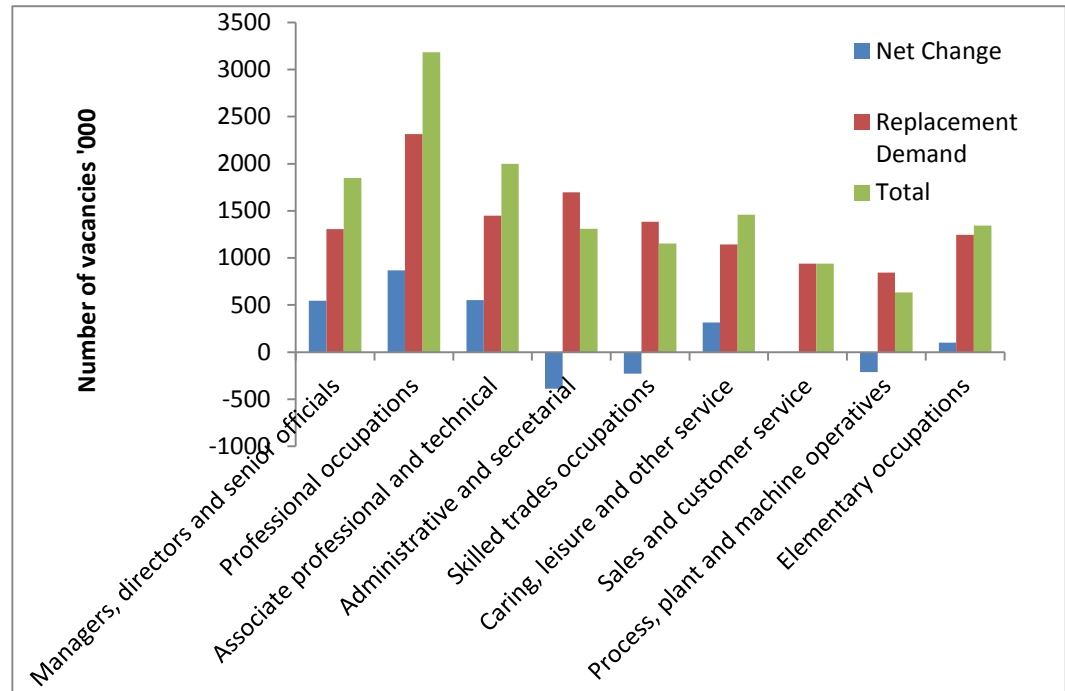
While the TUC has campaigned to protect pension rights, it has also campaigned to protect older workers from ageism, including through seeking the abolition of the default retirement age. Together with the Chartered Institute of Personnel and Development, the TUC issued an age management good practice guide aimed at supporting social partners in developing HR policies and practices which support older workers in work (Flynn et al., 2013).

Skills and labour shortages

The UK Commission for Employment and Skills predicts that over the next decade, 13.5 million vacancies will open up in the UK: 12 million from workers leaving the labour market (e.g. through retirement) and a further 1.5 million vacancies from the creation of new jobs (UKCES, 2011). According to Government Actuary Department statistics (Department, 2011), only seven million young people will be leaving education and entering the job market. This suggests that to meet projected business demands, an extra 6.5 million workers are needed. While migration and advances in technology are expected to meet some of the demand for workers, employers will also have to look to older workers to fill some of this demand. It's also important to note that businesses don't just need more workers: they need workers with skills and experience. According to research conducted for the then-Learning and Skills Council, 45% of hard-to-fill vacancies resulted from employers being unable to find applicants with the right skills, and 25% couldn't find applicants with the right experience.

The UK Commission on Employment and Skills projects 56% of the net increase in jobs over the next decade will be filled by women, and the majority (57%) will be part-time employment. Figure 1 shows the projected number of vacancies by occupational group. The biggest demands for workers will be in professional and managerial occupations which covers a wide range of jobs such as doctors, engineers, teachers and other jobs which require a university or sometimes a post graduate degree as well as some experience. There will also be a significant increase in demand for care workers, as the population ages and the number of elderly people needing care increases. Note that some occupations such as administrators and skilled trades are forecast to see a net decrease in the number of jobs. However, the large replacement demands (i.e. people leaving the labour market) will keep the demand for qualified workers high.

Figure 1: Vacancies over next 10 years due to replacement demand and job growth



Source: UKCES

Not only are demands for workers increasing, but the nature of work in most industries is changing. This brings potential opportunities for older workers to transition into jobs which make better use of their skills and experience. A good example is the manufacturing sector, which accounts for the majority of UK exports and three quarters of research and development. Eight hundred thousand vacancies will need to be filled over the next decade, mainly as a result of workers retiring. However, trends in how manufacturers deliver products, such as ‘servitising’ mean that older employees’ experience and knowledge in providing services could be used to meet customer needs (McNair et al, 2013).

The changing labour market therefore provides potential leverage which trade unions can use when campaigning for workplaces which meet the needs of an ageing population.

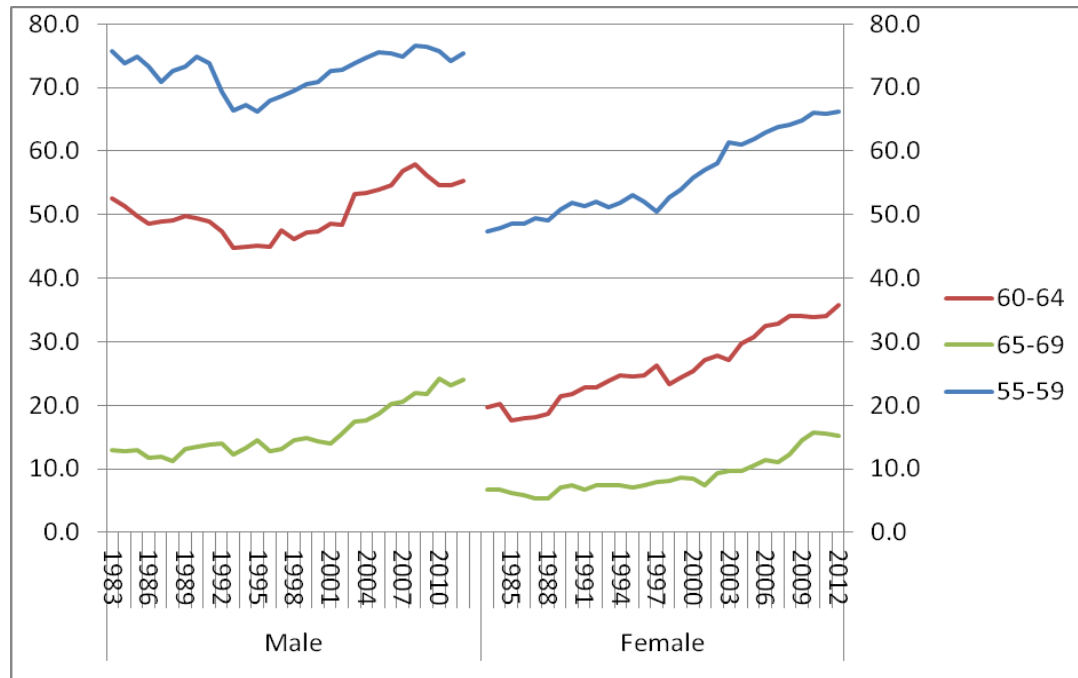
Older workforce participation

The UK, like most European countries passed through the “demographic window” – the period in which the working age population rises as a proportion of the overall population – well before the turn of the twentieth century (Kasprowicz, 2013). However, few employers, governments or trade unions paid much attention to the need for society to prepare for ageing populations until 2001 when the European Commission issued the Lisbon Protocol requiring EU member states to take initiatives to raise both real retirement ages and workforce participation rates for people aged 55-64. One of the few organisations to take an early focus on the impact of ageing populations was the International Labour Organization which in 1980 passed a resolution (R162 (Older Workers Recommendation)) which recommended that “older workers, without discrimination by reason of age, enjoy equality of opportunity with other workers” in regards to training, use of skills, employment security, remuneration and social welfare, conditions of work and access to housing and healthcare.

The UK was one of only five EU member states to achieve 50% labour force participation rates for 55-64 year olds by 2005 (Kok, 2004), but other states such as Germany have since caught up (Muller-Camen et al., 2011).

Figure 2 shows UK older workforce participation rates over the past thirty years. Women’s participation rates have steadily increased over the past three decades, particularly those under 60 who are approaching parity with their male equivalents. For men, the picture is slightly different. Male post-65 participation rates have almost doubled in the 21st century. However, for men aged 55-64, participation rates bottomed out during the 1990-93 recession, and took almost another decade to reach the same levels of participation.

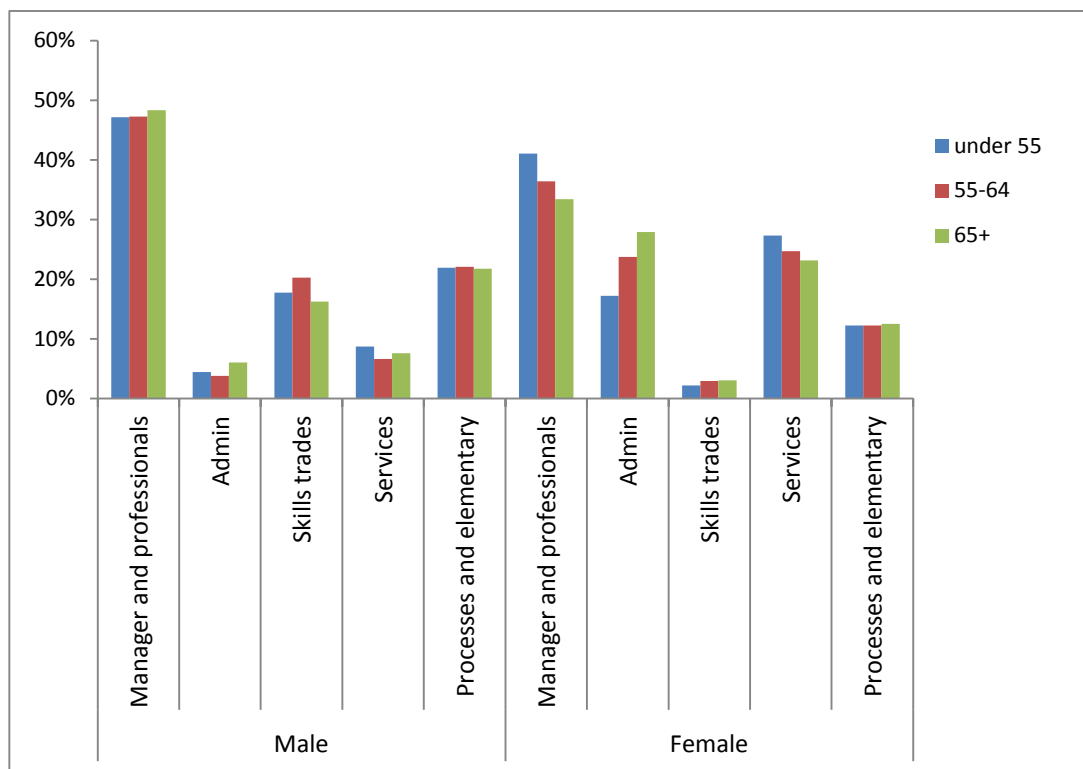
Figure 2: Labour Force participation rates of older workers 1983-2013



Source: EUROSTAT

Older men are concentrated in the banking, public services, manufacturing, catering and construction sectors. Older women are heavily concentrated in public services – over half of women employees aged 55-64 work in the public sector. Past 65, public sector employment remains high for women but drops significantly, mainly reflecting their entitlements to occupational pensions which currently allow for retirement between 60 and 65. Catering services are also significant employers of women past the age of 65.

Figure 3: Older workforce participation by occupational group



Labour Force Survey October to December 2012

The workforce profile by occupational group shows significant gender differences. Older male workers are concentrated in executive, managerial and professional services. These jobs may be in financial and business sectors which employ the highest proportion of 65+ men. Older managerial and professional women, on the other hand, steadily leave the labour market, while the proportion of women in administrative positions rises after the age of 65.

There are a range of reasons for the differences in profiles. First, the State Pension Age (SPA) for women is lower than men, although rising to parity by 2018. However, older women also frequently have gaps in occupational pension contributions and, until the introduction of the National Insurance Carer's Credit in 2010, many women lost out on State Pension credit during periods in which they were full-time carers. Consequently, the older women's workforce is more clearly divided between those who can afford to retire on adequate pensions at or before State Pension Age (SPA) and those who must continue working beyond SPA for financial reasons. Second, as noted above, the older female workforce is concentrated in the public sector where pension ages for the current cohort of workers remains between 60 and 65 and it is therefore expected that most would retire when they reached their normal pension ages.

Although financial circumstances have a significant impact on retirement decisions, many older workers, particularly those in managerial and professional positions (the largest occupational group cohort) stay economically active for other reasons such as enjoying work, maintaining workplace relationships with colleagues; feeling valued and maintaining work identity. Surveys in the UK and other countries have shown that older workers would like to delay retirement if they have the opportunity to work flexibly, balancing work and retirement activities (McNair et al., 2004; AARP, 2013; AgeUK, 2010)

The older workforce is not a homogenous group, and it is important when considering why and how people retire to recognise that as people age, experiences with work, job autonomy and career trajectories diverge rather than become more similar. This is particularly true with regards to those who stay in work up to and beyond 65. Studies have shown that people with formal qualifications; in high status jobs; with good family relationships; and experience with voluntary job change are more amenable to delaying retirement (Flynn, 2010).

One of the key factors to influence retirement outcomes is job autonomy. Those workers who have the space in which to decide the kind of work they will do and how they will carry out their work can make adjustments which will enable them to balance work and non-work activities (McNair and Flynn, 2012). Inevitably, those with such autonomy tend to be those in higher status and professional jobs.

For the majority of British older workers, career planning tends to dissipate as they age. Job rotation, training and employer support for those with family responsibilities becomes less frequent, and appraisals become more of a 'paper exercise'. Further, older workers whose job performance is declining receive less support than younger equivalents in improving their productivity (Snape and Redman, 2003). Like younger workers, older people thrive when they have the support to stay productive and feel valued.

Pension rights

Changes in later life work patterns are occurring against the backdrop of significant changes to state and occupational pension systems.

State pension

The UK public sector expenditure on pensions is relatively modest by international standards, accounting for 6.2% GDP, against an OECD average of 7.8% (OECD, 2013). The gross replacement rate for an average earner is 31.9%, lower than every other EU member state except Ireland; and there are 2.5 million pensioners in the UK classed as in poverty although numbers have been falling (Cribb, 2013).

The present coalition government has put forward proposals to reform the state pension first by restoring the link between the state pension and increases in average earnings; second, by introducing a universal pension of £144 per week for those completing 35 years of contributions and third, by eliminating the second pension (and with this, eliminating the system by which people who are members of employer provided defined benefit pension schemes can contract out part of their contribution thereby paying a lower rate of national insurance) (DWP, 2013b).

The State Pension Age is also rising. The government aims to equalise women's and men's pension ages by 2018. The previous Labour government had set in motion the raising of SPA for both men to 65 and women to 66 by 2026 to 67 by 2036 and to 68 by 2046. Under the Pensions Act 2011, the coalition government has accelerated the rise in SPA to 66 by 2020. The Chancellor has also indicated that the rise in SPA to 68 will likely be brought forward to the mid 2030s with a further rise to 69 by the mid 2040's.

Occupational pensions in the private sector

Against this background, the provision of occupational pensions by the private sector is low and reducing. According to the last Department for Work and Pensions (DWP) Employer Pension Provision survey, while 86% of private sector employees have access to a workplace provided pension scheme, only 24% have access to one which attracts an employer contribution. (Forth et al., 2011, p6) Further, half of all private sector pension schemes are closed to new members (ibid., p43). Usually, these are defined benefit (DB) pension schemes with legacy members with new employees offered membership in defined contribution (DC) schemes. Some high profile employers, including Barclays, Fujitsu, WH Smith and BP have closed DB schemes to both new and existing employees. Not only are DC schemes riskier for employees, but average

retirement income can be significantly lower. According to a study by the insurer Prudential, income from a DC scheme can be as low as 28% of a final salary scheme. That said, there have been some successful union campaigns to preserve DB pension schemes. One is in the former British Steel where Community and the owner Tata negotiated an agreement which involved raising employee and employer contribution rates and the creation of a nursery pension arrangement for new employees before they transition into the main scheme. According to a Community senior official (interviewed for an earlier piece of research in 2009), the union's campaign to maintain the final salary scheme was a high, if not the highest priority for the workforce, as employees, especially blue collar workers, faced considerable economic uncertainty given the changes in the global iron and steel market (Flynn et al., 2013).

Despite a few modest examples, private sector pension provision remains low. Employer contributions to DC schemes averages 6.4% and this figure only represents the minority of employers which offer employer funded pensions (Forth and Stokes, 2012). In response to the Pension Commission Report, the Pensions Act 2008 set in motion the creation of the National Employment Savings Trust scheme, as a vehicle for pension savings for workers without access to an occupational pension scheme. From 2018, employees will be auto-enrolled into schemes which their employers nominate. Pension savings are accrued through a combination of employee and employer contributions as well as tax relief.

There are few examples of employers in the private sector aligning pension reforms with age management HR policies. One manager who was interviewed for this report noted that the shift away from DB to DC would make it more difficult for employers like hers to offer “pull” incentives either to encourage older workers to take early retirement or extend working life. She described this as an own goal for businesses which are attempting to change their employees' retirement goals.

Public sector pensions

Most public sector pension schemes have undergone significant change in the past decade. In 2006-2007, pension ages were raised from 60 to 65 for new entrants into the largest public sector schemes and the 85 year rule⁸ in the Local Government Pension Scheme started being phased out. The civil service pension final salary scheme was closed for new entrants and replaced by a career average scheme. In the largest public sector pension schemes, enhancements were introduced for late retirement pension deferrals for some pension scheme members and more stringent rules were applied to ill-health benefits for others.

⁸ Whereby an employee could retire on a full pension when her/his length of service plus age equalled 85.

The present government has introduced much deeper cuts in public sector pensions, with changes affecting both new and current members. Since 2011, the main changes include a switch from Retail Price Index to the less advantageous Consumer Price Index for calculating uprating of deferred pensions and an increase in employee contributions. Other major changes include a switch from final salary to career average revalued earnings; and linking of occupational pension ages to SPA which, as mentioned above, is scheduled to rise to 68 with further reviews every six years from May 2017.⁹

According to NUT officers interviewed for this report, the rise in pension ages has been the most difficult of all the changes in the pension reform. Teaching is predominantly a female profession and many union members expect to retire at 60, which until 2010 was both the SPA and occupational pension age. According to the European Working Conditions Survey, teaching is also a stressful occupation, with higher incidences of bullying, fatigue and incapacity than other occupations. Although teachers' average retirement age is gradually increasing, there is doubt that many teachers will be able to continue working until 68. In anticipation that many teachers will retire before SPA, the TPS Proposed Final Agreement includes a special actuarial reduction for teachers who retire between the ages of 65 and SPA: 3% rather than 4.5%. However, it was noted that it would become increasingly difficult for teachers who continue to want to retire at 60. It was also noted that the move to career average would create a disincentive for teachers to phase into retirement. Under the final salary scheme, pension entitlements were calculated on the basis of the better of last year of service or best 3 consecutive revalued years in last ten. A teacher could therefore move to a lower paid job in her/his last year of service without suffering a pension detriment. This calculation is not a feature of the new career average scheme.

In fact, very few changes were introduced in any of main public sector pension schemes to incentivise extended working life in the latest round of pension reform.

In the National Health Service, unions negotiated an agreement with government to convene a Working Longer Review partnership group to investigate the impact of higher pension ages on the delivery of health care services.¹⁰ In advance of the review, the unions aimed to bring together various sources of data to show retirement patterns within different occupational groups. It was noted that the review group will be paying particular attention to health related job risks faced by different occupational groups to, first, identify ways in which such health risks can be minimised and, second, to consider whether normal pension age rules should be adjusted for specific

⁹ The link between public sector pension ages and SPA applies to members who are 49 and under. Those 50+ will maintain their existing pension ages.

¹⁰<http://www.nhsemployers.org/PAYANDCONTRACTS/NHSPENSIONSCHEMEREVIEW/IMPACTOFWORKINGLONGERREVIEW/Pages/WorkingLongerReviewSteeringGroup.aspx>

occupational groups. The working group also has a remit to identify effective HR practices for supporting older workers who delay retirement.

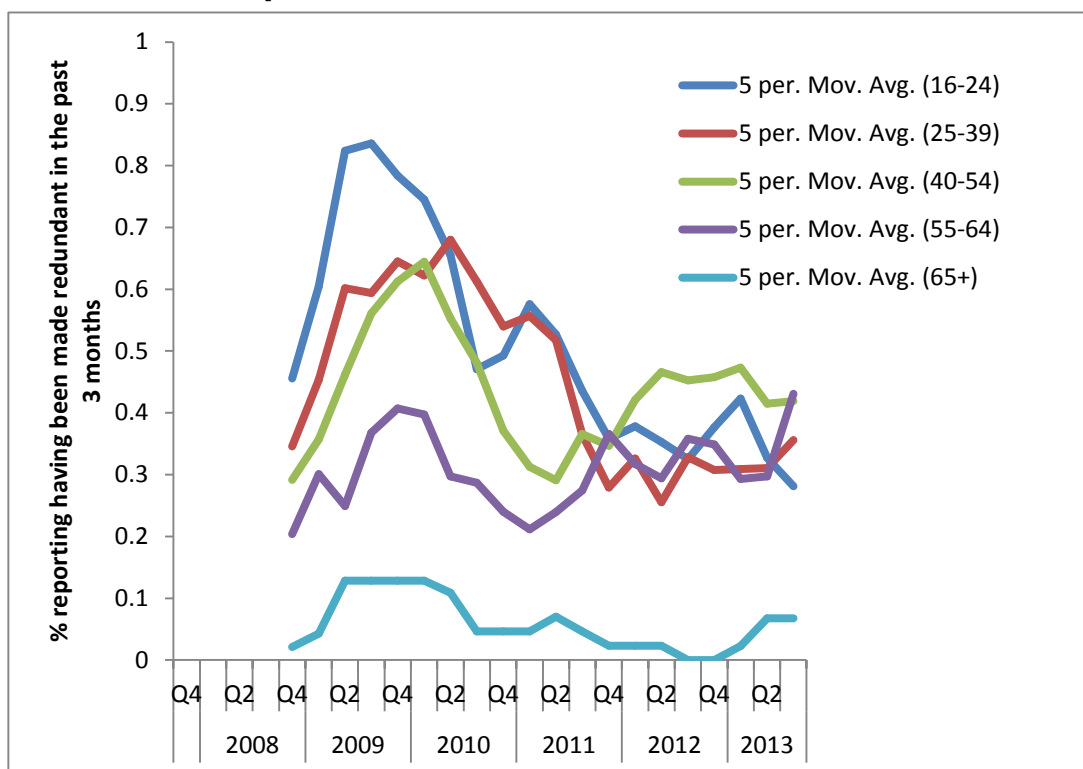
Although the Public Sector Pensions Act 2013 has received Royal Assent, and normal pension ages are rising in line with SPA, trade unions are now focused on tailoring both the pension systems and HR practices to fit the occupations of their members. As an NUT respondent noted, its focus on actuarial reductions reflects the difficulties which teachers will have staying in work to SPA, whereas unions representing civil servants and local government workers are focused more on the affordability of pension contributions and reducing the number of workers who opt out. The NHS Working Longer Review group is perhaps the best example of unions using the industrial leverage to facilitate an industry wide review of HR practices in relation to age and work.

Recession and austerity

Older workforce participation rates have largely reflected wider trends in the UK. During the 1980s and 1990s, macro-economic shifts from manufacturing to service related industries meant losses of high paid blue collar jobs (Phillipson, 2002). This job attrition particularly hit older men who were permanently displaced from the labour market through employer and (until 1989) state-sponsored early retirement schemes (Kohli, 1991). High paid, full-time blue collar jobs were replaced by lower paid flexible service related jobs – as part of the so called ‘feminisation’ of work. This accounts for not only rising participation rates of women, but also men over 65 who are predominantly working in part-time jobs (Beck, 2000).

While the recession of the early 1990s saw a precipitous decline in older male participation rates, a similar drop did not occur in the more recent recession. Labour market displacement mainly impacted younger workers, especially those without formal qualifications (Bell and Blanchflower, 2010). Figure 5 shows the redundancy rates since 2007, with young people mainly being displaced during the initial spike in job attrition. Unlike in previous recessions, it appeared that private sector employers had held onto their more experienced workers, opting instead to make use of flexible work arrangements to reduce labour costs (KPMG, 2010). The dearth of private sector defined benefit pension schemes also reduced the scope for employers to use early retirement incentives as a way to deal with job attrition. Redundancy rates of older workers are only now catching up with younger equivalents as public sector organisations are making job cuts.

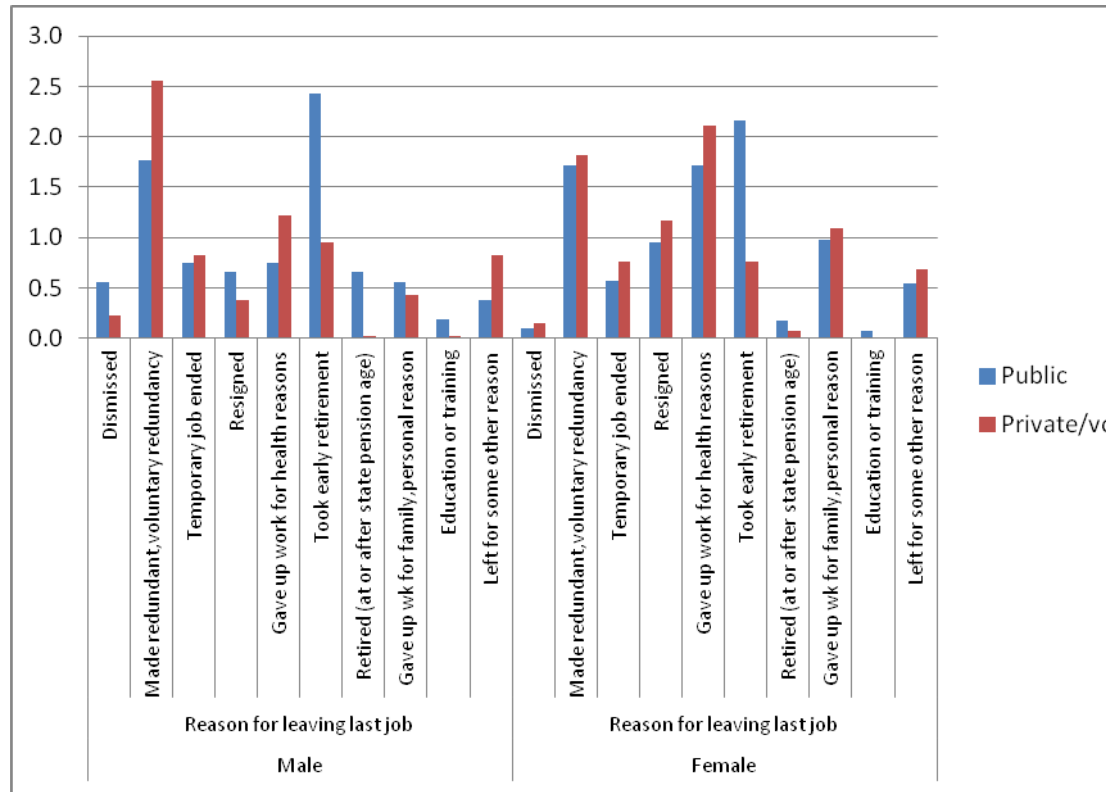
Figure 5: proportion of workforce which has been made redundant in the past three months



Labour Force Survey Five Year Longitudinal Dataset

Since 2009, more public sector workers in their fifties have permanently left the labour market than their equivalents in the private or voluntary sector. For women the figures are 9.0% and 8.6% respectively, but for men the gap is slightly greater (8.7% and 7.5% respectively). The main reason for displacement in the public sector for both men and women has been early retirement. In the private sector, men are most likely to be pushed out of work through redundancy while women are most likely to be pushed out for reasons of ill-health (see figure 6).

Figure 6: Reason for permanently leaving labour market 50-59



Labour Force Survey October to December 2012

Central total figures on the number of early retirements are not available. However, the National Audit Office estimates the number of civil servants accepting early retirement or redundancy between 2010-2012 to be 17,800 (NAO, 2012), while the Audit Commission Scotland (Scotland, 2013) estimates 14,000 public servants in Scotland accepted enhanced early departure offers. Neither report provides separate figures for redundancy versus early retirement (i.e. including enhanced pension entitlements). In terms of labour market participation, there is a great amount of overlap between the two since many who take early retirement end up returning to work (subject to abatement rules), while many older workers who are made redundant are permanently excluded from the labour market.

According to the Resolution Foundation, the labour market participation rates of 50-64 year old people in Scandinavian countries is around one-fifth higher than that of the UK. Matching such rates for just the 60-64 year old group could add another one million workers to the UK labour market (Cory, 2012). Another report for Age UK found that a 0.25% annual increase in older worker participation could add another 700,000 workers to the labour market by 2021 (Meadows, 2004a). One in four people 50-64 who are out of work

would like to get back into employment. Two thirds of these are either unemployed or long term disabled.

The Resolution Foundation notes that the largest cohort of economically inactive people under SPA are not the wealthy who have retired on sufficient savings, but low and middle income people who have been pushed out of work through poor health, caring responsibilities, or redundancy and find it difficult to return to employment.

One of the main barriers which older displaced workers have is the lack of targeted support for them in finding re-employment. The previous Labour government had introduced modest programmes such as New Deal 50+ and Flexible New Deal. However, these have been replaced with the Work Programme which may rely heavily on job clubs to encourage older people into self-employment (Ball, 2010).

Jobcentre Plus does not offer specific support for older workers and JCP advisers often favour younger workers when filling vacancies partly because younger unemployed are more likely to hold formal qualifications than older ones (Baker, 2009) and partly because of political pressure to lower youth unemployment (Kirkpatrick, 2011) That said, job placement programmes which have targeted older unemployed have yielded better results than those focused on the young unemployed (Clayton and Brinkle, 2011).

Older workers struggle in open labour market

An example of the difficulty faced by the older unemployed was given in a discussion group among retired civil servants that was carried out for this research. Jane (pseudonym) had been made redundant in her early fifties from a privatised part of the Civil Service. She had received financial planning help but no help in career planning. She signed up for a course in bookkeeping but was unable to translate her training into stable work. She also applied for a number of jobs, but lost out to younger job applicants. Jane noted that she has years of experience in public services, administration, and management. She has topped up experience with further training. Her difficulty is demonstrating the value of her skills to potential employers.

By contrast, Carl, a civil servant who had retired related his experience in being called back to work from retirement to help archive documents. His line manager had asked him to help organise the process, aware that Carl had a high level of understanding about the material to be organised. Rehiring him was therefore thought to be a good choice for his manager, as Carl did not have much of a learning curve to overcome.

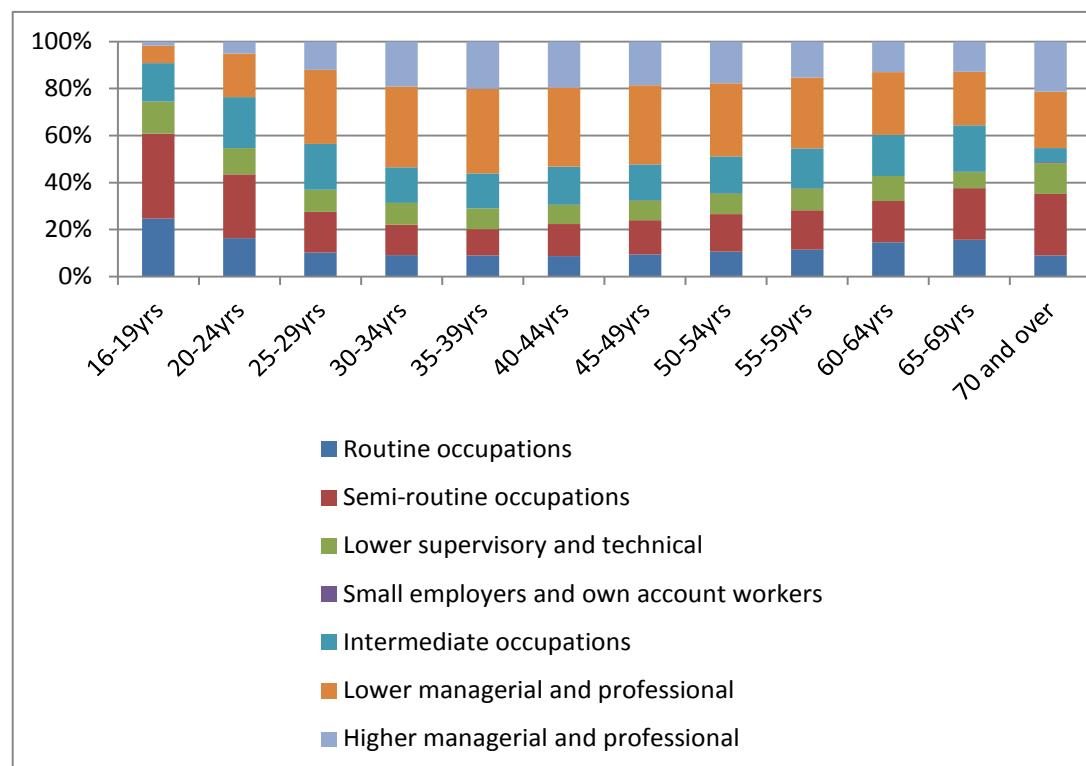
Many companies at a corporate level are following the same approach as Carl's manager: creating systems to enable retired employees to be offered temporary work for specific jobs which require a high level of tacit knowledge and experience. American Express, for example, regularly advertises fixed term

jobs through its retired members association. NHS surgeries also employ retired doctors and nurses in locum capacities. The practice can be controversial. On the one hand, opportunities for short term work can enable retired workers to not only top up income, but also maintain social networks and stay engaged in their lines of work. Like Carl, older workers who take advantage of such schemes not only are able to come back to work, but to find jobs which match their skills. On the other, such practices can create closed labour markets which exclude displaced older workers like Jane who may be equally qualified but lack the connections to secure employment.

The result can be described as an hour-glass labour market. At the top of the older labour market are those older workers with good social networks, sought after skills, and career histories with employers which facilitate re-employment in similar roles. At the bottom, are older workers in low skilled, low paid jobs in sectors such as retail where employers have shown willingness to employ an age diverse workforce. In the middle are displaced older workers who find few prospects to secure work which matches their skills and experience through formal recruitment processes and cold job applications.

The shape of the older labour market can be seen in terms of the occupational profile of each workforce group. The proportion of the workforce in routine or semi-routine work initially declines with age, reflecting people progressing from entry level jobs to more skilled work but then increases with age from 40+. Almost two-fifths of the 65-69 year old age group are in routine or semi-routine work, compared to one-fifth of the 35-39 age group. Similarly, the proportion of workers in the professional and managerial occupations expands with age, peaking for the 35-39 age group, with over half in those occupations, but then begins to decline somewhat.

Figure 7: Occupational profile of different age groups



Source: LFS, Spring 2013 (only those in employment or self-employment)

Underuse of older workers’ skills can be damaging not only to the workers themselves, but to the UK economy as a whole. The UK has chronic skills shortages, estimated by the Leitch Commission (2007) to cost the UK economy £80 billion over the next thirty years, and threatening vulnerable industries like manufacturing. The challenge for UK stakeholders, including trade unions, is to facilitate older displaced workers into re-employment appropriate to their skills and abilities. Some older workers can rely on their own social networks and former employers, but many cannot. Clearly, Jobcentre Plus and the wider job placement industry have not yet proved sufficient (Kirkpatrick, 2012). The Labour Party has recently considered the possibility of replicating the tailored job placement services which are provided to older jobseekers in Japan (LPC, 2013). As shadow DWP minister Liam Byrne noted: “We think older people deserve better. They deserve gold standard service to ensure they are adequately compensated in return for their contribution to the system, so

that they no longer feel that they are getting nothing out of the social security system.”

The Japanese government invested heavily in dedicated job placement agencies (government funded but run by charities) focused on unemployed people over 60. “Silver Human Resource Centres” provide bespoke job placement services for people who have officially retired from their main jobs¹¹ According to SHRC executives, older Japanese jobseekers usually have little and distant experience in pursuing employment, and the mandate of SHRC advisers is to provide support in CV writing, job placement, interviewing, obtaining feedback and accessing training. The organisations focus particularly on skills matching to enable job seekers to transfer between industrial sectors.

In the UK, some programmes have been developed at a local level to help older displaced workers find re-employment. As USDAW respondents to this research noted, the major retailers frequently work with local job agencies to fill posts with local workers. These programmes are not specifically targeted to older workers, but rather to people who have been unemployed for over a year, which often includes many older workers. USDAW workplace representatives frequently provide support for such programmes by helping new recruits who may have problems with employability. For example, union learning reps may help employees gain access to training.

One of the biggest challenges facing stakeholders in regards to ageing workforces is supporting displaced older workers into jobs which make good use of their skills and abilities. Although overall labour force participation of older workers is steadily rising, those who are pushed out of work through redundancy, illness or performance find it more difficult than younger people to return to employment. Half of those 50+ who are classified as unemployed have been out of work for over a year (compared with one-third of those under 50). The number of permanently displaced older workers is almost certainly higher, as many older unemployed reclassify themselves as retired.

¹¹ Up until 2013, Japan has had a mandatory retirement age of 63, which is two years before the country’s SPA. Under a 1994 employment law, employers are obliged to take active measures to support employees to stay economically active beyond retirement age at least up to SPA. As Japan has gone through over a decade of economic recession, Japan has co-opted the role of employers in supporting older workers into phased retirement.

Abolition of the Default Retirement Age

In 2006, the Employment Equality (Age) Regulations came into effect abolishing workplace related age discrimination. However, the government initially opted to set a “Default Retirement Age” (DRA) of 65 to allow employers to continue to lawfully dismiss employees at 65 or over provided they followed a set retirement procedure. Employers were obliged to consider requests from employees who wanted to continue in work beyond the DRA but they could easily turn down such requests. Employer bodies were supportive of the DRA. The Confederation of Business and Industry (CBI) argued that without it, employers would need to rely on dismissal procedures when terminating older employees’ employment, depriving them of the right to “retire with dignity” (CBI, 2003).

The Labour government had pledged to review the DRA with a view towards abolition within a five-year time frame. This review was brought forward and in October 2011, the Coalition government abolished the DRA. However, employers are able to retain mandatory retirement ages for their workforce or sections of their workforce, if they have an objectively justified reason for doing so. The Supreme Court has provided some guidance in *Seldon v Clarkson Wright and Jakes (2012)* on objectively justified mandatory retirement. It found three legitimate aims which the law firm was pursuing which justified the policy: workforce planning; retention of younger employees who sought the partnership Mr. Seldon occupied; and workplace collegiality, which included allowing Mr Seldon to leave “with dignity” rather than facing a long, drawn out dismissal (although some reservations were expressed about this).

While the *Seldon* case provided some scope to use workforce planning as a justification for mandatory retirement rules, it must be remembered that to justify such direct age discrimination, the rules must be both in the pursuit a legitimate aim *and* proportionate. Therefore, employers who seek to reintroduce a mandatory retirement policy need to be able to demonstrate that the objective of the policy (e.g. creating promotion opportunities for younger employees) could not be pursued through other non-discriminatory means.

Employer justified retirement ages

As of 2013, it seems only two major employers have reintroduced a mandatory retirement policy: Oxford and Cambridge Universities. In 2012, the universities set an employer justified retirement age of 67 for tenured

academics and some senior administrators. The policy did not extend to other staff. According to the Head of HR for Cambridge, Indi Seehra, the policy is justified because two-thirds of academic vacancies come about through retirement, and – absent a mandatory retirement policy – two thirds of older academics would plan to work beyond the age of 67. He noted that academics in the USA frequently stay in work into their eighties. The policy was therefore justified on the basis of intergenerational fairness; refreshment of the academy; preservation of academic autonomy and freedom; and equality and diversity in terms of reaching targets for gender and race representation.¹² Academics who want to stay in work beyond 67 have the right to request to do so and deans are obliged to consider alternative work arrangements which would enable continued employment while freeing up university chairs. In essence, the arrangements are similar to those set by the 2006 age discrimination regulations in which all employers were required to consider requests from employees to delay retirement, but could legally dismiss on the basis of age.

In both universities, the HR departments had established working groups in 2010 to make recommendations on the respective retirement policies in advance of the abolition of the DRA. Trade unions representing academic, technical and administrative staff were represented in the working group. The UCU, representing academics, had taken a strong position against retaining a mandatory retirement age. However, according to the UCU, there was some conflict between the unions at the local level which undermined staff opposition to the policy. Crucially, according to the UCU, the universities lack formal phased retirement policies to accommodate academics who either want to stay in work beyond 67 or wind down in advance of retirement.

Academics in the universities interviewed for this research report had mixed views on the policy. Some had accepted HR's argument that universities are unique institutions in which generational change is necessary for the robustness of intellectual exchange. It was noted that professors usually have developed networks and reputations which would allow for committed ones to continue in work in an affiliated capacity. Therefore, little HR direction is necessary to facilitate longer working life. But others described the case for mandatory retirement as flimsy and demotivating for older academics. Mandatory retirement was described as a proxy for more rigorous workforce planning which matches academic interests with the skills needs of schools and departments.

Thus far, it appears that few, if any employers will follow Oxbridge's lead in reintroducing mandatory retirement policies. Demonstrating that workforce planning aims could not be pursued through alternative non-discriminatory means is a high hurdle and, in most occupations, few employees seek to continue in work beyond SPA, although that may change in the future as

¹² <http://www.xperthr.co.uk/blogs/employment-intelligence/2011/11/cambridge-university-looks-set/>

people retire on lower pensions. In addition, many managers would argue for the importance of turnover to rejuvenate the workplace and create opportunities for younger employees.

How unions respond to employer initiatives to reintroduce mandatory retirement is an open question. On the one hand, most unions strongly supported the abolition of the DRA (TUC, 2011), and obviously do not want to see this public policy victory undermined. On the other, there are quite strong concerns, discussed below, about how employers are using alternative dismissal routes particularly in regards to performance assessments. Many union representatives noted that employers are using strict application of performance management procedures (often without providing older employees the chance to raise their performance to an acceptable level) to dismiss employees who in the past would have been mandatorily retired.

Although examples of innovative and effective approaches to phased retirement were cited such as the processes in place in BAE Systems and BT, the abolition of the DRA was cited as a contributory but not exclusive reason for such policies. In other words, while some employers have responded to the abolition of mandatory retirement by creating new career paths for older employees, others have sought new ways to dismiss older employees.

Phased retirement options are few

Prospect cited BAE Systems as an organisation that had taken a positive approach to managing age. It has a long standing phased retirement policy which allows employees to reduce their working weeks within their last two years of work. With management discretion, employees can also adjust their work responsibilities within five years of retirement, spending more time in mentoring and training roles. The phased retirement policy was negotiated over a decade ago, at a time when the company was managing job attrition. As an alternative to redundancy, the employer and union agreed the policy in order to introduce flexibility at the older end of the workforce. The company was able to reduce headcount without relying on compulsory retirement, and it was able to retain in-house knowledge by redeploying older workers to train younger ones. The policy has continued for over a decade, through peaks and troughs of demand. According to the Prospect respondent, the policy has been successful not only at an individual level (employees are making better transitions into retirement) but also in terms of workforce planning. The company can better manage workforce numbers by having systems in place to facilitate job change for workers who are approaching retirement age.

Similar phased retirement options are available in BT in which employees are given the opportunity to “wind down” (reduce working hours); “ease down” (reduce work responsibilities); become “helping hands” (take time volunteering); or “step down” (take a job with less responsibility) (Parry and Bown-Wilson, 2010). As with BAE Systems, the BT policy was developed at a

time when the company was managing job attrition and had a large cohort of older workers who had been recruited pre-privatisation (McNair and Flynn, 2005)

In addition, there are examples of enterprises facing skills shortages which are introducing flexible retirement options. NHS Trust Ashford St Peters manages skills shortages amongst medical professionals by inviting retired staff to return to work on a flexible basis and encouraging existing staff to delay retirement by reducing working hours, while some large construction firms are redeploying older staff to train younger staff. The common denominator between these organisations is not only that they have extended career opportunities for staff above normal pension age, but have also used job rotation, adjustable hours and training and development to manage workforce composition to meet peaks and troughs in demands. The employers and trade unions involved have identified win-wins for employees and the employers (Thomas, 2005).

Age, work and performance

Despite age discrimination laws being in place for several years now, workplace age discrimination remains a problem in the UK. Few organisations purport to follow explicit age discriminatory policies, such as specifying age ranges for certain occupations, and the majority of firms have equal opportunity policies which explicitly prohibit ageism (Metcalf and Meadows, 2010). However, negative stereotypes of older workers persist and impact on both their employability and access to training and career development (McNair, 2011).

Ageist stereotypes occur in two overlapping groups. First, the “master narrative of decline” highlights the deterministic relationship between age and physical and mental capacity (Trethewey, 2001). A review conducted for the then Department of Trade and Industry a decade ago found no evidence that mental capacity declines with age, at least up to the age of seventy (Meadows, 2004b). For example, it found that older people may process information slower than their younger colleagues, but are better able to set new information in a wider context, relying on experience, and can therefore process larger batches of information. While physical capacity does decline with age, advances in technology have meant that a healthy sixty year old is physically capable to do most jobs (Harper, 2011).

Second, life cycle theory holds that career stages are marked by age stages, and career development and advancement are only the concerns of younger people, while older workers are mostly interested in stability, routine and transitioning toward retirement (Sonnenfeld and Kotter, 1982). While it is true that people change jobs less frequently as they age, and older workers are less likely to ask for workplace training than younger people, the boundaries of life stages have changed over time and become more individualised. Individuals have multiple life course trajectories, including in relation to employment, care, education and family, and may not necessarily see reaching the age of fifty as the period of career decline (Sweet and Moen, 2006). A recent UNISON survey of their older women members found that more than a third would like to move to a higher grade/job but fewer than 6% felt that they had good promotion opportunities and fewer than half felt they had good training opportunities available to them (UNISON 2014).

Older workers and performance management

Taken together, the two mindsets affect how older workers are managed: managers assume that their older employees’ performance inevitably declines with age and are reluctant to offer support in terms of training, development and job design to maintain and improve productivity. Managers often are

reluctant to manage performance of their older employees, preferring instead to allow them to “coast” into retirement. While turning a blind eye to managing performance may seem benevolent at the time, there are a number of reasons why this may not be good for the older worker her or himself.

First, coasting leads to older workers being marginalised at work which then affects how they interact with colleagues and their managers, as well as their perceptions of their own respective roles in the workplace. Data from the CIPD Employee Outlook 2011 survey shows that people who have regular discussions about work with their managers tend to feel more engaged and committed to work than those who don't (McNair and Flynn, 2012).

Second, an appraisal with one's manager is an opportunity for an older worker to discuss problems he or she is having in work with a view towards resolving them, as well as future career plans. Without that dialogue, the employee may be unaware of the options available to enhance the quality of working life through job change, flexible working, lifelong learning or mentoring. The manager him or herself may also have misunderstandings about the employee's career plans, such as the planned retirement date.

The third reason why periodic discussions are important is that they provide the older worker and his or her manager with the opportunity to address work, training and performance problems early before the employee is at risk of dismissal.

While managers may be reluctant to hold periodic discussions with their older employees about career and performance, they are rarely hesitant to use performance management routes to dismiss an employee who is considered “past it”, especially when workforce budgets are under pressure. This is a point which was raised by representatives of the teachers' unions. It was reported that in many schools, head teachers are making stricter use of capabilities procedures (a process for reviewing the teacher's abilities and performance in the classroom setting), particularly with older teachers. Often, discussions about performance will relate to the teacher's use of new technology or student achievement standards. As an NUT respondent noted, head teachers often have a misconception that older teachers are resistant to change and would be unwilling to learn new approaches to raising student achievement. Capabilities procedures are therefore used as a management tool for dismissal, when the focus should be on enhancing teaching.

Finally, with the abolition of the DRA, it is important to note that employers can no longer assume that there is a set date at which employees will retire. Managers who avoid conversations about career and performance in anticipation of the employee retiring at 60 or 65 may be managing under false assumptions. On learning that an employee intends to delay retirement, managers may then rely on dismissal procedures to get them to exit the workforce. One of the biggest misconceptions about older workers is that they

are unwilling to train and develop in order to keep up with advances in technology and practice.

Older workers less likely to access training

While it is true that many people over 50 do take part in workplace training (25% of people 50-59 have participated in training in the previous three months according to the Labour Force Survey versus 28% of those under 50), older workers are more likely to take part in shorter training programmes which build on their existing knowledge and experience. Like their younger colleagues, older workers consider the cost effectiveness of training, not only in terms of tuition, but also time spent studying, before deciding whether or not to train (McNair, 2010). Those who are most likely to participate in training are more likely to have past experience with job mobility and more likely to consider themselves as progressing in their careers rather than winding down.¹³ Most importantly, older workers who are in learning environments in which learning and development are encouraged by management and training provision is universal are most likely to participate in training.

While managers are often reluctant to have conversations about performance with their older employees, it is also true that older workers themselves are often reluctant to initiate such conversations, believing that they exacerbate perceptions of declining ability. Older workers have been shown to adopt compensatory techniques to hide skills needs, with few saying they require more skills or support to improve performance.

Union learning reps help with mid-life reviews

Unionlearn has been a very successful programme for facilitating constructive dialogue on work, training and performance. Research on the programme has shown that Union Learning Representatives (ULR's) play an important bridging role in matching the training and development expectations of employees with the business demands of the organization (Cough, 2012). Unionlearn has also recently been involved in a BIS-funded project to deliver mid-life career development reviews to older workers. Unionlearn engaged 15 unions, more than 45 ULRs and 770 workers in mid-life career review activities. Unions worked with more people than the other project partners and were able to demonstrate the impact and reach of ULRs in the workplace, and how their involvement can meet the needs of working people.¹⁴

¹³ There may be an issue of causality since workers who feel they have opportunities to progress may be more likely to ask for training than those who don't. On the other hand, experiences with learning may lead people who had thought that they were at the end of their careers that they have new paths in their careers.

¹⁴ See <http://www.unionlearn.org.uk/campaigns/supporting-midlife-development> for further details.

Work intensification and health

It is a commonly held view that work in later life is bad for health. While some work damages health and well-being, studies on older people show that those who stay in work are healthier and often happier than those who retire earlier. The key to maintaining good health is not so much deciding retirement age, but managing healthy working conditions, including work space, job content, working hours and work processes. Early interventions have been shown to be effective in avoiding early job exit for health reasons.

State and occupational rules on ill-health retirement have become more stringent over the past decade. However, ill-health remains the main reason for labour market inactivity for people between the ages of 50 and 59, with 9.5% of people in their 50's out of work for long-term health related reasons. The most common reasons for inactivity are problems with back, neck, legs or feet or heart problems. Thirty per cent of people aged 50-59 who are inactive for health reasons would like to work if suitable employment could be found. Twenty nine per cent of workers in their fifties have an illness or disability that would classify them as disabled under the Equality Act 2010. Workplace stress has been shown to peak amongst workers in their forties and early fifties. However, the relationship between age and stress is somewhat masked by the survival factor: workers who are highly stressed in work are more likely to exit the labour market and workforce surveys reflect the relatively more contented who remain in work (HSE, 2007).

It has been noted that older workers who are stressed in work often face a “tipping point” after which they exit from the labour market completely. This is particularly the case for women with caring responsibilities (Mooney and Stratham, 2002). The TUC's *Age Immaterial* report recommended a package of leave rights, including paid carers' leave and a period of leave to adjust to newly-acquired caring responsibilities, to help retain older women in the workplace so that they don't hit that “tipping point” and are supported to effectively combine work with caring responsibilities (TUC 2014). One older union member reported:

“My husband had MS, then was diagnosed with cancer seven weeks before he died. I tried to juggle work and caring for him, but went off sick with stress. There wasn't sufficient flexibility available with my hours for me to be able to juggle both.”

Although technology has done much to eliminate jobs which are too physically demanding for a sixty year old to carry out, older workers may need support from managers to maintain health while remaining economically active. As representatives of USDAW noted, although retail work can be attractive to older workers who are seeking flexible work arrangements, the work can be physically demanding and repetitive. Health checks are required for night shift workers, but for others, such checks are only carried out on an individual

basis. Older workers are reluctant to make their managers aware of health problems for fear of being pushed out of work or being compelled to reduce working hours. Managers will usually make accommodations for employees who would qualify as disabled under the Equality Act 2010, but it is more difficult to convince managers to make adjustments to prevent health problems.

Work intensification makes work in later life unsustainable

Work intensification was seen as a problem for older workers interviewed in several sectors, specifically mentioned in health, teaching, finance and retail. In finance, older workers in call centres noted that they are under significant pressure to complete calls quickly and increase their workload. Employees are also under pressure to dedicate time outside of working hours to work related activities, such as volunteering for corporate related activities. Like older workers in retail, those in call centres noted that they are reluctant to turn down requests from management to carry out overtime work for fear of being displaced.

In teaching, pressure to raise student achievement standards, particularly in English, sciences and math are compelling teachers to increase contact time with students. Independent academy schools are also increasing classroom hours. The teaching unions are responding to such pressure to increase teaching time by developing a model contract for union representatives to negotiate at the local authority and school levels which sets caps on contact time to twenty hours per week with five additional hours for preparation and assessment.

A common concern amongst union representatives was that while older workers are being compelled through changes in pension rights to delay retirement, work intensification is making work in later life less sustainable. Managing healthy working environments is therefore a high priority. In Germany a national level social partnership agreement offers a useful model for the UK. Collective agreements in the steel and chemical sectors were reached to manage ageing workplaces. These agreements focused on life course, avoiding compulsory redundancies, and establishing a demographic fund (jointly managed by management and unions) to support workplace level initiatives to create more sustainable work environments for older workers. These agreements were reached partly because of government plans to raise the state pension age to 67. However, social partners were also facing pressures of fluctuating labour demands. Both sectors had long periods of recruitment freezes coupled with early retirements, and wanted to encourage older employees to delay retirement and were unable to meet workforce demands through recruitment of younger workers alone. Extended working life through phased retirement was presented as a win-win for management and older workers, both of whom benefitted more flexible approaches to retirement (Dribbusch, 1996).

The second example originates from Germany too. BMW has had a “Today for Tomorrow” programme operating in its German plants which is now being translated to its UK plants. This is aimed not just at the ageing worker but at helping the workforce 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 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 (Loch et al., 2010).

Some of the other initiatives, besides ergonomic workplace design, that BMW is undertaking in its 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; and 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.

The two German examples, as well as BAE Systems, came about because employers faced pressure to encourage older workers to delay retirement. Such a perfect storm does not exist in most or even many sectors in the UK. Retail sector employers are under pressure to recruit from an extended labour pool, which would include older workers, and sectors like manufacturing face long term skills shortages. However, neither sector faces an immediate age demographic problem which creates the right climate for a positive agreement on managing age.

Given the large scale changes to occupational pensions, the public sector may be the most likely context in which collective bargaining on age management may come about. The changes to pension rights clearly limit public sector workers’ choices to either working longer or retiring on reduced pensions. The accomplishment of health sector unions to compel government to commission a social partnership working group to investigate the impact of changing pension ages on NHS service delivery is the most hospitable venue for collective bargaining on age. While the health sector unions will understandably want to use some of its industrial leverage to support the creation of early retirement paths for health professionals in physically demanding work, there are also opportunities which the unions are looking toward for improving work environments for those who will be working to normal pension age.

Ageing union membership

This report has focused on age management as a collective bargaining issue – identifying workforce issues facing older union members and potential opportunities to support them within the context of extended working life. It has largely avoided a discussion on trade union structures, although collective trade union membership is ageing at a faster rate than the UK population as a whole. However, the changing nature of work in later life does justify at least a brief discussion about the role of retired trade union constituents within the broader union movement.

There are no centralised membership statistics of retired members. The Certification Office does not collect such figures and the Labour Force Survey only asks employed people about their union memberships. An analysis of adjusted membership figures estimates that 12.8% of UK trade union members are not in employment: 10% being retired and a further 2.8% being unemployed (Carley, 2009).

In some unions, retired members are organised into separate structures from members in employment, while in others, retired members are permitted to maintain membership in branches associated with their last employment. Unite the Union has the largest constituency of retired members. It has also recently established structures for representing unemployed people at reduced subscriptions.

UNISON has well-established, inclusive structures for retired members. There is a self-organised group for retired members, similar to those for black, LGBT and disabled members. The group holds an annual conference and sends delegates to the union's national conference. In most other trade unions, retired members do not have a direct voice on union policy-making.

In 2002-2003, a review of retired member groups within unions found that union activists were engaged in campaigns organised through the National Pensioners Convention to restore the link between the state pension and earnings. Some activists were also supporting workplace campaigns being organised through their main unions (Flynn and Croucher, 2006).

Retired activists had mixed views about the role of their constituencies both within their individual unions and the trade union movement as a whole. On the one hand, they felt that they were an untapped resource in terms of activism and experience. Most retired members had been union activists, many in elected positions, when in work and now felt marginalised in the union. On the other hand, retired activists were reluctant to discuss, let alone influence, policy making which they felt did not have a direct impact on their lives, such as pay agreements or other industrial issues. They therefore avoided asking

their respective unions for retired member groups to have formal roles in policy making at either the conference or executive level.

These interviews were conducted a decade ago at a time in which the transition from work to retirement was very different than from today. In many workplaces, including most parts of the public sector, there were explicit restrictions on continuing to work past normal pension age, many of which trade unions were challenging. Today, there are regulations prohibiting age discrimination, including mandatory retirement. Real retirement ages are rising and more retired people are returning to work on a part-time or occasional basis. Government has raised pension ages in public sector pension schemes, while creating routes for public servants to extend working life.

The boundaries between working life and retirement are more permeable now than a decade ago, and will most likely be even less clear a decade from now. People will be moving in and out of work in later life. A good example of how unions could mobilise older activists is the National Union of Journalists which has organised its 60+ group (<https://www.facebook.com/groups/olderhacks/>) to represent older members, many of whom are either semi-retired or freelancers. The group has a council and organises a bi-annual conference. The group has played a central role in the union's campaign to protect the rights of portfolio and freelance journalists. Members of 60+ also frequently act as union welfare officers. The group is a major asset for the union as it mobilises an active constituency and important vehicle for promoting the rights of semi-retired workers who can be amongst the most vulnerable. It also provides opportunities for older members to foster and maintain social networks within their current or former workplaces which are important for both quality of life and keeping economically active. And some older members carry out voluntary work on behalf of the union, for example, in helping to contact people whose membership may lapse due to non-payment of contributions

An inclusive approach to retired activists holds many of the same benefits to trade unions as older workers do for businesses. Unions' older constituencies have knowledge and experiences in managing industrial issues in a variety of contexts. Older trade union activists could also support the cultivation of a new generation of trade union representatives through mentoring and knowledge exchange.

Conclusion

As the report has sought to illustrate, over the next decade, as skills shortages become an increasing problem, employers will need to find ways to attract and retain older workers, and this competition for older talent will present significant opportunities for unions to champion improvements in the quality of working life for their older members. Many employers will be looking to retain their older employees, while those in sectors facing the highest labour and skills shortages, such as care services, will be seeking to recruit older people in order to build second careers. Trade union interviewees justifiably noted that employers both in the public and private sectors are responding more to short-term pressures to reduce labour costs rather than long-term skills shortages. However, businesses which have adopted good age diversity strategies - such as BAE Systems, BT and BMW - have proven better equipped to deal with fluctuations in labour demand.

It is important to remember that the older workforce is not a homogenous group, and workers will have different aspirations for their late careers. Many will wish to carry on in the jobs and look to their unions to champion adaptations to work design to meet their changing workplace needs. Others will seek to build second careers - either by downshifting or aspiring to new challenges, and will seek support in maintaining their employability and using their skills and experience in new ways. A group which requires particular support are the older unemployed and/or displaced workers who presently have access to very little support in finding re-employment.

There are two factors which have sustained trade unions through inhospitable times: a rapidly changing labour market and trade unions' determination to adapt their structures and organisation to reflect new groups of workers (Wilson, 2010). The ageing workforce, including those who are at or even over the precipice of retirement, is a growing constituency, with many either delaying or interrupting retirement. This report has outlined some of the big challenges facing social partners in ensuring fairness for these workers. Ensuring that they have a voice in terms of both public and employer policies in regard to work and retirement will be essential as changes unfold. Trade unions would be the natural venue for such representation.

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