Realizing decent work for older women workers
Introduction

(a) The public policy debate on ageing
(b) Objectives
(c) Explaining the structure

1 Part A: The feminization of later life

(a) Defining an older woman worker
(b) Decent work for older women workers
(c) Demographic differences between regions
(d) An opportunity to exchange information and experiences
(e) Labour force participation rates

Summary of key points and recommendations

2 Part B: The response to demographic transition

(a) The focus on economic implications
(b) Pension reform
(c) A multi-dimensional analysis of pension reform
(d) Reforming health-care

Summary of key points and Recommendations

3 Part C: The framework for new policy reform

(a) Satisfying basic needs and creating basic rights
(b) The political and legal international framework
(c) A new international legal instrument
(d) Implementation at the national level
(e) Challenges facing a rights-based approach

Summary of key points and Recommendations

4 Part D: The direction of new policies

(a) Lifelong learning
(b) Balancing work and caregiving
(c) Educating society

Summary of key points and recommendations
Introduction

Women comprise the majority of the older population in virtually all countries worldwide and face different experiences and challenges than men as they age, in many aspects of life, including the world of work. Despite this, there is scant acknowledgement, analysis or research on the older woman worker.

(a) The public policy debate on ageing

It is now well recognized at the national and international levels that over the course of the next 50 years the age structure of the world’s population will continue to shift, with older age groups making up an increasingly larger share of the total population. For example, the number of persons aged 60 years or older is currently estimated to be nearly 600 million and is projected to grow to almost 2 billion by 2050, at which time the population of older persons will be larger than the population of children for the first time in human history. From a life cycle perspective, this means that the estimated 2 billion older persons in 2050 are today’s children, and it is their experiences now, and throughout adulthood, that will prepare them for later life.

Growing concerns about population ageing are currently being expressed on many levels yet economic, rather than social, issues seem to be at the heart of the public policy debate. It is widely acknowledged, for example, that the most direct macroeconomic impact of this demographic change will be on the labour force, and governments have focused on two interrelated areas of public expenditure most likely to be influenced by demographic developments, namely the public provision of pensions and health care. There has, however, been little prior analysis of the social impact of the economic reforms being implemented to “prepare for” an ageing population. From the perspective of the ILO, the traditional dichotomy between economic and social policies has often led to poor policy choices. For instance, it helps to explain why there has been so little prior analysis of the social impact on economic policies in spheres such as macroeconomic stabilization,
structural adjustment and the transition to a market economy. It is suggested that this has not only led to excessively high social costs but has sown the seeds for the failure of the economic policies themselves, through the social conflict and political instability they can generate. It will be argued in this paper that reform in relevant areas, such as pension and health care, continue to maintain “the traditional dichotomy” between economic and social policies, resulting in excessively high social costs for older women workers.

Furthermore, it is also pointed out that as more developed regions lead the way in this global demographic change, legal and policy reform has been largely confined to and informed by the experiences of countries within these regions. And to narrow the focus even more, a review of existing activities and literature confirms that legal and policy reform in the more developed regions has also been largely confined to the experiences and circumstances of the older male worker in the formal sector. The position taken in this paper, however, is that the demographic change taking place has the most serious poverty ramifications for women workers in the informal sector, especially older women in the less developed regions of the world.

(b) Objective

The objective of this paper is to identify issues and encourage and contribute to the debate by the social partners, namely governments, employers and trade unions, on the legislative and policy measures necessary to address economic and social concerns raised by an ageing population, from the perspective of the older woman in the world of work. Emphasis is placed on promoting decent work for older women workers through a rights-based approach. In addition, it is hoped that – by drawing attention to the indivisible economic and social benefits accruing to those societies that promote the fundamental International Labour Organization (ILO) principle of eliminating discrimination in employment and occupation and equality in employment – it will:

(i) stimulate the effective design and implementation of national frameworks and policies necessary to realize the rights of older women workers;

(ii) encourage employers to implement workplace policies which facilitate both more and better jobs for older woman workers;

(iii) strengthen the growing political campaign for a rights-based approach to age discrimination, which is necessary to remove the myriad of discriminatory constraints faced by older workers, especially older women workers;

(iv) reinforce the critical importance of taking a life-cycle approach to the understanding of women's status, which is at the heart of the Beijing Platform of Action.

7 The UN classification of more developed regions and less developed regions have been used in this paper, unless otherwise specified. More developed regions cover all regions in Europe, North America, Australia, New Zealand and Japan. Less developed regions cover all regions of Africa, Asia (excluding Japan), Latin America, the Caribbean and the Melanesia, Micronesia and Polynesia. Occasionally the paper will refer to least developed regions and countries in transition. The least developed countries are included in the less developed regions but were identified by the United Nations General Assembly in 1994 to include the 48 poorest countries. Countries in transition are defined as those countries undergoing the transition to a market economy and include countries located in Central and Eastern Europe and the Commonwealth of Independent States.

8 While the definition of the informal sector is not fully agreed upon by the social partners, the definition adopted is the one used by the ILO Bureau for Workers’ Activities at its symposium on how to organize the informal sector (Geneva 18-22 October 1999). Thus the informal sector includes “…the vast range of activities in which workers generally operate in oppressive and unsafe working conditions, with income often at or below the poverty line and little or no access to state-provided social protection, training and social services.”

9 This is one of the four principles enunciated in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, and embodied in ILO Discrimination (Employment and Occupation) Convention (No. 111), 1958, and ILO Equal Remuneration Convention (No. 100), 1951.
(v) prompt further research by the international and national communities into the link between ageing, gender and poverty;¹¹ and

(vi) facilitate the incorporation of mid-life and older women into mainstream development and employment promotion strategies, noting that this is pivotal to realizing decent work for older women: there can be no decent work without work itself.¹²

It must also be stressed, from the outset, that this paper does not wish to over-emphasize efficiency and productivity arguments, as such an approach leads to the dangerous conclusion that it is only through the efficient productive contribution of older women workers (or any other group), that their position, status, rights and entitlements within society should be recognized. The fact remains, however, that the significant productive contribution made by older women workers is severely under-acknowledged¹³ which perpetuates the current detrimental image of the older woman as being a “burden” on society, draining health care resources, rather than requiring opportunities and empowerment. This, in turn, goes to the heart of the reason why there are few employment creation initiatives for older women: it is assumed by development analysts and policy-makers that the older woman worker is simply economically unproductive, resulting in scarce resources being diverted to those perceived as being productive.¹⁴ It is this perception, based on inaccurate, discriminatory stereotypes, that finally condemns many older women to a lifetime of poverty and social exclusion.

(c) The structure

This working paper is divided into four parts: The first, Part A, is designed to provide an understanding of the demographic transition leading to the feminization of later life, within the context of what is meant by an “older woman” worker and what constitutes “decent work” within a rights-based framework. Following on from this, Part B will undertake a gender and age analysis of significant policy changes which have taken place since the late 1980s, to “prepare for” an ageing population. The final sections of this paper, contained within Parts C and D, will propose a rights-based framework within which the direction of future policy reform may most effectively take place, prior to exploring the critical role of the social partners in implementing this reform, so as to provide older women workers with the equal right to access resources and opportunities within the world of work.

In conclusion, as older women face barriers based on a combination of both age and sex discrimination, clearly, many of the issues raised are also relevant to women workers and all older workers. Indeed, for women workers, this validates taking a life cycle approach to understanding their status. The thrust of the paper is, however, to highlight the destructive impact of this discrimination on older women workers, when these demographic traits are combined.

¹⁰ The Fourth World Conference on Women held in Beijing in 1995 adopted the Beijing Declaration and Platform of Action. This Declaration and Platform of Action is built upon the consensus of 189 countries and is an agenda for fundamental change in the 12 identified critical areas of concern for achieving gender equality. The life cycle approach to understanding women’s status is used in the Platform of Action to capture the prevalence and incidence of discriminatory practices which affect women at different stages of their life.


¹² Address to the World Bank by the Director-General of the ILO: Decent Work for All in a Global Economy, 2 March 2000.


PART A

1 The feminization of later life: Older women workers
(a) Defining an older woman worker

While this paper generally relies on chronological age to define “mid-life” as being over 50 years of age, “older” to mean over 60 and “oldest old” to describe a person over 80 years of age, the concept of “older” is simply not that clear cut, especially for women. It does seem accurate to state, however, that in the more developed regions of the world, “older” is generally equated with chronological age and is defined within the boundaries of an age-structured society: early years have been set aside for education, adult years for employment and the retirement phase is seen as the “older” phase. In the world of work, however, it is arguable that chronological age is only paramount when defining an “older” man. For “older” women, other sociocultural factors associated with the loss of “youthful” beauty appear to also play a significant role in determining when a woman worker is considered “old”. This has become more prevalent during the last two decades as the developed regions of the world, in particular, have increasingly emphasised the desirability of a “youth culture” as portrayed in the media. As will later be discussed, this has had significant implications for women workers who experience double discrimination in the form of sexist and ageist stereotypes (see Box 1).

Box 1

Stereotypes

Stereotypes shape perceptions about people’s capabilities and preferences and can be defined as cognitive frameworks suggesting that individuals belonging to a demographic group all share certain traits and characteristics. Under the less pejorative label of “generalizations”, reliance on stereotypes is a common mechanism of human thought. However, thoughts based on stereotypes are not neutral. Social psychological research has established that individuals tend to misconceive and remember information in ways that reinforce social prejudice. For example, an older worker may be assumed to lack energy, motivation or the ability to learn new tasks, while a woman worker may be assumed to be uninterested in promotion to higher responsibility due to family commitments. An older woman worker faces a combination of assumptions based on both her age and sex. Such modes of thinking can clearly have a negative influence in the world of work, with or without the individuals concerned (both the employee and the manager) even being aware of that negative influence.


1 Refer to the background discussion paper by Mark Gorman: HelpAge International, “Sustainable social structures in a society for all ages” (1999); U.N Programme on Ageing Expert Group Meeting: Ethiopia, 2-5 May, 2000
2 For example, many government scholarships have an age limit of 30, and often students can only receive funding over an uninterrupted period up to that age.
Furthermore, it is alarming to note that ageist and sexist stereotypes have been increasingly promoted by those in control of the resources in countries in transition, effectively culling women as young as 35 from the labour force on the grounds that they are “too old” to work. Mounting evidence suggests that women working in countries such as those in the Baltic States and China, are especially vulnerable to age and sex discrimination. As these women workers approach their mid-thirties, it appears that they are more likely to be made redundant, and less likely to find alternative employment, than other groups within the labour market, although there is simply no evidence to support the general proposition that women in their thirties are less productive than, for example, women under thirty or men over forty. The suggestion, which will later be explored, is that discriminating against women workers - on the combined grounds of age and sex - is a manifestation of those in control of the resources simply indulging their own discriminatory preferences, rather than reflecting a justifiable economic response to a tight labour market.

In contrast to the more developed regions of the world, age-structured institutions, such as retirement, do not usually exist in the less developed regions. And because poverty has focussed day-to-day activities around survival for those who live in less developed regions, especially for those in the least developed regions, chronological age does not appear to be paramount when defining “older”, but rather old age is often seen to begin at the point when active contribution towards survival is no longer possible due to functional ageing. It is in these circumstances that the exceptional strength and resourcefulness of the older woman worker is vividly illustrated. For example, research in Ghana reveals that if very old people become housebound, the men are unlikely to remain economically active, but the women will still try to undertake petty trading activities. This highlights the need to identify and strengthen those social and economic policies that most effectively support and expand the numerous strategies that older women already employ to survive. As will be discussed, the key to this is facilitating the participation of older women in identifying and formulating such policies, to provide a sense of ownership and to ensure that any newly acquired rights do not become a burden. For the ILO, ownership means voice, voice means organisation and organisation gives rise to empowerment. This is an essential step towards breaking out of the cycle of poverty and social exclusion.

(b) Decent work for older women workers

Pivotal to the decent work agenda proposed by the ILO is job creation: there can be no decent work, without work itself. However, the ILO is not only concerned with the creation of jobs, but with the creation of jobs of acceptable quality. Decent work, as promoted by the ILO, is not defined in terms of any fixed standard or monetary level. It varies from country to country. But everybody, everywhere, has a sense of what decent work means in terms of his or her own life, and in relation to their own society. Decent work, for example, leads to basic security in old age and adversity. A cornerstone of the “decent work” agenda is the ILO Declaration on Fundamental Principles...
and Rights at Work and its Follow-up (the Declaration). The Declaration has established a universal social floor for promoting respect and dignity at work and in society, within a global economy. The thrust of the Declaration is to ensure that the economic progress generated by the globalization of the economy and the liberalization of trade can be fairly shared by all workers. This must include older women workers.

The Declaration represents a universal acknowledgement by 174 countries that clearly defines fundamental workers’ rights, as embodied in four principles (see Box 2), are so essential to the mandate of the ILO that membership of the ILO, in itself, creates an obligation in international law to promote these rights, regardless of a country’s level of development and whether or not it has ratified the ILO Conventions upon which the principles are based. New obligations have not been created by the Declaration, but rather existing obligations have been clarified and a follow-up mechanism has been developed to assist and facilitate the implementation of the principles identified. The significant role that the Declaration can play, particularly through the principles embodied in ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the ILO Equal Remuneration Convention, 1951 (No. 100), in dismantling ageism and sexism in the workplace cannot be overstated. As will be discussed in Part C of this paper, when addressing the merits of a rights-based approach for older women workers, age discrimination must be universally outlawed by the international legal system as grounds for discriminating against all workers, if deeply entrenched ageist and sexist stereotypes faced by older women workers are to be overcome.

Box 2

Fundamental workers’ rights

The four principles embodied in the ILO Declaration:

- Freedom of Association and the effective recognition of the right to collective bargaining;
- The elimination of all forms of forced or compulsory labour;
- The elimination of discrimination in employment and occupation and equality of opportunity;
- The abolition of the worst forms of child labour.

(c) Demographic differences between regions

As noted, women make up the majority of the over 60 population in practically every country in the world (see Box 3). And like the feminization of poverty, the “feminization” of later life has now been used to describe how women predominate in this area.14

---


13 The Declaration makes provision for a follow-up mechanism through yearly reports which requires countries to report on the efforts and achievements they have made to realize these rights in practice, and to identify the problems which remain. The follow-up process gives both workers’ and employers’ representatives, as well as governments, the right to express their views on how the Declaration is being implemented. The object of the whole exercise is to identify problems and facilitate progress. The follow-up procedures provide the opportunity to analyse the diversity of national cultures and development situations; to stimulate countries to realize those rights in practice; and to mobilize the financial resources to enable them to do so. Refer to the address by the Director-General of the ILO, New Delhi, 18 February 2000.

• Feminization of later life: The more developed regions

While women at the global level constitute just over half of the population within the 60-69 age bracket, this percentage increases steadily with age, reaching 65 per cent for the over 80 age group. Delving beneath the global analysis, however, reveals considerable differences in the gender imbalance between the more developed and less developed regions of the world. While there is an almost universal female advantage in longevity, currently there is a larger gender difference in longevity in developed countries which translates into a higher proportion of older women and oldest old (see Box 4). This means that developed countries or regions, such as Japan, the European Union and the United States, are already experiencing the feminization of later life. Statistics show that in most developed countries, older women currently account for more than 10 per cent of the population. As of 1999, for example, 25 per cent of the female population in Japan is already over 60, while 18 per cent of the female population in the United States is over 60 years of age.

Box 3

Women make up the majority of the over 60 population in every country in the world, except Bahrain, Iran, Kuwait, Libyan Arab Republic, Oman, Qatar, Saudi Arabia, the United Arab Emirates, Bangladesh, Maldives, Côte d'Ivoire, Andorra and Nepal.


Box 4

Older Women as a Percent of the Total Population: 1997 and 2025

<table>
<thead>
<tr>
<th>Developed countries</th>
<th>1997</th>
<th>2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada</td>
<td>9,4</td>
<td>15,5</td>
</tr>
<tr>
<td>France</td>
<td>11,8</td>
<td>16,7</td>
</tr>
<tr>
<td>Russia</td>
<td>11,3</td>
<td>14,1</td>
</tr>
<tr>
<td>Sweden</td>
<td>12,3</td>
<td>15,6</td>
</tr>
<tr>
<td>United States</td>
<td>9,5</td>
<td>13,3</td>
</tr>
</tbody>
</table>

Source: U.S. Bureau of the Census, International Programs Center

15 55 per cent; see www.un.org/esa/popolin/wdtrends/a99/a99.htm
16 Presently, in the more developed regions the average life expectancy between the sexes is seven years. In contrast, the less developed regions have a three-year difference in life expectancy between the sexes: see Gist and Velkoff (1997).
17 To review the Statistics for each country access: www.un.org/Depts/unsd/social/youth.htm
• Feminization of later life: The less developed regions

Population projections show that within the next 25 years, nearly three-quarters of the world’s older women are expected to reside in the less developed regions of the world, confirming that the feminization of later life in less developed regions is occurring at a much more rapid rate than has been the case in most developed regions. Like the more developed regions, the future gap between male and female life expectancy is likely to widen, thus resulting in greater proportions of older women but, unlike developed regions, the demographic transition is occurring without the improvement in living standards, nutrition, health and development of social welfare structures.

The extent of the feminization of later life in the less developed countries can be vividly illustrated by a simple comparison. There are 144 million older women in Asia today which is more than the total number of older women in all developed countries combined. Clearly, due to population differences - when comparing the sheer numbers of older women, rather than proportions within countries - the less developed regions already substantially outnumber the more developed regions. Within the next 25 years, however, the number of older women in the Asian region alone is expected to grow to a massive 355 million. In individual terms this is staggering, but it also means that a significant proportion of the Asian population will be older women. The Asian region is reflective of the demographic changes taking place in the less developed regions in general (see Box 5). It is estimated that in at least 75 less developed countries, the projected increase in the number of older women in the next 25 years will exceed 150 per cent. Within the same period, the percentage of oldest old women in the less developed regions is expected to triple.

**Box 5**

![World Distribution of Older Women (60+) : 1997 and 2025](image_url)

Source: U.S. Bureau of the Census, International Programs Center

---

20 Gist and Velkoff (1997).
• Transition and the feminization of later life: Focus on Estonia

The transition process to a market economy has confronted the former centrally planned economies in Central and Eastern Europe, and the Commonwealth of Independent States, with new challenges including the need to: restructure extensively their national economies and put them back on a sustainable growth path; renew demand for labour and raise employment; and to fight against unemployment, poverty and social exclusion of vulnerable social groups, such as older women.21 Indeed, the transition process has taken place against a backdrop of the feminization of later life in these countries (see Box 6) yet, it seems that, as a result of the continued traditional dichotomy between economic and social policies, combined with the lower status accorded to older women, the social impact of the transition process on older women has remained largely ignored by the social partners.22 There is growing concern, however, that large proportions of the population in countries in transition have been socialized into accepting that, as a consequence of their age and sex, they are no longer entitled to equal rights and benefits within their society.23

The Republic of Estonia, which is on the fast track to becoming a member of the European Union, provides a valuable insight into the impact that the transition process has had on older women workers in the Baltic States.24

Estonia, emerging from Soviet rule to become the Republic of Estonia in 1991, has undergone a rapid transition to a market economy during the 1990s, which has also coincided with the global technology revolution.25 From the perspective of the older Estonian woman there is alarming

---

21 For further information refer to Employment and labour market policies in transition economies: ILO, 1999.
22 This would appear to be an extension of the losses experienced by women generally during the transition, which UNDP reports “remains practically unnoticed at the policy level in all countries in the region”: UNDP 1997, Human Development Under Transition Report.
23 For example, participatory research undertaken with older women in Optepaa, Estonia, by the ILO International Programme on More and Better Jobs for Women found that older women “without question” put the rights of younger women with families before their own well-being and rights. It is suggested that this self-sacrificing mind-set is a continuation of the situation inherited from the former communist regime which, while giving recognition to the role of women caring for children, provided little recognition or support for the elderly.
24 Estonia, Lithuania and Latvia.
evidence that the social position one acquired in Estonia during the 1990s correlated with age and gender. For example, while the generation of Estonians falling within the 25-34 year age bracket during the mid-1990s was explicitly labelled the "generation of winners", there is growing evidence that older Estonians - especially older Estonian women - have effectively become the "generation of losers".

An analysis of population ageing in Estonia reveals that 64 per cent of the over 60 population is woman. Of the older female population, approximately one in four do not have children and many are currently experiencing a long period of widowhood. Furthermore, the divorce rate in Estonia has increased significantly during the 1990s. Symbolically, Mart Laar's Cabinet swept into power in Estonia in 1991 with the slogan "Clear out the place", which led to a rapid replacement of a number of older and mid-life high-level officials by younger ones. Evidence suggests that many Estonian women feel that the divorce rate may be reflective of this recent obsession with youth: replacing the old with the new both at work and at home. In short, this all means that a high number of mid-life and older women in Estonia today are without children or a spouse.

The impact of the rapid transition to a market economy on the employment of both men and women in Estonia has been dramatic, although research suggests that women have experienced even more profound effects than men, and that the negative effects have been exacerbated by age. For example, the probability of movement from activity to unemployment has increased constantly for both men and women as they grow older. For older men, however, the greatest probability for movement towards unemployment is for those with the lowest educational level (up to basic primary education) while for women, the biggest movement towards unemployment is for those with secondary education, reflecting women's general downward mobility, despite their increased educational levels (see Box 7). This further illustrates that education alone is insufficient to overcome the barriers created by sex discrimination, such as occupational segregation and gender disparities in wages. It has been suggested that one reason why gender inequalities have been so blatant in the new Republic of Estonia is because "women and men in Estonia have constantly been told that the gender gap in men's and women's salaries is due to women's lower human capita and the majority of them still believe it". This culture of inequality was clearly promoted by those in control of the resources during the early days of the transition. For example, when Mart Laar was asked about the lack of women in his Cabinet, he responded that the "present tasks were too heavy for women".

28 General trend in population ageing in Estonia, Kalev Katus, RU Series B. No. 27; also www.un.org/Depts/unsd/social/youth.htm
29 Due to the low fertility regime of the 1930s: General trend in population ageing in Estonia, Kalev Katus, RU Series B. No. 27
30 The current life expectancy of both men and women in Estonia has reversed during the 1990s. The average life expectancy for men is now 66, while it is considerably higher - 75 years - for women.
31 Chapter 2 of the UNDP Estonian Human Report Development (1999) reports that while in 1985 first time marriages formed nearly 80 per cent of all marriages, by 1998 nearly every fourth man was in his second or third marriage.
34 Gendered outcomes of the transition in Estonia; Anu Narusk, 1996.
35 The "present task" referred to was the transition to democracy; as quoted by Anu Narusk (1996).
The destructive impact of age discrimination in the Baltic States

Research in the Baltic States suggests that the employment opportunities for women, especially those over the age of 30, are poorer than for men. \(^{36}\)

Two recent surveys, of both employers and women job seekers in the Baltic States, have shed some light on the possible reasons behind the lack of employment opportunities for women over 30, and the negative impact of age and sex discrimination in the workplace. \(^{37}\) During 1998, 101 employers and 250 female job seekers were interviewed about aspects of workplace discrimination. The survey results support the conclusion that employers consistently discriminate against women workers in the Baltic States on the basis of age and sex in three distinct circumstances:

- in occupations such as secretaries, salespersons and service workers, where the employer prefers a “youthful” image below 30;
- where employers make assumptions based on a woman’s age concerning her traditional childcare responsibilities, and conclude that combining work and family life will interfere with her productivity;
- at an early “pre-retirement” age of around 50.

Thus age, or the perception of being a certain age, appears to play a significant role in decreasing employment opportunities for Estonian women.


---

Box 7

**Education trends in Estonia**

In education there is an increasing gender inequality in favour of females, and that tendency is deepening. The difference is most dramatic at the highest level of education: young women who have acquired level III education (university, applied higher education or technical school) numbered 50.4 per cent, the men numbered 33.5 per cent. However, the monetary remuneration and social rewards received by women with higher education for their efforts are substantially lower than those drawn by men with the same education. The 1998 Estonian Labour Force Survey has found that 21.1 per cent of females’ education levels did not correspond to their job.


---

\(^{36}\) Kanopiene, V. Labour market and social security manuscript (unpublished) as discussed by Ulle-Marike Papp in Gender equality in employment and work in the Baltic countries: Comparative study: 1999.

\(^{37}\) See Kanopiene, as discussed by Ulle-Marike Papp in Gender equality in employment and work in the Baltic Countries: Comparative study: 1999.
In addition to the combined impact of age and sex discrimination, sex discrimination by itself also featured heavily in the survey findings. Every second female interviewed (47 per cent) during the survey felt that, at some stage in her working life, she had been treated as an “inferior” employee compared to her male colleague, and one in four (25 per cent) of the women interviewed had experienced sexual harassment at work. Despite this, data from the 1998 Estonian Labour Force Survey indicates that inequalities in rights and responsibilities of women and men were not considered a critical issue in modern Estonia. Most Estonian women (57 per cent) considered it a marginal issue. This confirms concerns previously expressed that women have been socialized into accepting that inequality at work is “just the way things are”. 39

Those most likely to live in poverty in Estonia

Given the large proportion of mid-life and older women in Estonia, many of whom are widowed or divorced and without close relatives to provide economic and social support, it is disturbing that only 35 per cent of the 50-74 year age bracket are employed in some capacity. 41

While there is an urgent need for further data on women’s employment patterns in Estonia, available data confirms that nearly two-thirds of Estonian working women continue to be employed in the lowly paid state and municipal sectors. On a more positive note, although only small numbers of women have moved into the private sector, it is encouraging that the number of women successfully engaging in some type of entrepreneurial activity through the operation of a small business appears to be increasing. 43

Given the lack of income-generating opportunities for mid-life and older women, the State pension has become a primary source of income. Recent research has found, however, that the single pensioner household in Estonia stands out as having the highest poverty risk where the sole member of the household receives the minimum pension, while the risk of poverty for households where a woman is the provider is the second highest. 44

A review of minimum pension entitlements helps explain why the single pensioner household stands out as having the highest risk of poverty. In 1992, with the introduction of the Estonian kroon, all life savings in Estonia were effectively reduced to zero. At the same time, the Estonian national old-age pension, which is available to women over 57 years of age, was reduced to approximately 25.5 per cent of average wages, amounting to about 229 kroons (approximately US$28 per month). 45 While the issue of pension reform in Estonia is currently under reform, and the old-age pension has increased slightly during the 1990s, suffice to note that the national old-age pension in Estonia has been extremely low during the past decade.

Against this harsh economic and social background, it is not surprising that the 35 per cent of mid-life and older Estonian women who have been able to maintain some form of employment, currently

---

38 The survey was carried out by the Estonian Labour Department, Estonian Ministry of Social Affairs.
39 Anu Narusk, 1996.
40 Women in the 50-74 year age bracket make up a total of 28.7 per cent of the total Estonian population: The Estonian Labour Force Survey 1998, Labour Department, Estonian Ministry of Social Affairs.
41 The situation is somewhat better for men in the same age bracket - around 50 per cent are employed in some capacity.
42 One of the objectives of the ILO International Programme on More and Better Jobs for Women: Action Plan for Estonia, is to facilitate the compilation of a national database on women’s employment, with a specific emphasis on women’s entrepreneurial activity.
suffer from the highest stress levels within the working population. Especially stressed are mid-life and older women who are under the threat of unemployment, have no new plans for the future and who observe their chances as depending on factors outside their control.46

For those older women who have been unable to secure a livelihood through employment, and rely on the State pension, the social consequences of such a small pension manifest mostly in increased social exclusion (see Box 8). Not surprisingly, therefore, the number of suicides and mental disorders have increased in Estonia during the transition period47 and the current life expectancy of both men and women in Estonia has reversed during the 1990s, declining to the 1950s level.

**Box 8**

**Social Exclusion of the Elderly in Estonia**

The risk for social exclusion of elderly people in Estonia remains high. The slight rise in income has not managed to make good the drop in the welfare level, which occurred in the whirlwind of social and economic changes at the beginning of the 1990s. The consumption structure of elderly people is mainly dependent on the costs for food and housing. In the case of pensioners, the biggest sources of poverty are indeed the high cost of housing, often forming more than half of their income. Therefore, pensioners are forced to accept a less substantial and varied selection of food, to restrict expenditures on health and medicines, and to essentially give up all kinds of social expenditures (purchase of newspapers and books, visits and issuing invitations). A severe material shortage can damage an elderly person’s health, increase isolation, and the growing feeling of injustice increases alienation from society.


**Specific legislative policies in Estonia**

There is unequivocal evidence that the combined impact of age and sex discrimination has been thriving within the new Republic of Estonia. Although the Constitution of the Republic of Estonia contains “all the principles, rights and freedoms of a democratic society”48 there is currently no national legislative framework in Estonia eliminating discrimination in employment (or in access to employment) on any grounds, or promoting equality of opportunity and treatment for all workers.

---

46 Gender, work and stress in Finland and Estonia: Irja Kandolin, 1996.
New political will

Against this background, it is reassuring that the current Government of the Republic of Estonia appears to be actively working towards being in a position to ratify the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), should it choose to do so. As previously noted, Convention No. 111 calls for a national policy to eliminate discrimination in access to employment, training and working conditions on the grounds of race, colour, sex, religion, political opinion, national extraction or social origin, and also to promote equality of opportunity and treatment.

At the same time, however, it is proposed that the issue of age discrimination must also be actively pursued, as the interaction of age and sex discrimination has unleashed a particularly destructive force against women workers in the Baltic States. In this regard, it is noted that the current Government of Estonia has recently endorsed a Policy for the Elderly in Estonia (see Box 9) which appears to be the first official acknowledgement that age discrimination is “unethical”. This endorsement, combined with recent gender equality awareness-raising and capacity-building activities, provides an encouraging sign that those now in control of the resources in Estonia are working towards dismantling – rather than promoting – ageist and sexist barriers.

Box 9

The Commission of Policies for the Elderly
Policy for the Elderly in Estonia

Estonia recently established the Commission of Policies for the Elderly within the Department of Social Affairs (“the Commission”). The Commission’s mandate appears to have been originally limited to preparing activities for the United Nations International Year of Older Persons. It is interesting to note that discussions with older Estonians indicate that the Estonian translation of the International Year of Older Persons is “Vanurite Aasta”, which has rather negative connotations: it does not refer to an active old age but more to a fragile state of old age. Despite this, the Commission has undertaken some significant initiatives in the area of age discrimination, which includes drafting a Policy for the Elderly in Estonia (the first of its kind in Estonia). The Policy represents a contribution to the International Year of Older Persons.

Following the International Year of Older Persons in 1999, the Estonian Government has now officially endorsed the Policy for the Elderly and has decided not to disband the work of the Commission, but to allow it to remain in order to follow up on the Policy. The Policy provides an excellent starting point in raising awareness of age discrimination in Estonian society and is the first official public acknowledgment that age discrimination is “unethical”. The Policy “deems it unethical to discriminate against people on the basis of their age” and addresses, to some extent, age discrimination in employment.
(d) An opportunity to exchange information and experiences

Reviewing the feminization of later life across regions confirms that significant differences do exist within and between regions. This is mainly because underlying the global increase in an ageing population are changes in fertility and mortality rates. Persistent low fertility leads to a decline in the size of successive birth cohorts, and a corresponding increase in the proportion of older relative to younger populations. An increase in life expectancy magnifies this proportion.\(^4^9\) Acknowledging the different rates of fertility and mortality decline between the more developed and less developed regions of the world\(^5^0\) helps explain why the less developed regions, while comparatively youthful, will nevertheless soon undergo the feminization of later life at an unprecedented rate. Given these variations it is suggested, therefore, that the youthful age structure which currently exists in the less developed regions of the world provides a fleeting window of opportunity for the social partners, in both regions, to exchange information and experiences on identifying and implementing policies which successfully promote decent work for mid-life and older women workers. One overriding lesson, which is becoming painfully obvious to the social partners in the more developed regions, is that policies based on discriminating against workers on a variety of grounds, including age and sex, are not only morally unacceptable, but are economically unacceptable.\(^5^1\)

(e) The feminization of later life: Labour force participation rates

Given the growing feminization of later life across all regions, it is relevant to explore the changing labour force participation rates of mid-life and older women. This is because, inter alia, the extent to which a decline in the population of the working age subsequently transcribes into a proportionate decline in the labour force depends critically on the evolution of labour force participation rates.

The much publicized decline in the aggregate labour force participation rates of older persons in developed regions has certainly spearheaded recent reforms undertaken in areas such as social security.\(^5^2\) The aggregate decline does, however, mask two distinct trends.\(^5^3\) While labour force participation rates of older men have significantly declined, the labour force participation rates of older women have often been steady or increased. But, because older men work in much larger proportions than older women, increases in female participation have been overshadowed by falling male participation (see Box 10).

Participation rates for older women are particularly high in Nordic countries. In Sweden, for example, rates have increased continuously since the 1950s. Sweden now has the highest participation rates of mid-life and older women (around 80 per cent for the 55-59 group and over 50 per cent for the 60-64 age group). Japan and the United States also have relatively high levels (see Box 11).

---

\(^{4^9}\) See Kinsella and Gist (1999).

\(^{5^0}\) In summary, there has generally been a sustained increase in total fertility rates in developed regions of the world since at least 1900, while fertility changes in the less developed regions have been more recent and more rapid, with most less developed regions having achieved major reductions in fertility rates only over the last 30 years. Although fertility decline has been a driving force behind changing population age structures, mortality decline is also significant. Since the beginning of the 1950s developed regions have added 20 or so years to the average life expectancy of both males and females. Since the 1950s, however, the life expectancy of females has continued to rise, while male gains have generally slowed down or levelled out. Although it is easy to formulate a feasible hypothesis as to why this has occurred, there is no uniformly accepted explanation amongst scientists. While life expectancy in less developed regions has also increased (except where AIDS mortality has been a major factor), the increase has again been more recent and dramatic. For example, in East Asia, life expectancy at birth increased from less than 45 years in 1950, to more than 71 years in 1990: Kinsella and Gist (1999).

\(^{5^1}\) For example, the UK Government, in conjunction with Age Concern's Employers Forum on Ageing, has recently estimated that age discrimination in the workplace costs the UK economy £29 billion each year; November 1998 Report. Additional research, such as the World Bank Development Economics Research Group "Gender, inequality, income and growth: Are good times good for women", Dollar and Gatti, (May 1999) supports the proposition that those societies which continue to have a preference for inequality and discrimination will pay a heavy economic price.
Box 10

Labour Force Participation Rates at Older Ages: Two Distincts Trends

Labor Force Participation Rates at Older Ages: 1973 to 1992
(Percent economically active)

Spain

Ages 55-64

100
80
60
40
20
0
1973 '77 '81 '85 '89 '93

100
80
60
40
20
0
1973 '77 '81 '85 '89 '93

Females

Males

Finland

Ages 55-64

100
80
60
40
20
0
1973 '77 '81 '85 '89 '93

100
80
60
40
20
0
1973 '77 '81 '85 '89 '93

United States

Ages 55-64

100
80
60
40
20
0
1973 '77 '81 '85 '89 '93

100
80
60
40
20
0
1973 '77 '81 '85 '89 '93

Australia

Ages 55-64

100
80
60
40
20
0
1973 '77 '81 '85 '89 '93

100
80
60
40
20
0
1973 '77 '81 '85 '89 '93

Source: Kinsella & Gist 1999
A question emerges from a gender and age analysis of the participation rate trends. Given the different participation rates of mid-life and older women workers between countries and regions, why have policy-makers placed little emphasis on understanding the different economic, social, political, legal and/or cultural structures which exist in order to identify and nurture those structures which best expand and support decent work opportunities for mid-life and older women? While stemming the flow of older men from the labour force has been high on the political agenda of nearly every country for the last decade, increasing decent work opportunities for older women workers has gained little support from those in control of resources. Clearly much emphasis has been placed on keeping older men at work because it is considered one of the most economically viable solutions, but what are the long-term economic and social ramifications of pursuing such a narrow policy focus? Part B will examine these issues, and explore the proposition that the traditional dichotomy between economic and social policies has, again, led to some poor quality policy choices, with excessively high social costs for older women.

Summary of key points

A comparison of the feminization of later life between the more developed and less developed regions reveals that although the feminization of later life is currently more pronounced in developed regions (especially in those countries undergoing transition to a market economy) this phenomenon is expected to occur at a much more rapid rate in less developed regions, and be compressed into a much shorter time frame.

Compared to the developed regions, the less developed regions are now, however, relatively youthful. This presents a fleeting window of opportunity for the social partners within and between regions to exchange information, experiences, good practices and lessons learned from existing policies and programmes, which have successfully promoted and expanded decent work for mid-life and older women workers. One critical overriding lesson emerging in the developed regions is that those societies which continue to have a preference for age and sex discrimination will pay a heavy economic price.

It is recommended that:

1. Further research be undertaken, from a life cycle perspective, on the economic and social costs incurred by those societies that continue to implement policies which discriminate on the grounds of age and sex;

2. Expert Group Meetings be organized within and between regions in order to facilitate an exchange of information, good practices and lessons learned on older women workers.

52 See the discussion in Part B.
54 Gillion et al.: Social security pension development and reform, 2000 (ILO).
Box 11

Participation Rates

Sweden

United States

Japan

PART B

2 The response to demographic transition: A decade of gender-blind economic reform?
(a) The focus on economic implications

During the past decade, the debate surrounding an ageing population has focused on the higher cost to society of supporting an increasingly older population, and the impact that this may have on living standards.\(^1\) From a macroeconomic stance, a decline in the labour force reduces the number of people who can provide various forms of support to those who need it; namely children and the elderly. A recent study by the OECD projects that the cumulative effect of ageing by mid-century could be to cut Japan's living standards by 23 per cent, Europe's by 18 per cent and the United States, by 10 per cent.\(^2\) Such speculative projections certainly capture the attention of the media.\(^3\)

A commonly used measure of potential support needs is the **elderly support ratio**.\(^4\) This ratio has provided governments with a convenient tool when planning the allocation of social resources, especially in projecting the affordability of public pensions. Implicit in the calculation of this ratio is the assumption that all persons over 64 are in some sense dependent on the population in the working bracket aged 15-64, who it is assumed, all provide indirect support to the elderly through taxes and social welfare programmes.\(^5\) There is increasing recognition, however, of the extent of the inaccuracies underlying the assumptions giving rise to the elderly support ratio. For example, the assumptions fail to take into account the significant productive contribution to society by older workers, especially older women workers who are restrained by both ageist and sexist stereotypes when it comes to tallying economic contributions. Ideally, to achieve a realistic measure of potential elderly dependency, more specific employment characteristics in both the working age and the older populations should be empirically factored into an aggregate social support measure. As recently pointed out, substantial proportions of the 15-64 age group may not be financial earners due to reasons of disability, seeking further education, or through choice. On the other hand, emerging evidence indicates that many older women provide a great deal of assistance to their adult children, either through direct financial assistance or other means, such as childcare.\(^6\)

Drawing attention to the inaccurate assumptions underpinning current elderly support ratio calculations is not for the purpose of disputing that the ageing population will lead to a reallocation of resources over the coming decades.\(^7\) It is, however, intended to highlight that a more sophisticated elderly support ratio may encourage a concerted effort, at the national and international levels, to accurately identify, measure and hence **acknowledge**, the productive contribution of all older workers. This may, in turn, provide a much needed opportunity for the economic contribution of older women workers to be identified, and potentially give rise to more

---

4. Which is usually defined as either the ratio of persons aged 65 and over, per 100 persons aged 15-64, or the ratio of persons aged 60 and over, per 100 persons aged 20-59 years of age. It is also referred to as the old age dependency ratio.
9. See the address by Colin Gillion: Tripartite regional consultation with Asian countries on the development of an ILO approach to reform and development of pension systems: Bangkok, 30 September -9 October 1997; see also Gillion et al. (eds.), Social security pensions development and reform, ILO, 2000.
balanced publicity regarding the economic activities of older women workers. Furthermore, the development of a sophisticated, alternative elderly support ratio is not exceedingly expensive or difficult, as demonstrated by the United States Bureau of the Census.  

(b) The primary policy response to an increasing elderly support ratio: Pension reform

The primary response to an ageing population by policy-makers has been to focus on reforming social security systems to minimize projected public expenditure. During the past decade there is almost no country throughout the world where large-scale reform, development, adjustment, improvement or modification of social security systems does not feature, as a matter of urgency, on the political agenda. In order to reduce the actual retirement age emphasis has been placed on increasing older workers' participation rates in the developed regions by, in the main, pursuing legislative frameworks and polices which increase the standard minimum pensionable age and close off options to access pensions prior to that increased age. It is clear that the policy aim has been to stem the flow of mid-life and older male workers from the formal sectors.

Ironically, these recent measures by governments represent attempts to reverse previous policies designed to encourage the early retirement of mid-life workers, implemented as a result of economic downturn during the 1970s and 1980s. Indeed, early retirement policies represent an excellent illustration of the social partners implementing short-term economic policies, without analyzing long-term economic and social implications. The full impact of legitimizing and promoting age discrimination in the world of work through "early retirement", rather than adequately addressing the complex structural and institutional problems behind youth employment, is now beginning to emerge. Since the 1970s, companies have been encouraged by government policies to "off-load" their older employees. It is suggested that, understandably, this has entrenched a global corporate culture of shunning older employees, which is now reflected in the greater number of mid-life and older workers suffering from longer periods of unemployment. The lack of prior analysis before implementing "early retirement" schemes is also reiterated by the fact that it is now being seriously questioned whether forcing older workers from the workplace actually created employment opportunities for younger workers at all.

In summary, it is arguable that short-sighted policy choices grounded in promoting age discrimination in the workplace, especially during the 1980s, has resulted in current governments now clamouring to transform taxation and benefit systems into mechanisms to prevent the early retirement of older workers in order to "avert an old-age crisis". While these current policies are justified, again, on the basis of economic arguments, it is suggested that focusing primarily on controlling the retirement behaviour of older male workers through financial incentives, without making a more concerted effort to support policies which increase the employment opportunities

---

10 Refer to the recent discussion on this in the ILO Employment Paper 2000/2: Ageing of the labour force in OECD countries: Economic and social consequences, by Auer and Fortuny at: www.ilo.org/public/English/employment/strat/publ/ep00-2.htm
11 For a more detailed discussion on this refer to the ILO World Labour Report 1995.
13 A growing number of governments have expressed concern about the economic and social impact of the increasing numbers of long-term unemployed older workers. For example, the Australian government has recently undertaken a senate enquiry into the consequences of the long-term unemployed mid-life and older worker: www.aph.gov.au/house/committee/eewr/owk/index.htm. Despite this recognition that age discrimination through early retirement simply stores up problems for the future, it is still being pushed by the social partners in some countries, such as Germany. It has been reported that early retirement at age 60 is being agreed to by the German government under pressure from the powerful IG Metall Industrial Union which still supports the idea as a solution to the nation's chronic unemployment (again on the basis that older people can leave the workforce early and make room for a younger generation): International Herald Tribune, October 14, 1999.
14 ILO, World Labour Report 1995 concluded that "...the total impact of such measures [early retirement] on the problem of youth unemployment was negligible".
You’re psyched about the future.
You’re full of new ideas.
You’re looking to start a business.
You’re the guy on the left.

They say retirement means the end of your working years.

We say plan well—so you can redefine retirement any time and any way you want. For many, it will be a bridge to a second career. A new business. Or a true labor of love.

At PaineWebber, we know that different ways of thinking about retirement also mean different ways of helping you plan for it. A PaineWebber Financial Advisor can help you find your own path through the multitude of investment choices that are out there today. With advice tailored to your individual goals and needs, as well as your own personal timeline.

When you know that retirement could lead you to the best job description of all—doing what you’ve always wanted to do—

You’ll say

Thank you PaineWebber

To learn more call your PaineWebber Financial Advisor, or 1-888-PWJ-2001, Ext. 3C or visit www.painewebber.com
of mid-life and older women workers, will not only generate unnecessarily high social costs for older women, but will undermine the long-term social and economic benefits that would otherwise accrue to those governments implementing a more gender-balanced policy approach to an ageing population. Furthermore, as discussed below, it is proposed that the “delayed retirement” schemes now being pursued, like the “early retirement” schemes a decade before, suffer from the same lack of thorough analysis.

(c) A multi-dimensional analysis of recent pension reform

• Redefining retirement

To effectively offset the projected macroeconomic implications of an ageing population in the developed regions it is predicted that policies will have to convince the older male worker to remain working for an additional 10-15 years, until around the age of 70.16 Aside from seriously questioning the political viability of such policies, it is unsettling to note that the reasons why older workers retire are far from fully understood by policy-makers in the first place. In particular, the role of wealth in retirement, which is primarily being used by policy-makers to encourage the “delayed retirement” of older male workers, is difficult to gauge.17 There is growing evidence which disputes the paramount role of financial incentives in the decision to retire for older American men.18 In addition, there is also emerging evidence that the reasons why older women continue to work may not be the same as those for older men.19

It has been convincingly argued that for older men in developed regions, the stronger preference to pursue inexpensive leisure activities will prevent the successful implementation of recent policies aimed at reversing early retirement patterns.20 This new analysis of the evolution of retirement suggests that the assumptions underpinning policies based on financial incentives are flawed, and concludes that the likelihood of men significantly delaying retirement for additional income is slim. It is proposed, however, that between work and leisure, there is a middle ground which has been shaping the face of retirement in the more developed regions, but which has hitherto been under-acknowledged by the social partners. Redefining retirement to mean “doing what you always wanted to do” is perhaps the best incentive for increasing the labour force participation rates of mid-life and older workers - both men and women. “Doing what you always wanted to do” does not just encompass moving to part-time employment with the same or similar job, but embraces the notion of moving to a second mid-life “career” (see Box 1). There is evidence that a majority of baby-boomers do intend to keep working in some capacity as they become older,21 yet it is proposed that the social partners have not fully comprehended the changing definition of retirement and thus have not fully capitalized on policies which will support and expand mid-life “career” changes. As will be discussed later, removing barriers so as to provide older workers with the right to continue working is an essential first step, but other proactive, complementary policies,

16 Ibid.
18 Ibid.
20 “...if incomes continue to rise as economic growth progresses, and if leisure time activities continue to be relatively inexpensive and enticing, then the risk of early retirement is unlikely to reverse.” Dora Costa, 1998.
such as promoting lifelong learning and supporting a flexible working environment to enable balancing work and personal life for both men and women. This goes to the crux of this newly defined concept of “retirement”. Furthermore, the image of retirement needs to be redefined to fit the reality of retirement in the twenty-first century. Within a traditional age-structured society, retirement has often been equated with a worker reaching his or her “use-by” date. Redefining retirement to be equated with “doing what you have always wanted to do” provides a far more positive, active definition of working and ageing: illustrations include the financier who always wanted to be a wine merchant; the homemaker who has always wanted to start a small business, or the builder who finally realizes the dream of becoming an architect.

Unfortunately, most research reporting on the reasons why older men continue to work in the developed region has been confined by the traditional concept of an age-structured society, where “doing what you have always wanted to do” has not been seen as a viable “retirement” option. This research has been undertaken within the context of those who can afford to retire early as opposed to those who cannot afford to stop working, resulting in a lack of focus on the growing number of workers who decide to pursue a second mid-life “labour of love”. It is suggested that this has resulted in much emphasis being misplaced on the “financial incentive” arguments for older male workers. It is also suggested that this is one of the reasons explaining the different results in a recent participatory study conducted in a developed country which analyzed the gender differences in preference for early retirement. The results of this study indicate that for a large proportion of older working women, their jobs contained a significant psychological component above, or at least equivalent to, any economic benefit. The clear preference of the bulk of the women in the sample to remain working reflected both their financial circumstances and the stream of psychological benefits obtained in establishing a greater sense of self-worth and identity through working. Thus, this study supports the proposition that older women workers generally possess a high-level of personal commitment which presents an attractive option to potential employers.

Placing financial incentives at the heart of policies to increase the labour force participation rates of mid-life and older workers in the developed regions, without recognizing the increasingly significant role that self-fulfillment now plays in the decision to remain working “in some capacity”, may ultimately lead to a limited implementation of successful “delayed retirement” policies in the developed regions. And while it is encouraging that some countries are allocating significant additional resources towards achieving a more multi-dimensional insight into why older workers retire, there is still scant analysis of the gender differences for early retirement and age discrimination, and little emphasis placed on existing research which suggests that more care should be taken to nurture older women’s increased labour force participation due to their high level of personal commitment.

---

22 See Part D.
23 Patrickson and Hartmann (1996).
24 This is not to suggest that economic benefit is not also of critical importance.
25 For example, in 1990 the US Institute on Ageing (NIA) awarded a $50 million contract to the survey research center of the University of Michigan to begin gathering data on a sample of Americans born between 1931-1941, which has since been expanded to cover all Americans over 50 years of age. An additional $50 million has again been awarded to keep the project going until 2005. Similarly, the European Union has funded recent research, through the European Foundation for the Improvement of Living and Working Conditions, into combating age barriers in employment, resulting in Managing an Ageing Workforce: A Guide to Good Practice: Walker (1999). This research and guide is the first systematic European search for good practice in this field.
The high social cost of reform for older women

Bearing in mind that few concerted attempts appear to have been made by the social partners to expand decent work opportunities for older women, the growing evidence that social security reforms have actually exacerbated income insecurity for older women in both the more developed and less developed regions of the world is even more disturbing.

Developed regions

Recent reforms to old-age and survivors' pensions, in particular, reveal that there has been a move towards increasing the number of years of earnings necessary to obtain public pension entitlements, reflecting the traditional bias towards full-time, relatively well-paid, continuous employment patterns. Although a relaxation in earnings’ and hours’ thresholds has been implemented in some countries, such as Japan and Canada, mitigating the impact of this reform on atypical or part-time employment, the overall result is that older women workers continue to be excluded from accessing old-age public pension entitlements as a direct result of their patterns of labour force participation.26

Furthermore, the recent leveling-down of provisions during the process of “implementing equality”, which has been a common strategy in both public and private pension schemes, has had significant economic implications for older women. Two examples illustrate this: the traditionally lower age set for women to access public pensions has been progressively raised to that of men in many regions of the world,27 and secondly, the widow’s pension has been challenged as offended the legal notion of equal treatment since, under strict legal interpretation, it directly discriminates against men unless there is also an equivalent widower’s pension. This is leading to the abolition, significant reduction or at least public debate over the widow’s right to such a pension in some countries.28

While in no way questioning the critical importance of equal treatment initiatives in the area of social security, reform in this field clearly illustrates that strict legal concepts should not be implemented without appropriate regard to the interaction of other policies or legislative provisions. To continue with the above example in order to highlight this point, raising the pension age of women to equal that of men clearly may be of benefit to today's older women in full-time, higher-paid jobs and is a critical step towards achieving equality in employment and occupation. However, older women in precarious forms of employment, who currently form the majority of older women workers, may be deprived of a means of income security at a crucial period in their lives, and thus be exposed to a greater risk of poverty.29 For these older women, the unequal pension age set at a lower rate for women is fully compatible with the notion of equal treatment because it can be regarded as a way of “making up” for their past years of unpaid work in the “care economy” and of offsetting some of the disadvantages arising within the social security system from that activity. This example illustrates the importance of identifying and implementing

---

26 Social protection in Europe, 1997, EC DGV/E.2 (April 1998); European Commission Employment Observatory MSEP Policies No. 65, Spring 1999; Smeeding, Policy Brief No. 16/1999, www.geron.org/income.html; The Flemming Investment Trusts Service Report (UK) 2000. The Flemming Report found that women can no longer rely on state pensions because in most developed countries “the state pension is withering on the vine”.

27 See the discussion by Auer and Fortuny (1999).

28 For example, a widower commenced action against the British Government in the European Court of Justice during 1998, demanding that men receive the same benefits as women. This appeared to trigger initial government action to significantly reduce key benefits paid to widows in the UK: the Age Media forum report, 19981015. Refer also to “The Poverty of Equality: Pensions and the ECJ”: Sandra Friedman, Industrial Law Journal, Vol. 25 (1996).

29 A study of British women by The Flemming Investment Trusts Service Report found that 53 per cent of those of working age - 10 million women - face a drastic drop in living standards when they retire. The Flemming Report found that a five-year career break can have a drastic impact on a woman's pension benefits. For example, a 30 year old woman who contributes £200 every month to a private pension plan and who stops working between the ages of 35-40, can expect a reduction in pension entitlements of £50,000 in later life.
complementary measures – such as compensation for past years of unpaid care work, or targeted benefits, at the same time as introducing legal concepts of equality – to ensure that the impact of new rights are not skewed by past, and present, discriminatory practices\textsuperscript{30}.

Pitting women's rights against women's needs, especially when those needs have arisen as a direct result of discriminatory practices in the first place, is unacceptable and this will be discussed further under the section on a rights-based approach to older women workers.\textsuperscript{31}

Finally, social protection provisions which are linked to the concept of financial dependency, such as the widow's pension and other means-tested benefits, have tended to be reformed to reinforce the linking of benefits to the financial circumstances of a sexual partner.\textsuperscript{32} This leads, amongst other things, to a focus on sex and marital status rather than recognizing the value of unpaid caring work or participation by women workers in the informal sectors. Expanding dependency schemes promotes the financial dependency of mostly women on their sexual partners which is in conflict with the principle of equality.

\textbf{Less Developed Regions}

The impetus for social security change in the less developed region has mostly arise from the process of economic structural adjustment\textsuperscript{33}, however the impact on women has been similar: the unequal exacerbation of income insecurity and increased poverty.

Recognising the negative social consequences of economic reform and structural adjustment, particularly in Latin America and Africa, various transfer programmes have been implemented during the last decade in an attempt to counter the negative social consequences of such reform\textsuperscript{34}. While various terminology has been used to describe these transfer programmes, the term Social Fund has often been broadly used. Such Funds can be described as quasi-financial intermediaries that channel resources, according to predetermined eligibility criteria, into mostly small scale projects for poor and vulnerable groups\textsuperscript{35}. While there is growing evidence that the design and implementation of Social Funds has merely perpetuated unequal and discriminatory patterns of employment and social participation for women\textsuperscript{36}, there has been little awareness or recognition of the impact of such Funds on older workers, particularly older women workers.

\textbf{(d) Reforming health care: Implications for older women workers}

Although there are many dimensions to health care and the older woman,\textsuperscript{37} the aim of this discussion is to accentuate the contradictory policy dimensions arising from current trends in health care and nurturing increased labour force participation rates of mid-life and older women workers.


\textsuperscript{31} See part C.

\textsuperscript{32} Two further means-tested outcomes are noted as having a particularly negative impact on women. First, as men usually have higher earnings than women, means-testing against the earnings of the spouse is more likely to affect women than men. Secondly, as women's earnings tend to be lower than men's, which enables their (disabled, unemployed, etc.) male partners to qualify more easily for means-tested benefits in the first place, it is arguable that this may lead to a disincentive to paid work for women who work in poorer paid employment, because generally the couple will receive little financial gain if the woman continues to work. This may have long-term negative implications on lifelong learning opportunities for women, even those women in low-skilled jobs: ILO, World Labour Report 1999 - 2000.

\textsuperscript{33} Gillion et al (eds.), Social security pensions development and reform, ILO 2000

\textsuperscript{34} Social funds and reaching the poor: Experiences and future directions; Anthony Bigio. Proceedings from an international workshop organised by the World Bank (Washington D.C. 1997)

\textsuperscript{35} See further www.worldbank.org/sp/html/socialfunds.html
As with pension reform, there has been growing recognition that an ageing population, and in particular the significant increase in the oldest old over the next 25 years, will place a strain on health care resources.\(^3\) Since older women represent one of the poorest population groups in all regions of the world\(^3\), statistics on the increasing number of oldest old women have lead policymakers to forecast that the cost associated with providing health care will burgeon. This has resulted in the development of strategies and policies, especially in the developed regions, designed to reduce public expenditure in this area. Such strategies have mostly involved transferring the burden of care for the elderly onto families and the community. For example, in the United States, the number of nursing home residents aged 85 years and above decreased by 10 per cent between the period 1985-1995 despite the fact that the oldest old is one of the most rapidly growing groups in the United States. Twenty-five per cent of all households in the United States are now either providing informal care for a relative or friend who is over 50 years of age, or have provided this care in the past 12 months, and many more expect to do so in the future.\(^3\)

Interestingly, the transfer of elderly care onto the family and the community by the developed regions reflects the perspective of policymakers in the less developed regions, who have traditionally viewed the family and community as providing the best support for the elderly. However, family and community structures are complex and evolving and a better understanding of these structures needs to be developed, especially within the context of globalization. The growing tendency to mythologize the family and community and to see them as panaceas creates the dangerous situation whereby policymakers assume that the family and the community will take responsibility for the well-being of their older people, and that the State has no real role to play.\(^4\)

Confirming the importance of taking a life-cycle approach to understanding women’s status, the extent and type of caregiving and receiving in old age continues to be determined by gender and the operation of social norms. For many older men, the main person who provides care is their spouse, but because of the sex difference in longevity, older women are more likely than older men to find themselves without a spouse. Thus while mid-life and older women are more likely than older men to provide care to their spouse or elderly relatives, oldest old women are more likely to eventually need care from family or friends. Thus, the typical caregiver in the United States is a 46-year old working woman who is the daughter of the typical care recipient: a 77-year-old woman who lives alone and has chronic illness. Recent research in Spain reinforces this pattern of care with similar findings. This research found that 74 per cent of older men who were receiving assistance with daily living activities had their wife as caregiver, yet only 33 per of older women relied on their husbands as the caregiver. A majority of older women did, however, rely on their daughter to provide caregiving.\(^5\)

---


37 Refer to the discussion at www.un.org/womenwatch/daw/csw/critical.htm for a more detailed discussion of other factors.

38 For example, refer to the European Commission Conference on Caring for Older People at Home: Dublin, April 1999.

39 Refer, for example, to the Ageing and Development Report, HelpAge International (1999)

40 Work & Elder Care No. 98-1, May 1998: www.dol.gov/dol/wb/public/_pubs_elderc.htm

41 This formed the basis of an expert group meeting organized by the UN Programme on Ageing on sustainable social structures in a society for all ages: Addis Ababa, Ethiopia, 2-5 May 2000

Box 3  

The impact of HIV/AIDS on older women in Africa

- As at the end of 1998 it was estimated that over 33 million persons were living with HIV/AIDS worldwide and about two-thirds of this number (22.5 million people) live in sub-Saharan Africa. This number is increasing: 90 per cent of all newly diagnosed HIV infections occurred in Africa during 1998, despite the fact that the Continent has only 10 per cent of the world's population. This pandemic has manifested itself in the world of work in many ways, including seriously impacting on two groups most at risk within society: older women and the girl child.

- Some 95 per cent of all AIDS orphans in the world live in Africa. Research is confirming that it is mostly older women who care for relatives, such as their adult daughters, with AIDS. For example, a survey in one district in Zimbabwe found that carers of people with AIDS were “without exception” older women, sometimes assisted by younger female relatives. Subsequently these older women, already marginalized from the world of work due to ageist and sexist stereotypes, then become the sole provider for their deceased children's children, especially the girl child. Thus AIDS now provides a further distortion of gender inequalities at the beginning and the end of a woman's life cycle.

Thus, in the developed regions, a significant model of caregiving is emerging for working women in the 45-60 age bracket: caring for both their children and elderly relatives. This group of women are increasingly referred to as the “sandwich generation”. In the United States, it is estimated that 72 per cent of caregivers are women and 64 per cent of these women work full or part time. Furthermore, 41 per cent are also caring for children under 18 at the same time as caring for an elderly relative or friend (see Box 2). Likewise, in the less developed regions, particularly the least developed region of sub-Saharan Africa, women in a similar age bracket are finding that their caregiving role is also dramatically increasing, but due to different circumstances. Mid-life and older African women are finding that they are now caring for a range of relatives, especially adult daughters, with AIDS, and subsequently becoming the sole provider for their deceased children’s children, especially their granddaughters (see Box 3). Thus the increase in caregiving has arisen not as a result of an ageing population, indeed the average life expectancy in sub-Saharan Africa has plummeted, but as a direct result of the AIDS pandemic in the region.

Given that the bulk of home care for the elderly, and the sick, is provided by mid-life and older women as unpaid work, policies aimed at reducing health-care expenditure by transferring care for the old and sick to the home will conflict with a woman’s ability to pursue equality of opportunity in the world of work, unless undertaken within a complementary, supportive policy framework, such as that provided by ILO Workers with Family Responsibilities Convention, 1981 (No. 156). The approach taken by Convention No. 156 is to ensure that both men and women have access to services and arrangements developed to reconcile work and family. This Convention, which came into force nearly 20 years ago, calls for measures to be undertaken by ratifying countries to adopt policies in fields such as vocational training, hours of work, leave, childcare facilities, social security, community planning and family services and facilities, to enable all workers with dependent children and “other family responsibilities” to exercise their right to free choice of employment and to access or remain in decent work.

The ground-breaking value of Convention No. 156 lies in its legal recognition that caregiving is society’s responsibility and its attempt to coordinate, through a rights-based approach, the direction of policy in interlinked areas, such as health care, to enable women of all ages to exercise their equal right to decent work. As will be discussed later, only 29 of the 174 member States of the ILO have ratified this crucial legal instrument, which goes to the very heart of expanding and supporting a more gender-balanced approach to the evolution of labour force participation rates, in an ageing population.

For additional information on the “sandwich generation” refer to Combining work and elder care: A challenge for now and the future: Irene Hoskins (ILO) 1996.
**Summary of key points**

The primary response to an ageing population by policy-makers has been to focus on reforming social security and health care systems to minimize projected public expenditure. Such policies have often been undertaken with little prior social or gender analysis, leading to an unnecessarily high social cost for older women.

**It is recommended that:**

Further research be undertaken to:

(i) identify new, and strengthen existing, successful complementary measures undertaken by the social partners, such as compensation for past years of unpaid work, or targeted benefits, designed to alleviate the impact of social security reforms on today’s older women;

(ii) understand better the impact of health-care reform on mid-life and older women’s labour force participation rates;

(iii) identify and promote the significant economic contribution to society of older women workers;

(iv) analyze the impact of Social Funds on older women workers.
3 The framework for new policy reform: A rights-based approach
Prior to exploring the direction that policy reform may take to support and expand decent work opportunities for older women, it is crucial to identify the most appropriate framework within which the reform should be undertaken.

(a) Satisfying basic needs and creating basic rights

It is proposed that the stereotype of the older woman as being unable or unwilling to participate in, and contribute to, society will persist so long as the social partners, international organizations and other relevant actors, such as the bilateral aid agencies, continue to adopt a “needs-based” approach to policies for older women. Although a needs-based approach may adequately identify resource requirements for a particular group, it assumes that those beneficiaries are passive targets without their own priorities and interests. In the case of older women workers, this entrenches the perception that as a group they are inactive recipients of services, aid and charity – or a burden. With this approach, their needs may be progressively satisfied at the will of national governments through welfare benevolence, resource allocation and administrative and policy planning, but they do not have a right to enforce the satisfaction of those needs.

While not in any way undermining the critical importance of satisfying and meeting basic human needs, especially for the oldest old, within a needs-based framework there is little scope for the empowerment or advancement of the older woman on either a social, economic or political level. For example, the concept of livelihood security through employment creation initiatives for older women does not fit easily into a needs-based framework.

In contrast, over time, a rights-based approach reflects an enormous shift in policy direction from the passive to the active. Such an approach creates entitlements for rights-holders. Within a rights-based environment older women are entitled to equality of treatment and opportunity in, for example, the provision of services or the pursuit of employment. The right to receive equality of treatment and opportunity within society creates a corresponding obligation on States to ensure that this occurs. While a State may have some discretion in choosing the types of action or measures necessary, the implementation of the obligations attached to those rights is not a matter of good faith, but constitutes a legal obligation for which the State is accountable at either the national or international level.

Central to a rights-based approach for older women workers must, of course, be the norm of gender equality. The elimination of sex discrimination in employment and occupation is recognized as a fundamental human right by several legally binding international treaties, including the ILO

2 Refer to the discussion paper by Professor Savitri Goonesekere: United Nations Division for the Advancement of Women, Rome Workshop, October 1998.
4 Convention No. 111 has been ratified by 138 countries as of November 1999. For further updates on ratification of ILO legal instruments see the ILO International Labour Standards and Human Rights website: www.ilo.org/public/english/standards/norm/index.htm
5 Whether such legislation is then successfully implemented is another issue.
6 There has been little focus on the rights of older women workers through the international treaty monitoring systems, although this is starting to change slowly. For example refer to the ILO Committee of Experts observations on Hungary under Convention No. 111: Report of the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, 88th Session, 2000; and the recent CEDAW Report on China, C/1999/1/Add.7 para.46.
7 See also the Report of the Secretary General: Gender and Ageing E/CN.6/1999/3 and www.un.org/womenwatch/daw/csw/critical.htm#emerge
Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the United Nations Convention on the Elimination of Discrimination Against Women (CEDAW). Both treaties have been ratified by a majority of countries and most national governments have enacted and implemented, to various degrees, legislation outlawing sex discrimination in the workplace.

It is suggested, however, that as a woman grows older, or is perceived to be older, her access to rights within the scope of Convention No. 111 and CEDAW tend to diminish. This may be due to the interaction of a combination of factors, including that older women's identities are frequently distorted by the misconceptions reinforced by a youth-obsessed media, equating ageing with desexing, and society's reluctance to recognize the significant economic contribution of older women workers and therefore their right to make claims within the world of work. Nevertheless, at some point the relevant social or cultural norms which govern the behaviour of an older woman (and those around her), appear to deny or restrict her right to access or continue decent work, and then gradually confine her right to participate equally within society generally. It is for this reason that the separate ground of age discrimination must be universally outlawed by the international legal system, to effectively begin to tackle the complex web of prejudices that an older woman may experience in the world of work.

(b) The political and legal international framework

Currently there exists no legally binding universal instrument directly calling for national policies to eliminate and outlaw discrimination in access to employment, training and work conditions on the grounds of age. As international instruments are ultimately the product of government negotiation and consensus within an international forum this situation may be seen as a reflection of past governments desiring to regulate the labour market through age discrimination. It is suggested, however, that as the political momentum towards eliminating age discrimination has gathered considerable pace during the late 1990s, the timing is now more appropriate than at any other time in the history of the ILO to campaign for a broad-based universal legal instrument outlawing age discrimination against all older workers.

• increasing international political momentum

The formal recognition by governments that age discrimination denies or limits a significant (and growing) proportion of society their basic rights, has mushroomed during the 1990s. Arguably much of the political momentum has been generated as a result of the activities of several high-level international summits during the mid-1990s, including:

→ The Fourth World Conference on Women, which adopted the Beijing Declaration and Platform of Action. The Beijing Platform of Action calls for action to address the rights of women from infancy to old age. Women and ageing has subsequently been identified as an emerging critical issue;
The World Summit for Social Development, which reiterated support for the active participation of workers in all aspects of life without distinction of age.13

In addition, the United Nations International Year of Older Persons 199914, culminated in the adoption of a Resolution in the Third Committee of the 54th United Nations General Assembly on the Follow-up to the International Year of Older Persons: A society for all ages. The Resolution reaffirmed the need to integrate a gender perspective in policies on ageing, urged governments to combat age discrimination and requested the Commission for Social Development to adopt a recommendation on the desirability of convening a Second World Assembly on Ageing in 2002. Following on from this Resolution, the Commission for Social Development has recently agreed to recommend to the United Nations General Assembly in 2000, that it adopt the draft Recommendation to convene a Second World Assembly on Ageing to take place in Spain in 2002.15

Clearly, the high-level political summits, together with the activities of the United Nations International Year of Older Persons, has placed the issue of age discrimination firmly on the international agenda, arguably establishing the necessary backdrop for possible legal reform within the ILO.

• Moving towards international legal reform

The ILO is the key international organization in the world of work: its mandate is to promote social justice and peace by protecting the rights of human beings at work. While there are currently a number of legally binding ILO Conventions specifically regulating and promoting the employment of older workers, they are mostly limited in scope to specific areas at risk such as night work, maternity benefits or migration. In addition, Convention No. 111, which is the ILO’s principle instrument against discrimination in the world of work, does not list age as one of the seven grounds upon which discrimination is prohibited in international law.16 Article 1(1)(b) of the Convention does, however, enable member States to individually elect to add their own emerging grounds of discrimination besides the seven listed.

Since Convention No. 111 was adopted by the ILO in 1958 there has been the emergence of a number of new grounds, and age has been added to the scope of Convention No. 111 through the operation of Article 1(1)(b) by countries such Australia and New Zealand.17 Thus, while Article 1(1)(b) does enable Convention No. 111 to adapt and grow with the changing social environment, it is suggested that it does so on an ad hoc, individual country basis which does not achieve the effect of creating a universally binding international instrument prohibiting age discrimination.

In addition to the Conventions mentioned above, the ILO has also adopted a number of comprehensive non-binding Recommendations18 which address the concerns of older workers. These include the Older Workers’ Recommendation, 1980 (No. 162), the Termination of
Employment Recommendation, 1982 (No. 166) and the Private Employment Agencies Recommendation, 1997 (No. 188). As with the United Nations Principles for Older Persons, however, Recommendations serve a valuable role in providing voluntary guidelines for governments to follow, and also highlight specific issues of concern, but do not impose legal obligations on member States.

Since the ILO’s principle instrument against discrimination was adopted over 40 years ago, other key human rights standards have been adopted within the United Nations system, expanding the grounds of protection offered in international law against discrimination. Two of the most important and widely ratified instruments, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) both state:

The States parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The ground of age has again not been expressly included in the ICCPR or the ICESCR, although the term “other status” has been interpreted broadly so as to include grounds such as age.

Hence, the status of age discrimination in the international legal system remains either “ad hoc” or is found in the catch-all category of “other status”. It is suggested that for the international community to seriously address age discrimination in the world of work, a universally binding instrument recognizing that age discrimination is as unacceptable as other specified grounds, such as sex, religion and race, must be adopted. For the older woman worker, it is preferable that it exists within the context of an instrument that also prohibits sex discrimination in order to highlight the double discrimination that an older woman worker may face.

(c) A new international legal instrument

If age discrimination were to be raised to the same status as sex discrimination within the operation of Convention No. 111, then three existing ILO Conventions can be immediately utilized to form a core international legal framework necessary to protect older women workers. The three instruments are the ILO Equal Remuneration Convention, 1951 (No. 100), the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the ILO Workers with Family Responsibilities Convention, 1981 (No. 156). These instruments will now be examined from the perspective of the old woman worker.

19 Noting that it is the ICESCR which covers the field of employment.
20 Of course, the three Conventions mentioned above have long formed the framework of ILO rights for women workers generally, however, it is argued that older women workers’ rights have not, and will not, be fully realized within this legal framework until age discrimination is equally recognized within the context of Convention No. 111.
The elimination of discrimination in employment and occupation, and equality of opportunity: Creating the legal basis

As previously discussed, Convention No. 111 and Convention No. 100 are considered fundamental to the mandate of the ILO. Convention No. 111 expressly calls for a national policy to eliminate discrimination in access to employment, training and working conditions on seven specified grounds and has been ratified by 138 out of a total of 174 member States. Member States who have ratified this Convention also undertake a number of additional obligations, including repealing any statutory provisions and modifying any administrative instruments or practices which are inconsistent with the principle of equality, and enacting legislation and promoting educational programmes which favour its acceptance and implementation in co-operation with employers’ and workers’ organizations. Significantly, all other member States who have not ratified Convention No. 111 have still agreed to promote its objectives, as a consequence of the adoption of the recent ILO Declaration. Therefore, it is clear that the inclusion of age as a prohibited grounds of discrimination, within the context of a fundamental international instrument which also outlaws sex discrimination, will provide the most comprehensive legal protection for older women workers at the international level.

A fundamental ILO Convention cannot, however, be revised. Nevertheless, the ILO has recognized that since the adoption of Convention No. 111 “... a number of grounds on which discrimination is prohibited in other ILO standards, in other international instruments, and above all in national legislation, are not covered by this Convention”. The relevant ILO Committee of Experts, which recently examined the issue of emerging new grounds of discrimination in the world of work, thus recommended that the ILO consider the adoption of an Option Protocol, which will not revise Convention No. 111 as such (as it will remain a separate legal entity), but rather provide for the existence of a new legal instrument, annexed to Convention No. 111. Should member States choose to ratify the Protocol, they will legally recognize that the new grounds of discrimination set out in the Protocol, such as age, are of equal status to the seven prohibited grounds listed in Convention No. 111, and accept all legal obligations arising as a consequence of ratification.

It has been pointed out that the adoption of a Protocol has several advantages over the operation of Article 1(1)(b) in Convention No. 111. Apart from providing greater clarity of legal obligation, the Protocol will elevate age discrimination to the same status as that of sex discrimination, thereby providing a rallying point for the social partners to take the necessary measures, within a rights-based framework, to combat age and sex discrimination in the world of work.

The issue of new measures concerning discrimination in employment and occupation may be placed on the agenda of the 90th Session of the International Labour Conference in 2002. This should be monitored closely as it represents a crucial opportunity to create a comprehensive legal basis in international law to promote the rights of the older woman worker.

21 As discussed in Part A.
23 And the other six grounds already noted.
• Combining work and care: Society’s responsibility

The UNDP Human Development Report 1995 begins “... One of the defining movements of the 20th century has been the relentless struggle for gender equality...When this struggle finally succeeds – and it must succeed – it will mark a great milestone in human progress. And along the way, it will change most of today's premises for social, economic and political life”. One of the most fundamental premises in the struggle for equality is whether caring is a woman's inherent responsibility or whether it is society's responsibility. This premise has been addressed head-on by the member States of the ILO through the adoption of Convention No. 156.

Convention No. 156 acknowledges that debunking the notion that family responsibilities should fall only on women is one of the most critical steps towards achieving equality in the world of work. The approach taken by Convention No. 156 is to ensure that both men and women have access to services and arrangements developed to reconcile work and family, calling for measures to be taken by the ratifying countries to adopt policies and programmes to enable workers with family responsibilities to exercise their right to the free choice of employment and to become or remain integrated in the labour force.

Convention No. 156 includes both workers with dependant children and workers with “other family responsibilities”. As previously discussed, a significant pattern of “other family responsibilities” is now beginning to emerge, although the pattern differs between more developed and less developed regions. From a rights-based perspective, however, it is the member States’ lack of formal legal recognition of Convention No. 156, which is most telling. Only 29, from a total of 174 member States, have currently legally committed themselves to this significant legal instrument through the act of ratification.

An examination of the barriers to, and prospects of, ratification reveal a variety of concerns. Generally, the more developed country response appears to be along the lines “... that adequate measures have been taken to meet the primary purpose of Convention No. 156”, although there is then no indication whether or not the country in question will ratify the Convention. The less developed countries have tended to cite economic difficulties – especially in developing or promoting childcare and family services and facilities – as the major barrier to ratification.

Why are member States so reluctant to ratify this instrument? Possibly the answer can be found by exploring the reasoning behind those critical of a rights-based approach to human rights generally. Critics of a rights-based approach argue that a “rights-based” society destabilizes harmonious social relations and the capacity of individuals to interact on the basis of their responsibilities and duties in the community. In other words, creating a “rights-based” society undermines a “duty-based” society. Interestingly, caregiving by women is enforced by the deeply entrenched social norm that it is a woman’s “duty” to care. It is at least arguable that as Convention

24 Compatible with national conditions, as set out in Article 4 of the Convention.
26 See Part B.
28 Refer to Chapter VI, Workers with Family Responsibilities Special Survey, ILC, 1993.
29 Some countries, such as Canada, have specifically indicated that it is Article 8 of the Convention (relating to termination of employment based on family responsibilities) which creates the barrier to ratification.
30 Yet, it is noted that Article 10 of the Convention allows for the provisions of the Convention to be applied in stages, so long as such measures of implementation as are taken shall apply, from the outset, to both men and women with family responsibilities.
31 In particular, some Asian Governments have been critical of a “rights” over “duties” approach, when responding to allegations of human rights violations. For a more detailed discussion on “Asian values” see: A question of priorities: Human Rights, Development and Asian values by Li Xiaorong(1998). Report from the Institute for Philosophy and Public Policy, College Park, MD, University of Maryland: www.puaf.umd.edu/ippw/1998/a_question_of_priorities.htm
No. 156 addresses head-on the very formidable social premise of caring as a woman's “duty”; this may partly explain why the more developed member States have been reluctant to ratify Convention No. 156, even though many are in a position to do so - those in control of resources are simply fearful of “destabilizing harmonious social relations” by removing from men the right not to care.

Furthermore, as previously noted, the recent direction of many government policies has been to restrain health and care services expenditure by promoting caring for older people at home. Given that the bulk of the care for older people at home is provided by mid-life and older women as unpaid work, which in turn conflicts with the ability to pursue equality of opportunity in the world of work, this policy direction will be in conflict with Convention No. 156, unless “all measures compatible with national conditions and possibilities are taken: (a) to take account of the needs of workers with family responsibilities in community planning, and (b) to develop or promote community services, public or private, such as ... family services and facilities”.32

In conclusion, Convention No. 156 is a crucial plank in the core international legal platform upon which equality in the world of work for all women of all ages can be built. Its value lies in its legal recognition that caregiving is society’s responsibility and its attempt to influence, through a rights-based approach, the direction of policy in other interlinked areas, such as health care and education. Although Convention No. 156 has received little formal attention in the ILO since the Special Survey in 1993, it is noted that in November 1999 the ILO formally invited member States to again contemplate ratifying Convention No. 156.33

(d) Implementation at the national level

Advocating the adoption of an international legal instrument to outlaw age discrimination, preferably within the context of an instrument that also outlaws sex discrimination, facilitates the universal design and implementation of legislative measures at the national level, such as the enactment of equal employment opportunity and anti-discrimination legislation. The purpose of such legislative measures is to, inter alia, open rights and privileges to previously excluded groups, and increase their access to opportunities and resources. Within this context, it is therefore relevant to examine the evolution of existing national anti-discrimination legislation on changing social norms and challenging ageist and sexist behaviour in the world of work.

• Removing age barriers through legislative reform and educational measures

A review of the evolving forms of workplace discrimination in the United States provides interesting evidence on the impact of a rights-based anti-discrimination framework. Before major anti-discrimination laws were enacted in the United States, commencing in the mid-1960s, blatant discrimination on many grounds, including age and sex, was common throughout the labour

32 See Article 5 of Convention No. 156.
33 GB.276/LILS/WP/PRS/1 at para. 18.
market. A vivid example involved airline flight attendants, at that time all female, who were typically required by their employers to cease in-flight work at the age of 35 on the grounds that they were no longer attractive enough to please the predominantly male flying public.34

During the last 30 years a web of anti-discrimination legislation has evolved in the United States, outlawing many grounds of discrimination, including both age and sex. Recent research commissioned by the ILO on the documentation and evaluation of anti-discrimination training in the United States, concludes that the prevalence of blatant forms of discrimination has been so significantly diminished by anti-discrimination legislation, that this form of discrimination has been pushed “into isolated social situations, or at least shame faced furtiveness”.35

Thus, as a consequence of implementing an anti-discrimination legislative framework, it is argued that discrimination in the United States has evolved from being explicit and deliberate to implicit and unconscious. The research finds that “the discriminatory problems that are prevalent in many parts of the labour market in the United States in the late 1990s seem to involve implicit and unconscious discrimination, rather than the consciously discriminatory practices more typical of discrimination a generation ago ... that circumstance is one of the most important influences shaping anti-discrimination training”. Therefore, while the research maintains that discrimination continues to affect the labour market in the United States, the form that the discrimination has taken has changed due to the impact of anti-discrimination legislation (see Box 1).

The question thus raised is, does legislation simply change the form of discrimination without significantly curtailing discrimination per se, or does it also significantly reduce the extent of discrimination? The research provides support for the proposition that, while eliminating blatant discrimination may begin to open rights and privileges to previously excluded groups, and may put in place parameters of acceptable public behaviour, it's effect is limited unless implemented within a broader social framework, such as public awareness and educational campaigns. Such campaigns must be aimed at undermining the mechanisms which nurture and perpetuate implicit and unconscious discrimination. This conclusion is also supported by recent Australian research which examines discrimination on the grounds of age and carer status in the initial stages of the recruitment process. Despite state legislation outlawing discrimination on these grounds during the employment process, the study found that employers continued to discriminate on both grounds, but often justified their discriminatory response in a neutral manner, rather than accepting that they were indulging their discriminatory preference for not hiring an applicant with family responsibilities (see Box 2).

(e) Challenges facing a rights-based approach

Finally, it is relevant to examine at least three major challenges which will need to be addressed by the social partners if a rights-based framework is to operate effectively for older women workers.

34 ILO International Migration Papers No. 29: The documentation and evaluation of anti-discrimination training in the United States: Bendick, Egan and Lofhjelm (1998). Much of the discussion outlined on the evolving forms of discrimination is based on this research.

35 Ibid.

36 It is further suggested by Bendick (1998) that there is now widespread societal consensus among the majority of persons in the United States on the fundamental correctness of non-discrimination, as well as widespread public understanding of the illegality of discrimination in the most blatant forms.
Box 1  

**Evolving forms of discrimination**

- In former decades, it was common to observe many categories of employment where women were entirely absent. Situations of total exclusion have become relatively rare. However, it remains common to observe positions where women are present in very small numbers ("tokens") and are under-represented in comparison to their availability among persons qualified for the positions. For example, among the 500 largest publicly-owned corporations in the United States, 84 per cent have at least one woman on their board of directors, but only 36 per cent have more than one;

- In former decades, it was common for women to be passed over for promotion even when they were as qualified as men. Such open preferential treatment between equally-qualified candidates is now relatively rare. However, it remains common for males to be given greater access to job assignments that provide the experience, training or visibility which makes them better qualified than their female counterparts;

- In former decades an American airline could legally require airline attendants, at that time all female, to cease in-flight work at age 35 on the grounds that they were no longer considered attractive enough to please the predominantly male passengers. While this behaviour would create a public outcry in the United States today, evidence suggests that it remains common for many women over 35 to be restricted or denied employment opportunities in “public image” positions, such as receptionists, secretaries, waiters, actors or TV anchor women, because they are no longer considered attractive enough to please the public.

Source: ILO International Migration Papers No. 29; Bendick et al (1998)
Box 2

Unconscious Discrimination

Recent Australian research has examined age and carer discrimination in the initial stage of the recruitment process - the telephone call between the recruitment consultant and the applicant who responds to the job advertisement. Despite recent State legislation outlawing discrimination on the grounds of age and carer status, the study found continuing evidence of unconscious discrimination on both grounds.

The research was based on actual situations rather than simulations. It commenced at the point of a published job advertisement for a single occupational category, that of a secretary, and used it to obtain information about possible sources of discrimination by having pseudo-applicants (all women) of different apparent ages and carer status contact the recruitment consultant who placed the advertisement.

The pseudo-applicants represented one of three ages: 23, 37 or 51. The rationale behind the selection of the three different ages was to represent younger, middle and older pseudo-applicants. In the first condition, non-carer status, the pseudo-applicants had no carer responsibilities. Therefore there did not need to be any discussion during the initial telephone call about what time they needed to leave work each day. However in the second condition, carer status, the pseudo-applicants stated that they had to leave work by 5 pm each day, and if questioned, the reasons varied depending on the age: the 23 and 37-year-old pseudo-applicants had to cover a gap in the provision of childcare, whereas the 51-year-old had to cover a gap in the care of a disabled or frail member of the family (e.g. an elderly parent). When carer status applied, the pseudo-applicant was available to commence work very early, return to work after hours or to work weekends should that be necessary. Absence was only required for one hour between 5-6 pm for example, to collect an elderly parent or child from care and take the parent or child to another carer.

The study found that there is employer preference for younger workers and that having carer responsibilities requiring a family-friendly employer does not facilitate the success of obtaining work, no matter how skilled or experienced the applicant. Interestingly, the study also concluded that while employers demand a strong emphasis on flexibility and availability at the end of the day in relation to caregiving responsibilities, if the reason for having to depart at a fixed time related to further study, the emphasis placed on this restriction relaxed. The conclusion drawn by the researchers is that employers may justify their discriminatory response towards caregiving in terms of “flexibility” rather than accepting that they are indulging their discriminatory preference for not hiring an applicant with family responsibilities.

This supports the proposition that regardless of legislation, implicit and unconscious discrimination will remain unless complementary mechanisms, such as public-awareness campaigns and training, are also developed and implemented.

Source: Age and carer discrimination in the recruitment process: has the legislation failed? Bennington, 1999.
Box 3

**Naming and blaming**

A recent study has researched the job applicant’s ability to differentiate between unfairness and discrimination in the selection process.

Trained interviewers telephoned a random sample of households and asked to speak to job applicants who were over 18 years of age, had applied for, or been interviewed for, a job in the past six months and knew the outcome of their application. A total of 4,883 households were contacted to obtain the final sample of 186 applicants who met the eligibility criteria. Participants were asked specific questions about their recent interview: whether there was anything unfair in the interview process; whether questions had been asked about their age, marital status, physical appearance, current or planned pregnancy, race, ethnicity, religion, sexual preference, childcare or elder-care responsibilities (all outlawed grounds of discrimination by the State where the interview took place); and, if any of these characteristics applied to them. The participants comprised 45 per cent male and 55 per cent female between the ages of 18 to 61.

Seventy-five of the participants acknowledged being asked questions about one of the outlawed grounds mentioned above, yet only one-third of this number indicated that the process was unfair:

<table>
<thead>
<tr>
<th>Unfair</th>
<th>Job outcome</th>
<th>Illegal question asked</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>unsuccessful</td>
<td>10 Yes</td>
<td>16</td>
</tr>
<tr>
<td>Yes</td>
<td>successful</td>
<td>6 Yes</td>
<td>9</td>
</tr>
<tr>
<td>No</td>
<td>unsuccessful</td>
<td>22 No</td>
<td>41</td>
</tr>
<tr>
<td>No</td>
<td>successful</td>
<td>37 No</td>
<td>83</td>
</tr>
</tbody>
</table>

The results seem to indicate that, regardless of whether the job outcome was successful or unsuccessful, some people seem to think that the asking of discriminatory questions, although illegal, is not unfair. This tends to suggest that either the participants do not support the anti-discrimination legislation, or do not see it as applicable to their own situation. Possibly they do not name the process as unfair (and thus do not blame) because they have been socialized into expecting to be asked questions during the selection process about, for example, their age or family responsibilities.

The capacity to name, blame and claim

The process of defining an experience as unfair, and possibly even subsequently lodging a grievance, can be described as the “naming, blaming and claiming” process. A right cannot be claimed, unless it is recognized as a right, which has been wrongfully violated. This process goes to the heart of a rights-based approach, yet too little research has been undertaken to further the understanding of this process.

“Naming” can be described as the recognition that an experience has been injurious or wrong. This may happen when people “get less than they have received in the past, or less than similar relevant others are getting”. However, just because something occurs, it does not mean that it will be named or labelled. For example, it has been pointed out that research on sexual harassment reveals that less than 20 per cent of those who have experienced this form of discrimination actually label themselves as having been sexually harassed. It is not established why this occurs, but there is some suggestion that age may affect the likelihood that labelling or naming will occur.

Once “naming” has taken place, the next step in the rights-based approach must be “blaming”. This process is described as a progression from determining responsibility to determining blame, so the person suffering the discrimination must not only recognize that the behaviour was wrong but must also blame the employer or interviewer. The behaviour must not be interpreted as simply “bad luck” or the “way things are”. Some interesting recent research also highlights that while many job applicants recognize that they have been subjected to illegal discrimination, many do not see it as being unfair or applicable to their own situation. It is suggested that this is not surprising given that it has been a common experience for job applicants, especially older job applicants, to either directly, or indirectly, be asked questions about their marital status, age, etc. during the recruitment process. Thus, these applicants do not name the process as unfair (and thus do not blame) because they have been socialized into expecting the request (see Box 3).

Once blame has been established, the final step of claiming must be available for a rights-based approach to function effectively at the national level. Claiming involves two distinct processes: the first process involves the capacity of the person to actually lodge a claim; while the second goes to the availability and effectiveness of national legislation and machineries, within which to pursue the claim.

Although there has been an increased understanding of the national machineries necessary to enable a rights-based framework to operate and effectively hold accountable those responsible, very little is still known as to why some workers lodge claims or about how those who lodge claims differ from those who do not. Clearly a better understanding of this area will also lead to a more effective implementation of a rights-based approach. There is some evidence that poorer health and social well being, possible depression and lack of financial resources, inhibits claiming, which

37 Felstiner et al., 1981; Much of the analysis on the capacity to “name, blame and claim” is also based on discussions with Dr. Lynne Bennington, Graduate School of Management, La Trobe University, Victoria, Australia.
38 Bennington and Wein, 1999 (forthcoming).
39 As noted in Bennington and Wein, 1999.
40 For example, recruitment agencies.
41 As a consequence of the adoption of Beijing Platform of Action (1995) which identifies this area as a critical issue of concern for achieving gender equality.
42 Dalbert, 1997: Coping with on unjust fate - The case of structural unemployment; Soc. Justice Res. 10: 175-189
Older Women in Estonia

In Estonia there is a long tradition of social groups. The Otepaa Women's Union is a strong and active association of older women, situated in Valga County. Valga County has the second highest rate of unemployment, and has been chosen as the district to commence the pilot phase of an ILO international technical programme on more and better jobs for women.

An evening meeting was arranged with members of the Otepaa Women's Union to discuss, first hand, the ageist and sexist experiences of local older women workers.

At first, the women were reluctant to acknowledge that they had experienced “age discrimination”, or that it even existed, and they stressed that economic circumstances were difficult for all members of society, especially for mothers with young children, who must be helped first. During the evening, however, three important points emerged:

• the terminology used to describe age discrimination was most important. Towards the end of the evening it was overwhelmingly agreed by the women that “older women workers in Estonia were treated less favourably” in the workplace, but it was not fully accepted that they were “discriminated against”. Further probing revealed that the concept of “discrimination” had perhaps taken on a very specific meaning to these women during the Soviet era. Discrimination, in their minds, referred to the race riots in the United States during the 1960s, footage of which they had been shown many times. None of the women had experienced that sort of terrible discrimination because of their age;
• the comment was made that “we can't let other people know” that discrimination exists in Estonia. It was pointed out that discrimination exists in many different forms in all countries in the world, and a number of specific examples were given;
• there was concern that older women should not demand their rights, when younger mothers were suffering so much, trying to raise a family. It was explained that this was not about pitting younger women’s rights against older women’s rights, but about society valuing all women of all ages and providing women with equality of opportunities. The older women were then asked to identify their contribution to society as older women. After this activity was undertaken (and their significant contributions acknowledged between themselves), attitudes began to change.

The following represents a summary of the final discussions:

• a number of older women provided personal examples of age and sex discrimination;
• the “biggest every day stress” in their lives involved lack of job security for themselves, or family members;
• many older women “felt they were being treated poorly in their heart” but there was nothing they could do about it;
• they desperately wanted to build up their self-esteem and craved the opportunity to learn, but “training is too expensive”. A strong interest in “computer training” was expressed;
• they could survive as long as they could grow vegetables (all women present had a vegetable garden);
• there was a strong sense of “looking after others” in the community;
• perhaps young people overrate their own abilities;
• private companies can “do anything” to their employees and get away with it. Even if “you have rights, and know that you have rights” (that distinction was made) no one enforces them.

At the conclusion of the evening the Otepaa Women's Union indicated that they would be very interested in forming a lobby group to raise awareness and promote the rights of older women workers in Estonia. This significant attitudinal shift, from the passive to the active in one evening, reflects the potential value of initiating training and self-esteem building programmes for older woman workers.

Source: ILO International Programme on More and Better Jobs for Women.
is supported by specific findings showing that women with low self-esteem are more likely to perceive harassment and age discrimination, but less likely to report these incidents, than those with higher self-esteem. Based on these findings, it seems that older women fit the profile of those least likely to claim. The ability to name and blame, and the capacity to at least consider lodging a claim, must therefore exist before a rights-based approach can even begin to benefit older women workers. The challenge from the outset, is to enable older women workers to identify that age and sex discrimination in the workplace (and elsewhere) is unacceptable, and that it is not simply “the way things are”. This begins with self-esteem building and knowledge. An example of the positive change in attitude experienced by older women in rural Estonia, after only a two-hour discussion on naming and blaming age discrimination, highlights the value of instigating capacity-building programmes tailored specifically for older women workers (see Box 4).

- **Economic activities performed by older women are often not regulated by the State**

It is well established that many economic activities which are performed predominantly by women fall within the scope of the informal sector and are not regulated by the State. It is less well established which of these activities are predominantly performed by older women. Emerging evidence appears to indicate that older women are concentrated in the unskilled service sector and the agricultural sector. Much more research is required, however, to gain a better understanding of the occupational segregation of older women workers and the pattern and status of their employment. It is not until this is more fully understood that the factors which contribute to their improved working conditions can be accurately identified, supported and progressively regulated.

- **Increasing participation**

The earlier discussion on the levelling down of social security provisions, ironically during the process of “implementing equality”, illustrates how legal concepts can lead to discriminatory practical outcomes. In other words, one of the strengths of a rights-based approach – its ability to reverberate through other policies and processes in order to achieve a holistic outcome – can also be turned into one of its weaknesses. Thus the implementation of a rights-based approach can be distorted, leading to unpredictable results and actually creating a greater sense of exclusion for women. It is suggested that ensuring the participation of those whose rights one is trying to advance provides an important mechanism to ensure that rights do not become burdens. In this regard, the vital role played by participatory research for policy development in ageing, particularly in poverty reduction, has been highlighted in a recent study undertaken on older women workers in Ghana (see Box 5). As previously indicated, giving older women a collective voice is pivotal to facilitating the meaningful participation of older women in formulating policies for job creation and poverty reduction. For the ILO, voice comes through organization; thus supporting and expanding the right to organize is critical to increasing the participation of older women.

---

43 As discussed by Bennington and Wein, 1999.
44 The informal sector includes “... the vast range of activities in which workers generally operate in oppressive and unsafe working conditions, with income often at, or below, the poverty line and little or no access to state-provided social protection, training and social services”: see Report of the ILO Bureau for Workers Activities Symposium (Geneva, 18-22 October 1999).
47 Refer to the discussion by Ms. Gita Gopal at The World Bank Gender and Development Workshop, April 1998.
48 See ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98). See also the discussion by Christopherson (OECD, 1999) on the positive impact that organization has on older women in the unskilled caregiving sector.
Participatory Research

At the national level there is a dearth of basic information, including statistical data, on older women. There is also a corresponding need to develop new perspectives on ageing from the viewpoint and experience of older people, using methods and approaches that measure older people’s contributions and positions in society, as well as their requirements as they age.

Participatory research attempts to bring together primary and institutional stakeholders during the research process. The inclusion of older women as primary stakeholders enables their perceptions and priorities to be heard by those responsible for developing and implementing policy that affects them. Institutional stakeholders include governments, international organizations and civil society. The inclusion of institutional stakeholders across sectors facilitates the identification of issues relating to sectors and the transfer of lessons to national, regional and local-level policy processes.

Participatory research into livelihood security in Ghana has highlighted the gender dynamics of older people’s participation in development. Research conducted by HelpAge International, as part of a six-country study of the contribution of older people to family and the community, found two key determinants. Firstly, older men and women have different (gender-based) roles, responsibilities and entitlements, which determine the livelihood strategies they adopt. Their sense of well-being relates directly to the fulfilment of these socially assigned roles. Secondly, older people’s participation is determined by the extent to which institutions are gender and age aware. Other key findings were that:

- older women are predominantly the bedrock of support for the family;
- gender influences well-being and the contribution of older people throughout the ageing process.

In relation to the last of these findings, the study revealed that the shift from dependency on economic resources of support (such as wages or trading) to dependency on social resources (such as the provision of relatives) tends to be swifter for older men than older women. The reason for this is that while both men and women are circumscribed in their behaviour by social norms, women are better able to diversify their activities in times of need. For example, if very old people become housebound, the men are unlikely to remain economically active, while the women might still undertake petty trading activities.

In the communities surveyed, it was found that older women, in addition to providing childcare for the family, also offer physical care and financial assistance to older men and relatives. It was apparently a recurrent theme in the research that older men placed a high value on this support. However, according to the study, the contribution of older women was still less likely to be officially recognized.

Since the household and informal sectors account for much of the work of older people, their activities, especially those of women, are regarded as “domestic”, and therefore an extension of their “normal” responsibilities. One of the key messages presented in the research was that the contributions of older people needed to be accommodated in economic analysis and policy formulation.

Summary of key points:
A rights-based approach towards realizing decent work for older women reflects an enormous shift in policy direction from the passive to the active. Within a rights-based environment older women can demand the right to equality of treatment and opportunity in, for example, the provision of services and the pursuit of decent work.

The ILO Committee of Experts, which recently examined the issue of emerging new grounds of discrimination in the world of work, has recommended that the ILO consider the adoption of an Optional Protocol to be annexed to the fundamental ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Age has been identified as an emerging new ground to be included in the Option Protocol. The issue of new measures concerning discrimination in employment and occupation may be placed on the agenda of the 90th Session of the International Labour Conference in 2002. It is suggested that should the Optional Protocol be adopted, age discrimination will be elevated to the same status as sex discrimination, thereby providing a rallying point for the social partners to take all the necessary measures, within a rights-based framework, to combat ageist and sexist barriers to decent work for older women.

Furthermore, reconciling caregiving and decent work is becoming a key issue for many mid-life and older women, as caregiving obligations are drastically increasing in both the more developed and less developed regions (but for different reasons). An existing ILO instrument, the Workers with Family Responsibilities Convention, 1981 (No. 156) already provides a comprehensive international legal framework within which caregiving for both men and women of all ages can be reconciled with work. The value of Convention No. 156 lies in its legal recognition that caregiving is society’s responsibility and its attempts to influence, through a rights-based approach, the direction of policy in other interlinked areas, such as health care and education. Despite many countries already confirming that adequate measures have been undertaken to meet the primary purpose of Convention No. 156, less than 30 countries have legally committed themselves to this Convention through the act of ratification.

Finally, before a rights-based approach can be effectively implemented to expand and support decent work for older women, several critical challenges need to be addressed.

It is recommended that:
1. The possible adoption of an Optional Protocol, annexed to ILO Convention No. 111, be monitored carefully by the institutional and primary stakeholders as it represents a crucial opportunity to create an international legal basis to promote the rights of older women workers (and older workers more generally);
2. Concerted research be undertaken by the institutional stakeholders to address the challenges which currently undermine a more effective implementation of a rights-based framework for older women workers.
PART D

4 The direction of new policies and the critical role of the social partners
Realizing decent work for older women will require coordinated partnerships on a number of fronts. The discussion below is intended to highlight the direction of new policies and programmes which are necessary for the social partners to pursue in order to promote decent work for older women.

Removing barriers so as to provide older women workers with the right to access or continue decent work is an essential first step for the social partners to undertake, but other proactive, complementary policy measures such as; promoting purposeful lifelong learning, supporting a secure, flexible working environment to enable balancing work and family responsibilities for both men and women, and educating society in general, and business in particular, about the capabilities of older women, must all combine to effectively support and expand decent work for older women.

(a) Lifelong learning

The economy of the 21st century will not reward tenure and loyalty as much as it will value the continual upgrading of skills and knowledge. This is because rapid technological developments demand a continuous renewal and updating of skills, while a career with one employer is now becoming less common as job descriptions evolve and diversify under rapidly shifting market conditions.¹

Lifelong learning must go hand-in-hand with the rise of the knowledge-based economy if economic prosperity and social cohesion is to progress. Such learning is a long-term, preventative strategy that is far broader than just providing "second-chance" education for those adults that were not provided with initial quality education and training in their childhood and youth. For those adults, many of whom are older women with deficient initial education and training,² lifelong learning is about delivering job-relevant learning, and building the foundations for further learning. Lifelong learning therefore rejects the notion of an age-structured society, where education is, in the main, a one-off event experienced early in life. Rather it embraces a learning society where everyone is motivated, able and actively encouraged to learn throughout life. Only in a learning society will all workers be able to continually upgrade their skills and the knowledge needed to maintain employability and so share in the economic growth generated by globalization, which in turn, nurtures social cohesion and democracy.³

Orbiting in the opposite direction to the "vicious" circle of poverty and exclusion, emerging evidence on lifelong learning suggests that there appears to be a "virtuous" circle whereby participation in continuing education and training raises skills and competencies that enhance employment and

---

² An estimated 130 million children of primary-school age do not have access to basic education, and two-thirds of these are girls: UNESCO, 1998b.
³ Considerable recent research on lifelong learning has been carried out by the OECD and the ILO, which has formed the basis of much of the discussion in this paper. Refer to the OECD background papers to the meeting of the Employment, Labour and Social Affairs Committee at the Ministerial Level held in Paris in October 1997, and the ILO Report (including relevant background material) for the discussion at the Joint Meeting on Lifelong Learning in the 21st Century: The Changing Roles of Educational Personnel (Geneva, April 2000).
earnings prospects, which in turn increases the demand for learning opportunities.⁴ And, participation in continuing education and training is positively linked to being employed, which in turn is positively related to educational attainment and literacy levels. The link is even stronger for job-related continuing education and training.⁵

Thus, those with the fewest opportunities of all to participate in lifelong learning are either unemployed or outside the labour market and education systems altogether. Next are those workers concentrated in low-skilled jobs. From a life-cycle perspective on understanding the status of women, research shows that although countries vary significantly in the proportion of young people (aged between 16-19) who are neither working or studying, there is one common feature: young women are more likely than young men to be outside the labour market and not in education or training.⁶ This implies that a greater proportion of young women are not developing their skills and knowledge, which translates into a higher proportion of women being unable to access and maintain decent work in an information-driven economy. Exclusion from decent work is further exacerbated by ageist and sexist stereotypes about the capabilities of older women. Viewed from this perspective, it is easier to understand one of the linkages between ageing, gender and poverty.

Although the educational gap between women and men is closing,⁷ as a consequence of earlier policies based on the traditional family model, today’s mid-life and older women workers represent a larger group of poorly qualified adults who are increasingly at risk of unemployment and low earnings because of their lack of access to lifelong learning opportunities. Furthermore, as previously discussed, mid-life and older women also represent a larger group of adults who are not presently employed and have not previously been looking for work because of the restrictions placed on them by, inter alia, unequal caregiving obligations. Thus complementary policies which will strengthen older women workers’ access to lifelong learning opportunities so as to increase their employability – and thus increase their access to the virtuous, rather than the vicious, circle – are an essential component of the framework for realizing decent work for older women.

**National governments**

Lifelong learning generally, but particularly for older women who face significant challenges created by past discriminatory policies, will not only require concerted action by all the social partners, but the forging of closer relationships with additional partners. For example, policymakers in the education and labour ministries must coordinate more closely to focus on the structures needed to open the door to the “virtuous circle” for older women – that being increased educational and literacy levels; creating a foundation for further learning; and, delivering education and training programmes tied to standards that lead to useful credentials and meet labour market needs. In particular, to maintain relevance in a rapidly evolving technological society, training programmes must seek to promote an information society for all, including special measures for older women (see Box 1).

---

⁴ Ibid.
⁵ Ibid.
⁶ Although - as noted during the discussion on Estonia in Part A - education alone is not enough to overcome sex discrimination: see also the ILO, World Employment Report, 1999.
An Information Society for All in Sweden

Recognising that much of the growth that Sweden experienced during the 1990s was a product of IT investment, the Swedish Government’s overall information technology (IT) policy objective is for Sweden to become the first country to create an information society for all. Cognisant, however, that many people are missing out on IT development and risk being marginalised, the Government of Sweden has proposed that state investment be focussed primarily on three areas of priority:

- Confidence in IT;
- Competence in IT application, focussing on the provision of basic skills;
- Accessibility to the services of the information society.

There is, however, some potential conflict between the need to meet specific requirements from a rapidly developing IT industry in global competition and the need to introduce a broad-based programme that would afford all citizens access to the information society. The Government of Sweden takes the view that a broad-based programme would provide an appropriate foundation on the strength of which Sweden could compete internationally in the long term. More specifically IT policy is to seek to promote, inter alia, employment and gender equality and diversity by increasing universal access to the advantages afforded by IT irrespective of gender, age ethnic background or any disability.

Clearly an exchange of relevant information concerning measures taken by the Government of Sweden to increase access to the advantages afforded by IT to mid-life and older women, in order to achieve this policy objective, will be extremely beneficial for other policy-makers and the social partners.

From the outset, however, it appears that the choice of policy options to strengthen relevant lifelong learning for today’s mid-life and older women may involve governments weighing up several economic considerations which, at first glance, do not favour older women. First, the policy options may depend on the extent to which poorly qualified older women have access to lifelong learning opportunities in the absence of policy intervention (in other words, are the industries which employ older women declining or increasing); secondly, consideration may be placed on the fact that older women out of the labour force are poorly qualified relative to those adults who are active, thus an increase in labour force participation in response to a tightening labour market will lower overall levels of labour force qualifications. Finally, though the learning needs of older women may be significant, their expected shorter remaining time in the labour force may argue for less costly interventions with more modest objectives.

However, before policy-makers consider it economically inefficient to concentrate on increasing access to lifelong learning opportunities for today’s generation of mid-life and older women, it is suggested that a more gender-sensitive economic analysis may find that first, while additional information needs to be obtained in order to understand more fully the segregation of older women workers and their conditions and status of employment, it is clear that older women workers in developed countries are concentrated in the growing service sector (see Box 2). And although older women workers in the less developed countries remain concentrated in the agricultural sector, it appears that they are also moving into the service sector. Secondly, learning undertaken before re-entry into the labour force by mid-life and older women might be undertaken at lower costs in lost production, in order to facilitate faster transition into employment, and faster growth in productivity; and finally, as previously discussed, research on the gender preferences for early retirement supports the view that older women generally possess a high level of commitment to their work during later life and are therefore more likely to remain working longer should they be encouraged to do so.

Existing research also indicates that literacy skills, which are an important determinant of worker productivity, will improve with practice and deteriorate if not used, suggesting a “use it or lose it” dynamic, with the ability to acquire new skills progressively deteriorating for workers in jobs where these skills are not well exercised. Therefore an important issue for increasing the lifelong learning needs of older women is focusing on the fact that older women are concentrated in low-skilled jobs which are not as likely to offer lifelong learning opportunities. As a consequence it is critical that other linkages to lifelong learning opportunities be established for older women, such as through affordable job-relevant adult education programmes. It follows from this that there is also a need to ensure that older women are able to obtain information about where and how to take advantage of such opportunities. It has been pointed out that the experiences of some of the Nordic countries with the “Folk High-Schools” and “Study Circles” in reaching poorly qualified adults, particularly older women, may provide useful insights for policy-makers.

---

8 These economic considerations are based on a more general discussion of economic considerations in lifelong learning provided by the OECD GD/(97)162.
10 Patrickson and Hartmann (1996).
12 OECD GD/(97) 162.
Box 2

Percent Distribution of Younger and Older Workers, by Occupational Sector, in the European Union: 1991
(Aggregate data for 12 countries)

Source: Eurostat, 1993b
Employers

Additional strong complementary measures must also be taken by enterprises in the area of lifelong learning and trainability, in order to support and expand access to decent work for older women.

While the link between educational and literacy levels and employment is well established, less is known about continuing education and training, which is the essential component for lifelong learning. Recent research in this area highlights several important issues for the role of enterprise in the lifelong learning process for mid-life and older women.13

This research, based on comparing data on continuing education and training of adults across countries in the developed region, has found that while men in the entire adult population were generally more likely to participate in some form of continuing education or training than women, among the employed population the gender difference in training observed for the entire adult population is reversed: women in employment were more likely than men to participate in some form of further education and training, and were equally likely to participate in job-related training. This supports the proposition that employment has an extremely positive impact on building the foundations for women to continue learning. It is significant to note, however, that although employed men and women were equally likely to participate in job-related training, men were far more likely to receive financial sponsorship from their employers than were women, and were also more likely to receive a longer average duration of training. Furthermore, in analyzing the funding of continuing training, the most common financial sponsors of training, particularly job-related training, were employers, with large employers more likely to provide funding than small employers. Women were far more likely to fund their own training, and slightly more likely to receive government funding.14

The difference in funding can perhaps be explained by the earlier discussion on implicit or unconscious forms of discrimination.15 While on the surface, employer policies may appear to create equal training opportunities for both men and women, as women are significantly less likely to receive financial sponsorship from their employers to pursue continuing training, the ability to participate in further training is not equal. Evidence on the evolving forms of discrimination16 supports the proposition that in an increasing number of circumstances, managers controlling the training budget allocations may unconsciously indulge their own discriminatory preferences against investing equally in women, yet justify their decision in a manner that seems neutral – even to themselves. However more research into the area of employer attitudes and perceptions on funding training for mid-life and older women workers needs to be explored. Clearly, removing this barrier to training means that more mid-life and older women workers who are currently employed, would be better placed to raise the skills and competencies that enhance employment and earning prospects, which in turn increase the demand for learning opportunities – and give rise to

15 As discussed in Part C.
16 Bendick et al. (1998) ILO International Migration Papers No. 29.
promotions. In an effort to better understand the barriers to women's business success, recent participatory research has been carried out in the United States. The clearest message emanating from this research was that “those facing the most significant barriers (to business success) were mid-life women with established careers who were looking for that big promotion – and not getting it”.  

The second issue highlighted is that the perceptions formed by employers on older women's trainability are strongly influenced by discriminatory societal assumptions about the capabilities of older women, including that they are uninterested in, or incapable of, taking in and processing new information. Such assumptions are reflected in the results of a recent survey of American businesses' perceptions of older employees. The survey conducted among senior-level human resource executives at 400 companies confirms earlier findings that older workers are assumed to be averse to change and resistant to learning and understanding new technologies. Such assumptions run counter to internet usage surveys which note that as a global trend, older people are one of the fastest growing "on-line" sectors. It is suggested that the lack of access to employer funding for women "hides" the full extent of women workers' willingness and ability to continue learning, especially with regard to new technology. Should women workers be provided with equal access to employer funding, it is proposed that this may lead to a substantial increase in the number of women workers participating in job-related training which, in turn, may facilitate a more rapid movement into technology training. Recognizing the full extent of women workers' willingness to continue learning may then break down the general assumption that women, particularly mid-life and older women, are less interested, and less able to adapt to, changing skill requirements.

**Workers' organizations**

It is well established that workers’ organizations provide a critical role in supporting and promoting access to decent work by enabling workers to project their collective voice in the world of work through organization. As discussed earlier, from the perspective of the ILO, voice means organization, which in turn means influence and the empowerment of workers. This concept is embraced in the fundamental principle of freedom of association and the right to collective bargaining. The lack of established initiatives by workers' organizations in the area of older women workers suggests, however, that it is less well recognized that mid-life and older women workers may have specific work concerns. And, although providing older women workers with a voice will increase the likelihood that their specific concerns may be heard by the social partners, without an understanding of their rights and entitlements, their ability to instigate change through organization is limited. This goes to the heart of the capacity to "name, blame and claim", as previously discussed, and highlights the importance of undertaking capacity building programmes for older women workers.

---

18 American Business and Older Employees: AARP Work Link Team Programme Development and Services: 2000 (although this survey is not gender-sensitive).
19 NUA Internet Survey Findings, as discussed in the Estonian Human Development Report (1998)
20 See ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98).
Against this general background, there are several specific measures that workers’ organizations can undertake with respect to promoting lifelong learning work for older women. These include:

**Dissemination of information**

As previously noted, it is of paramount importance that older women workers obtain information about where and how to take advantage of lifelong learning opportunities both within, and outside of, the working environment. Given the unequal access to employer funding, it is crucial that this should also be coupled with information on how to obtain resources to pursue additional learning. Workers’ organizations are ideally suited to provide this information to older women through a variety of means, including seminars, workshops, guide books, posters and electronically. A review of the literature suggests, however, that few workers’ organizations have undertaken specific research into the most effective means of communicating with their mid-life and older women members.

**Collective bargaining**

Negotiated enterprise agreements should promote lifelong learning and also address barriers which may inhibit older women workers from accessing lifelong learning opportunities. For example, agreements should include a commitment from the enterprise to embrace the concept of lifelong learning either at the workplace or through linkages with other programmes. Following this commitment, more proactive measures may be pursued by workers’ organizations, such as improved access to financial resources for further training and education for all workers; promoting learning at a time and place and in a manner that also meets older women workers’ needs; undertaking a workplace campaign to increase the awareness levels and motivation of all workers to participate in further training; and educating the supervisors who approve flexible working arrangements and study leave entitlements to ensure that they are equally supportive of an older woman seeking to utilize such benefits.

**(b) Balancing work and caregiving**

Many mid-life and older women — in both the developed and less developed regions — are experiencing a significant increase in caregiving, which is directly restricting their participation in decent work. For example, at least 17 per cent of working women in the United States have either resigned or taken leave of absence from their employment due to elder care responsibilities.21

---

**Box 3**

**Nordic Men’s Studies**

Recognising that demand for research-based knowledge on men and masculinities is increasing, the Nordic countries have established a position within the Nordic Institute for Women’s Studies and Gender Research to co-ordinate Nordic Men’s studies (including critical studies on men and research on masculinity). A Nordic reference group with representatives from each of the five Nordic countries has been set up to support the work of the Co-ordinator.

Although men’s studies is a young field of research, the work being carried out by the Nordic countries, and others, in comprehending men’s perception of maintaining social norms in areas such as caregiving is critical in order to more fully address the unequal exercise of power that is associated with enforcing those social norms.

**Box 4**

**Bargaining for Elder Care**

The American Federation of Labor-Congress of Industrial Organisations (AFL-CIO) is the voluntary federation of the United States unions, representing more than 13 million working women and men.

The AFL-CIO appreciates that elder care is one of the least recognized needs of working people. In particular, the AFL-CIO notes that nearly three-quarters of all informal caregivers are women, and that many of these working women not only provide elder care but at the same time are also responsible for the care of children. In response to this, the AFL-CIO has produced a Fact Sheet on Bargaining for Elder Care, which provides strategies and examples of successfully negotiated agreements. Strategies include:

**Strategy 1: Resource and referral service**

Finding high-quality, reliable, affordable care can be difficult for working people. Resource and referral services can help match employees with appropriate and available care providers, taking into consideration the special needs of each family. Employers can either contract with outside referral agencies or handle referrals in-house;

**Strategy 2: Elder care tax programmes and funds**

Tax programmes in the United States, such as the Dependant Care Assistant Plan, allows an employee to set aside up to $5 000 of his or her earnings in a tax-free account to pay for elder care or child care. The only cost to the employer is in its administration. Information on such options, or variations of such options depending on the tax programmes available, can be disseminated to employees and negotiated on their behalf;

**Strategy 3: Family leave**

Negotiating flexible working schedules, including time off, to care for an elderly or dependant is often helpful for meeting working families’ elder care needs. Accessing family leave is however, often thwarted by the attitudes of managers who approve the leave or flexible working arrangements. Thus creating an environment conducive to the taking of family leave is as critical as negotiating the leave benefits in the first place;

**Strategy 4: Support Services**

Some unions directly provide, or work with employers to provide, information and support as a way of addressing their members’ elder care needs. This strategy can help working people make decisions about elder care strategies and reduce personal stress. Such services include counselling, information and referral services, seminars, support groups, handbooks and videos, and the formation of work and family committees.

Source: AFL-CIO Fact Sheet: Bargaining for Elder Care www.paywatch.org/women/f_elder.htm
National governments

As noted, at the international level governments have already adopted a rights-based framework to facilitate the balancing of work and caregiving through the adoption of ILO Convention No. 156. Under this Convention both women and men require access to services and arrangements developed to reconcile work and family, thus challenging a key social premise that caring is a woman’s duty by embracing an equal approach to caring. Despite the adoption of Convention No. 156 nearly 20 years ago, few countries have legally committed themselves to this Convention through the act of ratification. While an earlier examination of the barriers to, and prospects of, ratification reveals a variety of concerns it is also suggested that not enough emphasis has been placed on understanding men’s perception of caregiving. This represents a critical gap in knowledge as groups often seek (deliberately or unconsciously) to enforce norms and preferences they find beneficial. Thus in addition to the previous issues raised on promoting the implementation of ILO Convention No. 156, the role of governments in spearheading action plans on men and gender equality is highlighted as essential to facilitate a more equal sharing of caring between men and women workers (see Box 3).

Employers

It is estimated that the aggregate cost of caregiving in lost productivity to US business is $11.4 billion per year, although the total costs would exceed $29 billion per year if caregivers providing care at lesser levels, and those working part time, were included in the calculation. Despite the enormous cost in lost productivity, the changing focus of caregiving, in the form of elder care, remains one of the least recognized needs of working people.

It is increasingly accepted by business that work-life policies, which include family-friendly policies and the balancing of work and life, provide both qualitative and quantitative benefits to an enterprise. This is reflected in the growing number of such policies being implemented by companies globally. The qualitative benefits include: improved employee moral and loyalty; enhanced employee recruitment; and enhanced public and community relations. The quantitative benefits include: employee time saved; increased output due to increased focus and motivation; increased employee retention; increased income; decreased expenses; decreased health-care costs and stress related illnesses; and reduced absenteeism.

It is suggested, however, that the most effective work-life policies will depend on the extent that it is recognized by employers that the ability to balance work and personal life is not a "women and childcare issue" – but an issue relevant to all workers, and including a variety of caregiving circumstances. Protective measures that are too targeted or too accentuated tend to marginalize and weaken the position of those concerned and, indeed, it is arguable that some family-friendly

---

22 Refer to the ILO Workers with Family Responsibilities Special Survey, 1993 (as discussed in Part C).
23 A norm may be conceived as a “sophisticated tool of coercion, used by the favoured party in the status quo of inequality to promote its interests in the maintenance of this status quo. It will be considered sophisticated to the extent that the air of impersonality remains intact and successfully disguises what really underlies the partiality of norms, viz. an exercise of power”: see Edna Ullmann-Margalit as discussed by Badgett and Folbre: “Assigning care: Gender norms and economic outcomes” (1999) International Labour Review, Vol. 138. No. 3.
26 This is well documented by a number of studies, although a recent University of Texas-Houston Work-Family Task Force Report provides a succinct summary of cost/benefit considerations - www.uth.tmc.edu
policies may have reinforced the social norm that it is women alone who are responsible for caregiving and used this as an opportunity to increasingly expose women to exploitative "flexible" working practices. On the other hand, implementing work-life policies within a comprehensive framework aimed at balancing work and personal life for all employees, embraces a broader policy strategy which includes childcare, elder care and other forms of caregiving for both men and women. Companies that have already undertaken extensive initiatives in this area are finding that their better performers (both men and women) rate highly the ability to balance work and personal life in their decision to stay with an employer. This is supported by further research suggesting that "men and women are increasingly sharing similar views about work and family ... the younger men especially want to be more involved with their families". In summary, not only does it make good business sense for employers to recognize the growing importance of providing elder care programmes to their employees, but this direction is consistent with an overall attitudinal change by employees seeking a better balance between work and personal life. This provides an opportunity for companies to begin to embrace a broader policy strategy towards caregiving so as not to marginalize the position of women workers, or reinforce inequitable social norms.

Workers' organizations

Bargaining for elder care and educating supervisors

Whilst the dissemination of information and negotiating collective agreements containing elder care provisions are especially relevant to mid-life and older women – given the increase in their caregiving duties – as noted, measures that are too targeted or too accentuated tend to marginalize and weaken the position of those concerned. Thus identifying and developing strategies which raise elder care as a workers' need, within the context of benefitting both the worker and the company, will best promote the interests of the mid-life and older woman worker (see Box 4). An issue which has been identified as posing a significant impediment to the implementation of work-life policies is the attitude and behaviour of supervisors towards staff who wish to access existing work-life benefits. A recent survey confirms what no doubt many mid-life and older women have already experienced when seeking elder care leave: that a benefit may exist on paper, but managers send mixed signals if employees try to use the benefits. The survey also found that an employees' comfort level in using work-life benefits ties directly to managerial encouragement and supportiveness of the work environment. Lack of support from colleagues may be further exacerbated by sexist and ageist stereotypes. Thus a critical role workers' organizations may play in promoting the effective implementation of elder care benefits is in encouraging human resource managers to educate their line managers and supervisors so as to send the right signals to all employees wishing to access such benefits.

29 Catalyst surveys, 1998 - www.catalystresearch.com
Box 5  Breaking Down Stereotypes

Deloitte Consulting
A very different approach.
For very different results.

to be successful, this is the kind of confidence
your people have to bring to e-Business

© 1999 Deloitte Consulting (Global)
(c) Educating society

National governments

As human capital – the knowledge and know-how embodied in people – becomes a dominant determinant of national economic performance and enterprise productivity, it is becoming evident that those societies which continue to have a preference for inequalities and discrimination will pay a heavy economic price through wasting or limiting their human capital potential. Recent estimates, reflecting the growing concern of governments that age and sex discrimination impedes economic progress, have attempted to calculate the actual cost of discrimination in specific circumstances. For example, it is estimated that age discrimination currently costs the UK economy £29 billion annually, while as previously noted, lost productivity to US business due to lack of caregiving support has been conservatively estimated at around $11.4 billion each year.

Evidence on the impact of existing anti-discrimination legislation suggests that legislative measures may remove blatant forms of discrimination, but has a limited effect unless implemented within a broader social framework aimed at undermining the mechanisms which nurture and perpetuate implicit and unconscious discrimination. Thus it is suggested that governments need to first gain a fuller understanding of the stereotypes which employers hold about the capabilities of older women workers. Armed with gender-sensitive information, an educational and awareness-raising campaign tailored to undermine the negative assumptions society makes about the capabilities of older women workers will be most effective. It is suggested that images which reflect confident mid-life and older women, at ease with technology, will provide a positive step forward in debunking the more destructive stereotypes faced by the older woman worker (see Box 5).

Employers

Examining employer behaviour at different stages of the employment cycle, including recruitment and promotion as previously discussed, suggests that those in control of the company resources may deliberately, but more often unconsciously, indulge their own discriminatory preferences against recruiting or investing in women workers, which in turn, increasingly limits access to decent work for mid-life and older women. Indeed, this illustrates the validity of adopting a life cycle approach to better understand the status of women workers. However, emerging evidence on the economic cost of age and sex discrimination, especially within a tighter labour market and combined with the growing consumer clout of older women, may encourage employers to reassess discriminatory practices and procedures, if not for moral reasons, then at least within the framework of the “good for business” argument.

31 As discussed in Part C.
The crux of the "good for business" argument is that non-discrimination reduces potential complaints and litigation (in countries which have implemented a rights-based anti-discrimination framework) and also provides access to an untapped pool of human capital, resulting in finding the best person for the job. Furthermore, as the mature market for goods and services required by older women has been described as "the sleeping giant", employers may be wise to consider the advantages of implementing "diversity in the workplace" policies to include the perspective of older women. And, for those corporations with a poor track record of discriminating against older workers, including older women workers, there is an increasing risk in today's society of offending a significant and growing proportion of this consumer market.

Workers' organizations

The ability to train a strong, public spotlight on workers' rights is more powerful than ever, as a consequence of the combined advancement in technology and the global media. Moral suasion through public shame and consumer activism has an important and credible role to play if used in a responsible manner.

The effectiveness of the spotlight depends on the interest of the media, thus workers' rights abuses which are considered most "newsworthy" attract the powerful media spotlight, while those issues considered less "newsworthy" gain little coverage. The principle of freedom of association and the right to organize, for example, gains less media coverage than other fundamental principles at work, and it is arguable that the rights of older women workers also attracts little media attention for the same reason - lack of media interest.

The role of workers' organizations is of paramount importance in ensuring that all fundamental rights of older women workers are kept on the international and national agendas or, if necessary, under the spotlight at both the domestic and international level.

Summary of key points

Realizing decent work for older women workers will not only require coordinated action on a number of fronts by the social partners, but the forging of closer relationships with new partners. Providing older women with the right to access or continue decent work is an essential first step for the international and national systems to take, but other proactive, complementary policy measures, such as promoting job-relevant lifelong learning, supporting a flexible working environment to enable balancing work and personal life for both men and women, and educating society about the capabilities of older women, must all combine to effectively support, expand and sustain decent work for older women workers.

It is recommended that:

1. An electronic information site be established to facilitate the exchange of existing good practices and policies for employers' and workers' organizations on:
   • work-life workplace policies, including elder care;
   • lifelong learning policies and programmes for mid-life and older women workers;

2. Subject to the successful exchange of information on policies and practices within regions, as noted in Part A, an international "information exchange and brainstorming workshop" be organized for selected experts from both more developed and less developed regions. The purpose of the workshop will be twofold:

   (I) to exchange information on older women workers, including good practices and lessons learned, between the more developed and less developed regions; and,

   (II) to draft recommendations for policy-makers, outlining the direction of new policies and programmes necessary to support and expand decent work for mid-life and older women workers. The Recommendations may include issues relevant to: lifelong learning; successful legislative measures; work-life policies; social protection; and awareness-raising campaigns on the capabilities of older women. It is envisaged that the Recommendations be used as a check list by policy-makers, who may then adapt them to suit national and regional needs.

The Recommendations, incorporating conclusions drawn from prior Expert Group Meetings, may then be presented to the Second World Assembly on Ageing in Spain in April 2002, as a collaborative contribution by the institutional stakeholders.