

Fighting Discrimination on the Ground of Age

An Equinet analysis of age discrimination from a legal aspect at different stages in life



Age discrimination is provoked by widespread stereotypes and prejudices

This societal phenomenon is also present in national courts

The Paper shows some signs of positive change!

Equality bodies and some court judgements require actors to obtain more personalised information and prohibit refusal of contracts/services solely on the basis of age.

EMPLOYMENT

Discrimination is most widespread in the field of employment, mostly affecting older people

Challenging legal issues:

- Minimum or maximum age limits.
- Dismissal or refusal to hire when reaching retirement age.



GOODS & SERVICES

Cases show that:

- For loans and insurance, higher age of the applicant represents a higher risk of discrimination.

The experience of equality bodies shows that the (higher) age criterion is based on assumptions, prejudices and stereotypes

HOUSING

Equality bodies often have no, or an insufficient mandate in the housing market

Main issue shown from cases:

- Young and older persons access to housing.



HEALTH & FAMILY ISSUES

Important conclusion:

- In the absence of EU level legislation, the shaping of rules on this issues is left to the discretion of the Member States.

In health & family issues, equality bodies have successfully assessed age-related criteria in view of anti-discrimination law

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