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Article

Title: Finding a way through the ‘retirement age maze’

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‘As people live longer and save less, it’s inevitable that they will in turn work longer and wish to retire later’ says Kelly-Jean Rayner, employment lawyer at Phillips Solicitors. Today the normal age of retirement for men is 65 and for women, it is 60. The current protections against age discrimination mean that both men and women already have the option available to them of requesting to work beyond normal retirement age. The government is now gathering evidence to publish a review of the normal retirement age, due to be published in 2010. This is likely to either increase the default retirement age or decide that it is no longer necessary to have one at all.

What this means for employees

Increasing numbers of people near to retirement age will wish to continue working. All employees have a right to request their employers to work beyond normal retirement age. Employers are under a duty to consider these requests, must follow a fair process when dealing with these requests and should not refuse such requests on discriminatory grounds.

What this means for employers

The recent changes in economic conditions have prompted the government to bring forward the review on statutory retirement ages to 2010. However, it has said that any changes would not be implemented until 2011. This will give employers time to prepare for any changes to their policies on retirement. Employers already have a duty not to discriminate unfairly against employees on the basis of their age, The upcoming review is likely to promote the recruitment and retention of older workers and will encourage employers to give employees more choice over their retirement.

Watch this space for further developments due next year. Until then, whether you are an employer or employee, if you would like advice about your legal position on this or any other employment matter, call Kelly on 01256 854670 or email Kelly at krayner@phillips-law.co.uk.

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