



HelpAge International Submission on Work and Access to the Labour Market 11th Working Session of the Open-ended Working Group on Ageing, 2020

Introduction

Older people must be part of the growing discussion on their human rights. To this end, in July 2019 HelpAge International consulted 198 older women and 108 older men across 24 countries¹ on the rights to be discussed at the 11th Session of the UN OEWG. This submission presents the issues they raised and uses their own words. Participants were self-selecting, so their responses are not a representative sample of older people.

Question 2: Specific challenges in realising the right to work and access to the labour market

Age discrimination: The vast majority of older people in the consultation said they felt that being older limited the work opportunities available to them.

“Older people just do not have the same opportunities.”
65-year-old woman, Spain

Nearly half of men (47 per cent) and more than a third of women (38 per cent) said they had been refused work because of their older age. Participants said they had been refused work because of their older age in a wide range of occupations and types of employment, including permanent, temporary, part-time and casual or daily labour, both paid and unpaid.

Some older women said they were refused work because of their older age combined with other factors, such as being a woman, being widowed, lacking an education or having a disability. Some said their families would not let them work.

“My children stopped me from raising livestock such as pigs and chickens. They think I could lose the profit and the capital they put in. They feel I’m weak and could get a serious health problem, and then they would have the burden of taking care of me. However, I still want to work and earn some money to contribute to the family expenses.”
56-year-old woman, Cambodia

Some said they were refused work because they were on a pension. For others, the problem lay in the law, with mandatory retirement ages forcing them out of work.

¹ Argentina, Cambodia, Chile, Egypt, India, Jordan, Kenya, Kyrgyzstan, Lebanon, Mauritius, Moldova, Myanmar, Nepal, Palestine, Peru, Philippines, Republic of Korea, Russian Federation, Rwanda, Serbia, Slovenia, Spain, Tanzania, Uganda

“Being an older woman with disabilities, my opportunities to get new decent work are limited, mainly due to mobility problems; more so now that I’m over 60 years old, the official retirement age.”

68-year-old woman, Kenya

Some said that, when they reached a certain age, they were forced to accept a lower paid job or one at a lower level.

“I have to admit that I felt bad when I was put on a different type of contract after my retirement. This is very stressful. I feel like a ‘spare wheel’ that the institution depends on. When there are no other applicants for vacant positions, they fill them with retired teachers.”

64-year-old woman, Moldova

Negative ageist attitudes: Some said they were refused work because employers thought they would get hurt more easily than younger workers, and so were a higher risk. Some said employers and others in the community ignored older people’s past experience. Others had been refused work because younger people wanted to be trained by other younger people, or because older people were more expensive to hire than younger workers. They said employers preferred to hire younger people, sometimes putting age limits in job advertisements.

“In job advertisements, a certain age is required for applicants, for example, under 35 years old. This affects the employment opportunities of those who are older.”

66-year-old man, Jordan

Others said employers thought older people worked less than younger people, that it was hard for them to understand what to do, or that they were unable to perform at work.

“It’s perceived by so many people that older people have no ability to perform their tasks and that they’re outdated.”

71-year-old man, Tanzania

Some said older people were no longer expected to work.

“The opportunities get more limited as we grow old. We’re only supposed to do household chores or get involved in religious activities.”

52-year-old woman, Nepal

Availability: Some said that there was no retraining for people over retirement age.

“I’d like to start a new profession, but there’s no system for retraining older people in the country.”

57-year-old woman, Russian Federation

For many, there were no jobs available that were appropriate for them. Some said they lacked the skills. Some said they had mobility problems. Others said the jobs available were too physically demanding. A number said the only jobs available for older people were in casual, unskilled and low-paid work, or jobs considered to be inferior in some way.

“Old age is an almost insurmountable obstacle when applying for a job, except for the most difficult and dirty work.”

66-year-old woman, Kyrgyzstan

International legal framework

The unique barriers older people face to their right to work and access to the labour market are not adequately covered under international human rights law. Dedicated standards within a UN convention on the rights of older persons are necessary to ensure that older people have the right to decent work without discrimination and on an equal basis with others, including in informal and unremunerated work. This includes the right to

- Freedom from discrimination on the basis of age in all matters related to employment, including but not limited to recruitment, conditions at work, remuneration, access to training, and the prohibition of mandatory retirement ages
- Freedom from intersectional discrimination, namely the combined effect two or more characteristics, in all matters related to employment
- Work when in receipt of a pension
- Reasonable accommodation in the workplace
- Flexible working conditions for those with caregiving responsibilities
- Determine when, at what pace and to what extent to withdraw from the labour force.
- Access to flexible or gradual retirement schemes
- Access to career-development, technical and vocational guidance programmes, placement services, and vocational and skills development programmes.