

DROITS HUMAINS OCEAN INDIEN Submission on Work and Access to the Labour Market

11th Working Session of the Open-ended Working Group on Ageing, 2020

National Legal and Policy Framework

1. In Mauritius the law provides for people above 65 to go on retirement and in the public sector people above 65 are not employed except in rare cases where retired professionals benefit from a one or two year contract. These professionals, for example, doctors can join the private sector or start a self-employment career.

In the private sector people can opt to retire at 65 or continue working. There is no compulsion on them to cease work at the same age. Thus access to work for people above retirement age cannot be said not to exist. Retired persons can opt to work in a particularly different sector from what they used to do provided they are healthy.

2. In the public sector work can be said not to exist for people above 65 unless they are offered a short contract, one or two years, after retirement.

In the private sector work opportunities exist only where labour is scarce or inadequate, examples, security guards, agricultural workers, housemaids.

3. According to the Economic and Social Indicators published in 2018 and amended in May 2019 the employment of older persons is as follows:

Age	Male	Female	Total
60-64	19,200	7,200	26,400
65 & over	9,000	3,800	12,800

It is to be noted that this study does not indicate the number of older persons engaged in informal work neither as a family worker nor as an own account worker.

Availability, Accessibility, Acceptability and Quality

4. Such steps can be said not to have been taken by the authorities. Older people, whether retired or not in employment and in need of work have to go on their own looking for information in the informal way, that is, asking from friends or contacts or relatives.

Private companies advertise on radios when recruiting security guards but do not target particularly older people in their communication although they recruit among older citizens, mainly males.

5. None.

There is no policy which ensures the training of older people to make them employable in a field where work is available.

6. There is no barrier to the employment of older people as far as they are healthy. Some people are working in the private sector and others work on their own as self employed.

7. There are Remuneration Orders which cover a number of sectors by which employers are bound to respect the provisions therein to provide a decent pay for a decent work.

However, it is not possible to verify if the work conditions in terms of pay, safety, are respected in the formal and informal sector even if there are labour inspectors to verify working conditions.

Equality and non-discrimination

8. It can be said that there is no discrimination on grounds of age except that people are not employable under the age of 16 which is quite a norm that is comprehensible. The labour market is not accessible to people above 65 in the public sector and in the private sector people may work depending on their choice. Also a private sector enterprise may not employ somebody precisely because of his or her age.

Remedies and Redress

9. There is no mechanism to lodge a complaint in case an older person is refused a job.

Presently the law does not oblige a potential employer to employ a person and he or she has no cause to give for his decision.