

PROPOSAL ON RIGHT TO WORK AND ACCESS TO THE LABOUR MARKET BY OLDER PERSONS

Based on the provisions of Resolution 46 adopted by General Assembly of the United Nations on December 16th 1991, older persons, among their recognized rights, must have the opportunity to have access to the labour market or to other instruments that produce income for them.

At the same time, based on the same resolution, they should be able to participate in the decision-making process on when and how fast their exit from the workforce should take place.

In any case, Resolution 46 of 1991 establishes that fundamental rights of older persons must be guaranteed, regardless of their psycho-physical health status, such as access to primary goods and to health services, by economic and social support of their belonging community.

Likewise, also the Charter of Fundamental Rights of the European Union, all Article 25, “recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life”.

Therefore it is certainly necessary to help older persons, near but still not having the retirement age, to find a placement if they are unemployed, for example by means of access to training or incentives and tax breaks for companies for their recruitment and other forms of support, sanctioning their full right to integration into the labour market.

In the same way, however, the extension of the life expectancy does not coincide with a parallel maintenance of the full psycho-physical abilities for the older persons. Therefore, because of the natural aging process, after a certain age threshold, they are no longer able to get themselves an income by carrying out a work activity.

Consequently, alongside the right to work for adults and for older persons, it is necessary to establish the parallel right to rest from work once a certain age is reached and it is necessary that this right is ensured through appropriate social security measures to guarantee the full maintenance of decent living conditions for people who have retired from the labour market.

It is therefore proposed to the Assembly to evaluate the introduction of an appropriate legal instrument of protection, along the lines of what is already established for children, who under a certain age cannot and should not work, even for the elderly, for which, after reaching a specific age threshold, the right to rest must be sanctioned and recognized, under such conditions able to guarantee economic security, social inclusion and full dignity.

