

**COUNTRY REPORT 1 2011
ON ACTIVE AGEING**

MALTA

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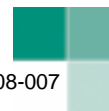
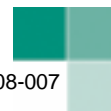


TABLE OF CONTENTS

1	INTRODUCTION	2
2	LABOUR MARKET	8
3	ACCESS TO THE LABOUR MARKET	11
4	DISCRIMINATION OF OLDER WORKERS AT THE WORKPLACE	13
5	PUBLIC OPINION.....	15
6	GOVERNMENT POLICIES AND MEASURES	18
7	NGO'S AND CIVIL SOCIETY	24
8	BUSINESS PERSPECTIVE	26
9	DISCUSSION ON RECENT DEVELOPMENTS	27
10	ANALYSIS AND CONCLUSIONS	28
11	REFERENCES	30



1 INTRODUCTION

Demographical situation

1. Malta's population for 2009¹ stood at 412,970 of which 205,419 males and 207,551 females.² For the same year 20,158 persons were on unemployment benefit and another 1,078 persons were receiving special unemployment benefit. On the other hand, in 2009 76,221 persons were receiving a contributory pension of whom 9,585 were receiving a retirement pension, 8,404 the national minimum retirement pension and 29,744 the two-thirds pension. A further 4,874 persons were receiving a non-contributory pension on the ground of old age, while 5,675 were receiving unemployment assistance.³ The total amount issued on retirement pension in 2009 was that of €319,507,000.⁴

Retirement Ages by Sector and Gender

2. The Social Security (Amendment) (No.2) Act⁵ introduced gradual increases in retirement age. Essentially retirement age is taken to be equal to pension age and that is the age upon which a worker having paid relative social contributions becomes entitled to a state pension and this since one would lose the state pension if he/she was retained in employment following pension age⁶. In Malta, the pension age is deemed to be equal to retirement age and this is in general applicable across all sectors. The pension age was previously that of 60 years for females and 61 years for males. However the Social Security (Amendment) (No. 2) Act has raised this age to 65 years for both males and females. This new pension age was not however introduced across the board but there is a gradual increase depending on the date of birth of the person as follows:
 - i. Persons born on or before 31st December 1951 become of pension age upon reaching 61 years;

¹ Malta in Figures, 2010, published by the National Statistics Office, based on data collected up to 15th September 2010; Published on the 20th October 2010;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2873

² Malta in Figures, 2010, published by the National Statistics Office, based on data collected up to 15th September 2010; Published on the 20th October 2010; Data extracted from Table 10;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2873

³ Malta in Figures, 2010, published by the National Statistics Office, based on data collected up to 15th September 2010; Published on the 20th October 2010; Data extracted from Table 25;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2873

⁴ Malta in Figures, 2010, published by the National Statistics Office, based on data collected up to 15th September 2010; Published on the 20th October 2010; Data extracted from Table 26;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2873

⁵ <http://www.doi.gov.mt/EN/parliamentacts/2007/ACT%2032%20Budget%20Measures.pdf>

⁶ It was only lately that a scheme was introduced to allow pensioners to retain part time employment without forfeiting their pension entitlement.

- ii. Persons born during the calendar years 1952 to 1955 become of pension age upon reaching 62 years;
 - iii. Persons born during the years 1956 to 1958 become of pension age upon 63 years;
 - iv. Persons born between 1959 and 1961 acquire a state pension upon attaining 64 years;
 - v. Women born on or before 31st December 1951 acquire a state pension upon becoming 60 years.⁷
3. The increase of pension age to 65 years was also supported by the Malta Employers' Association who not only proposed such increase but also criticised incentives for early voluntary retirement.⁸ Despite this a number of early retirement schemes have been made available by government, such as, in the case of the national airline Airmalta⁹, Malta Drydocks and Shipbuilding¹⁰. The Public Service Management Code¹¹ also provides public officers with the option to retire at the age of 60 years, however should they not take this option then they retain their employment up to the age of 61 years. The age of retirement for judges is set at 65 years, while that of the Attorney General and Magistrates is set at the age of 60 years. On the other hand, a police officer may retire on attaining the age of 55 years, or if he/she has completed 25 years of service in the Force¹².

Research into Stereotyping Older Workers and the Influence of Stereotypes on the Position of Older Workers

4. No recent published research on the stereotyping of older workers in Malta has been found, however one perceives an impression of older workers being less creative, less flexible and as low performers. In the private sector, older workers are viewed as costly to train since upon the attainment of pension age they will resign from employment. At the same time, one cannot but mention that within the public service there has been

⁷ Malta: Update of Convergence Programme 2006 – 2009, Addendum: The Impact of the Pension Reform on Long-Term pension Projections, Ministry of Finance, December 2006 <http://finance.gov.mt/image.aspx?site=EPOL&ref=Update%20of%20Convergence%20Programme%202006-2009%20-%20Addendum>

⁸ Pension Reform, Proposals by the Malta Employers' Association, April 2005; <http://www.maltaemployers.com/Portals/22/MEA%20Proposal%20%20for%20Pension%20Reform%20-%20April%20%202005.pdf>

⁹ Times of Malta, 15th March 20011, Early retirement schemes for Air Malta employees being drawn up; <http://www.timesofmalta.com/articles/view/20110315/local/early-retirement-schemes-for-air-malta-employees-being-drawn-up>

¹⁰ 418 out of 900 employees accepted an early retirement scheme; https://ec.europa.eu/employment_social/anticipedia/xwiki/bin/view/Main/Restructuring+in+Malta+and+the+role+of+social+partners

¹¹ 8th Edition, 31st May 2007, regulating Human Resources Management within the Public Service; <http://www.mpo.gov.mt/downloads/psmcrevised.pdf>

¹² Section 123, Police Act, Chapter 164 of the Laws of Malta, <http://www.justiceservices.gov.mt/LOM.aspx?pageid=27&mode=chrono&gotoID=164>

a strong element of promotion by seniority rather than purely on meritocracy and that this may have led to a conflict between the older worker generation and the younger worker generation especially where academic qualifications compete with years on the job or job experience.

General Attitude towards Early Retirement

5. According to the report '*Age and employment in the new Member States*'¹³ the average exit age from the workforce for Malta stood at 58.8 years. From the new Members States therein studied, Malta had the fifth lowest exit age from employment. After considering the response to proposed early retirement schemes, the impression is that employees view this as an opportunity, but generally rather than to really retire it is more an opportunity to obtain a cash payment with the aim of finding employment elsewhere. When the management staff of Air Malta was offered an early retirement scheme there were 20 persons who had actually taken this up and that meant that they were to receive a payment varying between 55% to 70% of their basic monthly salary¹⁴. Prior to this retirement scheme, a further 10 employees from the same company had previously also taken the early retirement scheme then offered.¹⁵ Although the number of workers who took up the early retirement scheme offered to the Malta Drydocks employees is not known yet it is interesting to read that of those who did take up this scheme 2 were said to be registering for work, 29 were in employment, 11 were in self employment and others were working with companies outside Malta.¹⁶ It seems that prior to the closure of the Malta Shipyard, there had been only 59 employees who had not taken up the early retirement scheme offered.¹⁷

¹³ Published by the European Foundation for the Improvement of Living and Working Conditions, Irene Mandl, Andrea Dorr and Thomas Oberholzner, Austrian Institute for SME Research, <http://www.eurofound.europa.eu/pubdocs/2006/26/en/1/ef0626en.pdf>

¹⁴ Parliamentary Question 18198, Eleventh Legislature, Sitting 238 of the 15th June 2010, raised by Marie Louise Colerio Preca and answered by Tonio Fenech, Minister of Finance; <http://www.pq.gov.mt/PQweb.nsf/10491c99ee75af51c12568730034d5ee/c1256e7b003e1c2dc1257743004d5c08?OpenDocument&Highlight=0,retirement>

¹⁵ Parliamentary Question 20076, Tenth Legislature, Sitting 419, 18th July 2006, raised by Adrian Vassallo and answered by Austin Gatt, Minister of Investment, Infrastructure and Information Technology;

<http://www.pq.gov.mt/PQweb.nsf/10491c99ee75af51c12568730034d5ee/c1256e7b003e1c2dc12571af004059b5?OpenDocument&Highlight=2,retirement>

¹⁶ Parliamentary Question 13649, Eleventh Legislature, sitting 179, 12th January 2010, raised by Silvio Parnis and answered by Lawrence Gonzi, Prime Minister;

<http://www.pq.gov.mt/PQweb.nsf/10491c99ee75af51c12568730034d5ee/c1256e7b003e1c2dc12576a900340243?OpenDocument&Highlight=2,retirement>

¹⁷ <http://www.eurofound.europa.eu/eiro/2010/05/articles/mt1005019i.htm>, see also <http://skemitarzna.com/>

6. A study published in 2008¹⁸ indicated that retirement packages were seen as attractive since they provided financial security, however on the other hand negative factors that made workers take such schemes included *'forced redundancy, health problems and inferior working conditions'*.

Other issues influencing the employability of 45+ men and women

7. Indications show that the reasons influencing the employability of 45+ workers are different between male and female workers. While for male workers the factors influencing this are either lack of jobs that match their skills, lack of skills or lack of will to retrain, and health difficulties, for females the indicators are more oriented towards family responsibilities. Family responsibilities or stereotyping is considered in Malta to affect both women of child bearing age as well as older women however for different reasons. Those of child bearing age are generally expected by society to drop out from employment for a few years and are generally seen to return to employment. In this respect, for example where there is the possibility of parental leave, even if this is unpaid it is predominantly mothers who avail themselves from such leave. Older women are however seen to withdraw from employment for family responsibilities in relation to grandchildren as well as old parents.
8. Often women are seen in part-time employment rather than in full-time employment and this is attributed to the lack of structures such as very short school hours, expensive child care facilities, and lack of work – life balance measures¹⁹. The tax system and pension system may also be another obstacle to women entering employment at the age of 45+ since a state pension will only be obtained after having paid social contributions for a number of years²⁰ and the amount of tax payable on a spouse's income is viewed as discouraging. Differences in salaries, which on average are less for female workers, expensive child care facilities and day care centres for the elderly, make it less attractive for women to return

¹⁸ Early Exit from Employment – the experience of Maltese men who left work before retirement, Christine Farrugia, Centre for Labour Studies, 11th June 2008, (the full report could not be obtained); <http://www.eurofound.europa.eu/ewco/2008/05/MT08050191.htm>.

¹⁹ According to Reconciliation between work and family life, 40.8% males and 49.3% females indicated that it was never possible for them to start and/or end their working day by at least one hour for family reasons. (Table 14) At the same time, 52.6% of male participants and 56.9% of female participants indicated that it was never possible to organise the working time in such a way that they could work extra hours during particular days to take days off during other days for family reasons. Statistics Number 24/2006, Published on 16th February 2006, Compiled by Labour Market Unit, National Statistics Office, http://www.nso.gov.mt/statdoc/document_file.aspx?id=1580

²⁰ Social Security Act, Chapter 318 of the Laws of Malta, <http://www.justiceservices.gov.mt/LegalServicesSearch.aspx?type=lom&pageid=29>

to employment.²¹ To counteract these difficulties, the State has sought to increase child care facilities and also set up a tax exemption scheme for mothers who return to work after the birth of their child²².

9. According to the *Reconciliation between work and family life*²³ report the labour status of persons aged between 15 to 64 years taking care of elderly/disabled or persons of 15 years and over who need care on a regular basis was 41.1% of the persons employed, 1.6% of the persons unemployed and 57.3% of the inactive persons. Moreover, the age distribution of persons taking care of a family member was shown as follows:

<u>Age Group</u>	<u>Males</u>	<u>Females</u>
45 – 54	45.1%	46.7%
55 – 64	19.7%	19.8% ²⁴

10. This study also shows persons who are 45+ and who take regular care of children apart from their own. This age group shows a sharp increase when compared to the younger age groups. The following is the data indicated in this regard:

<u>Age Group</u>	<u>Males</u>	<u>Females</u>
15 – 24	-	1.8%
25 – 34	10%	1.8%
35 – 44	14.4%	17.8%
45 – 54	26.2%	37.9%
55 – 64	49.4%	40.7% ²⁵

²¹ Participation of Women in Employment in Malta – the Position of the UHM, Romina Bartolo; <http://aei.pitt.edu/6024/1/15.pdf>

²² Malta: The challenge of reconciling family and work for Maltese women; http://ec.europa.eu/employment_social/emplweb/families/index.cfm?id=4&policyId=79&langId=en&countryId=25

²³ Reconciliation between work and family life, Statistics Number 24/2006, Published on 16th February 2006, Compiled by Labour Market Unit, National Statistics Office, http://www.nso.gov.mt/statdoc/document_file.aspx?id=1580

²⁴ Reconciliation between work and family life, Statistics Number 24/2006, Published on 16th February 2006, Compiled by Labour Market Unit, National Statistics Office, Data extracted from Table 4, http://www.nso.gov.mt/statdoc/document_file.aspx?id=1580

²⁵ Reconciliation between work and family life, Statistics Number 24/2006, Published on 16th February 2006, Compiled by Labour Market Unit, National Statistics Office, Data extracted from Table 6, http://www.nso.gov.mt/statdoc/document_file.aspx?id=1580



11. Of the participants in this study who claimed to want to have a job and reduce their caring responsibilities, 3.8% were males and 7.4% were females.

2 LABOUR MARKET

Data concerning age diversity in employment disaggregated by gender

12. Malta's workforce is relatively young, with persons in employment being predominantly less than 54 years old. According to the Labour Force Survey for the third quarter of 2010²⁶ males in employment consisted of 48% in the 15 to 24 years age group, 88.3% of the 25 to 54 age group and a sharp drop to 48.8% in the 55 to 64 age group. The rates for females in employment are much lower and indicate a 47.6% for females in the age bracket between 15 to 24 years, 48.3% for the age group of 25 to 54 years and again a sharp drop to 12.7% for those in the 55 to 64 years age group. When one then considers the distribution of persons employed by age it becomes evident that the 45 year olds plus make up only a small section of the labour force with 24.2% males and 15% females of the age group between 45 and 54 years, 13% males and 6.4% females from the age group of 55 to 64 years and only 1.9% males and 0.9% females are 65 years plus.²⁷
13. The latest national officially published data in this regard is found in the Labour Force Survey of the third quarterly for 2010²⁸. Activity²⁹ rates by age for the period between July and September 2010 show a sharp decrease for those within the age group of 55 to 64 years. This sharp decrease is similarly seen for other previous periods.³⁰
14. The Labour Work Force Survey as published does not indicate the age of persons working in the different employment sectors. This information is only disaggregated by gender.³¹ In this respect, female workers are predominantly found in the sector of financial intermediation, education, health and social work, and other community, social and personal service activities.

²⁶ Labour Force Survey, 2010, Third Quarter, Reference Number 003/2011, Published on the 6th January 2011; http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

²⁷ Labour Force Survey, 2010, Third Quarter, Reference Number 003/2011, Published on the 6th January 2011, Data extracted from Table 6; http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

²⁸ Labour Force Survey: Q3/2010, Statistical Report Number 003/2011, published on 6th January 2011; http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

²⁹ A person is considered to be inactive in this Survey if that person is either in employment or self-employment, or is without work but is actively seeking work during the 4 weeks prior to the survey and was then available for work.

³⁰ Labour Force Survey, 2010, Third Quarter, Reference Number 003/2011, Published on the 6th January 2011, Data extracted from Table 3;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

³¹ Labour Force Survey, 2010, Third Quarter, Reference Number 003/2011, Published on the 6th January 2011, Data extracted from Table 7;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

15. Data for those in self employment is also only published as disaggregated by gender, indicating that it is males who are predominantly in self employment and in their majority females in self employment do not have employees.³²
16. Evidence for age discrimination on the labour market
17. As such the designated equality body under the Equality Directives, that is the National Commission for the Promotion of Equality (NCPE), is not given the jurisdiction to investigate, assist or perform responsibilities for age discrimination. Although NCPE still includes age discrimination in training and research that it undertakes especially under EU funded projects³³, yet it is not possible for it to investigate or take action on issues of age discrimination. The Department of Industrial and Employment Relations is however empowered to receive complaints and assist victims of age discrimination but there is no official information available to indicate the occurrence of cases or complaints received. Proceedings before the Industrial Tribunal as well as before the civil courts have also not been instituted.
18. There has however been a claim of age discrimination made before the courts of constitutional jurisdiction whereby age discrimination was claimed under Article 14 of the European Convention taken in conjunction with Article 1 of the first Protocol to the Convention. These proceedings were in the names of *Victor Spiteri v. Attorney General et*³⁴ wherein the complainant claimed age discrimination in the imposition of retirement on the renewal of his licence. Plaintiff had since of a young age worked as a shore foreman in the national ports under a licence issued by the relevant authorities and renewed on a yearly basis upon the payment of a yearly fee. The licence was for life and could be revoked by the authorities only for good and sufficient reasons or else renounced to by the licensee. However, following a restructuring made by the government in agreement with trade unions of the port workers system, an amendment to the law was introduced stating that the licence will be lost upon a person reaching pension age. Applicant was already beyond the pension age and immediately upon the coming into force of the amendment lost his licence. Complainant was actually in self employment. Although the applicant argued that the introduction of this condition was tantamount to age

³² Labour Force Survey, 2010, Third Quarter, Reference Number 003/2011, Published on the 6th January 2011, Data extracted from Table 1;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

³³ www.equality.gov.mt

³⁴ *Victor Spiteri v. Avukat Generali et*, Constitutional Court, Appeal Number 1/2008/1, Judgment 1st October 2009;

<http://www.justiceservices.gov.mt/courtservices/Judgements/search.aspx?func=all>

discrimination and that the base comparator was to be the different categories of self-employment, upon which there is no obligatory age of retirement, yet the courts refused this and declared that there was no age discrimination. Evidence collected in this case concretely indicated that age discrimination and active ageing were not considered in the reform eventhough it is generally expected of trade unions to protect workers against discrimination. The perception is in fact that even trade unions may in trying to solve a dispute or reach a collective agreement forego issues of equality.

19. Often a major criterion in promotions is years of experience, thereby giving the impression that progression comes with age. Within the public service it has only been in the last years³⁵ that progression in employment is based primarily on meritocracy even if seniority is still considered. However prior to this, progression depended on seniority and years of service. Progression within the private sector is seen as being based on meritocracy much more than within the public service.
- 20.
21. Although the general perception is that presumptions based on stereotypes do play a role in decision making, yet there is no published study to indicate that this perception is correct or the extent of it. One of the arguments that seem to be accepted to justify the employment of the young rather than the older workers, or his/her retraining is that employing an older worker would not be cost effective. Awareness that this gives rise to age discrimination is poor and consequently there does not seem to be too much pressure being made by NGOs to eradicate such a stereotype. Predominantly, it is the National Council of the Elderly that promotes active aging and retention of older workers in employment.
22. On the other hand, access to vocational training is not age barred and vocational training offered by the State often allows for entrance to courses on the basis of maturity as well as qualifications depending on the age of the applicant.

³⁵ Public Service Management Code, 8th Edition, 31st May, 2007 ;
www.mpo.gov.mt/downloads/psmcrevised.pdf

3 ACCESS TO THE LABOUR MARKET

Unemployment Rates

23. Unemployment rates are provided in the Labour Force Survey statistics report published by the National Statistics Office³⁶ on a quarterly basis. The last published Labour Force Survey, that is that for the third quarter of 2010 and which was only published on the 6th January 2011 indicates that the number of unemployed persons distributed by age is as follows:

Age Group	Male		Female	
	No.	%	No.	%
45 – 54	1,419	17.8	893	21.8
55 – 64	632	8	0	0 ³⁷

24. The total number of unemployed persons is stated to be 7,954 (4.6%) males and 4,100 (2.3%) females. At the same time 57,560 (33.3%) males and 114,882 (65%) females are indicated to be inactive³⁸. Of those persons who are considered in the Labour Force Survey to be unemployed 24.8% males and 34.2% females have been searching for a job for less than 5 months, 18.5% males and 24.3% females have been doing so between 6 and 11 months and 56.7% males and 41.5% females were job searching for twelve months and over.
25. Data on inactivity among women and men aged 45+ can also be found in the Labour Force Survey which indicates that 49% of persons are inactive totalling to 172,442. Of these 57,560 are men (33.3%) and 114,882 (65%) are females. The survey provides data segregated by age only for activity rates and these indicate the following:

26.

<u>Age Group</u>	<u>Males (%)</u>	<u>Females (%)</u>
15 – 24	54.9	51.2
25 – 54	94.2	52.0
55 – 64	51.0	12.7 ³⁹

³⁶ www.nso.gov.mt

³⁷ Labour Force Survey, 2010, Third Quarter, Reference Number 003/2011, Published on the 6th January 2011, Data extracted from Table 5;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

³⁸ Labour Force Survey, 2010, Third Quarter, Reference Number 003/2011, Published on the 6th January 2011, Data extracted from Table 1;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

³⁹ Labour Force Survey, 2010, Third Quarter, Reference Number 003/2011, Published on the 6th January 2011, Data extracted from Table 3;

http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

27. The Underreporting of Incidents of Discrimination Survey⁴⁰ carried out in 2010 in Malta indicates that out of 38% of interviewees⁴¹ who claimed to have been discriminated on the ground of age 9 of them felt discriminated when seeking employment.
28. Out of these 2 interviewees claimed to have been discriminated by the Employment and Training Corporation, and the rest of the interviewees indicated that it was the employer or another person.
25. No published research or studies have been identified on obstacles for the elderly concerning access to the labour market.
26. Notwithstanding a perception by the older generation that age discrimination is experienced frequently in accessing employment as well as on the job, yet this seems to be accepted complacently and victims are not empowered to seek redress. Measures and action to raise awareness on age discrimination are very infrequent, thereby leading to lack of knowledge.
27. A number of advertisements usually impose a minimum age limit rather than a maximum age limit, nonetheless there have been advertisements which impose a maximum age limit especially in the entertainment industry and other industries such as those who work primarily with raw materials. Even where vacancies require a number of years of experience a person who is less than 45 years old is generally selected against a candidate who is 45 years and older, while the perception is that a person with qualifications is preferred to a person who has experience. In some industries which require employees to hold licences, these are generally provided on the basis of the employee's qualifications rather than his/her experience. This leads the employer to select qualified persons rather than experienced persons.
28. While it is not common for adverts to indicate a maximum age limit for applicants, yet it is common for adverts to use terms such as 'young', 'energetic', 'dynamic', 'mature', 'graduated in the last seven years' or a 'minimum of ten years experience'.⁴² This may in itself act as a deterrent and an obstacle to older workers to access the labour market.

⁴⁰ Published by the National Commission for the Promotion of Equality, December 2010, as part of a European Commission co funded project entitled Strengthening Equality Beyond Legislation, www.equality.gov.mt

⁴¹ 50 interviewees participated in this survey who claimed to have experienced or witnessed age discrimination.

⁴² 'Age Discrimination - Some Current Issues' – Matthew Brincat p. 239 Anti-Discrimination, Inclusion and Equality in Malta (Published Civil Society Report 2005)

4 DISCRIMINATION OF OLDER WORKERS AT THE WORKPLACE

Cases or Complaints filed

29. There have not been any proceedings instituted before the civil courts or the Industrial Tribunal on age discrimination in employment and this may be indicative of the level of underreporting of age discrimination and of lack of awareness.
30. Of the participants surveyed in the quantitative research *Under-reporting of incidents of discrimination*⁴³ 38% were between the age of 18 and 25 years, another 38% of the age between 26 and 35 years, 20% between 36 and 59 years and 4% were 60 years and above. Of these interviewees 48% were males and 52% females. 52% claimed to have experienced or witnessed age discrimination between 12 and 24 months prior to the interview, 30% between 6 and 12 months prior to the interview, 14% between 1 and 6 months prior to the survey and 4% in the same month of the survey. It is worth noting that the survey provided a scenario of age discrimination and of the interviewees who claimed to have experienced or witnessed age discrimination, 28% failed to recognise the scenario as being age discrimination or stereotype. Nine interviewees indicated that they had experienced age discrimination when seeking employment, 8 interviewees while on the job, 5 interviewees in promotions on the job. Another 2 interviewees claimed to experience unequal pay. Of the interviewees 68% indicated that they did not speak to anyone of their experience, and 88% claimed not to have presented a report.

Access to Vocational Training at the Workplace

31. The National Reform Programme⁴⁴ identifies the government's key objectives in education to involve raising the general qualification level whilst reducing early school leavers and attracting more students both older and younger to further their education within a lifelong learning context. The reform programme clearly shows the government's interest to train and engage adults in adult education. Malta's Ministry for Education⁴⁵ has set up the Directorate for Lifelong Learning and other educational facilities such as Malta College of Art Science and Technology (MCAST)⁴⁶ and the Institute of Tourism Studies (ITS)⁴⁷ which offer training courses to adult persons with the option to attend courses after working

⁴³ Published by the National Commission for the Promotion of Equality, December 2010, as part of a European Commission co funded project entitled Strengthening Equality Beyond Legislation, www.equality.gov.mt

⁴⁴ Ministry of Finance and Investment, 2010, National Reform Programme 2008-10

⁴⁵ www.education.gov.mt/

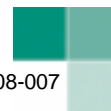
⁴⁶ www.mcast.edu.mt

⁴⁷ www.its.gov.mt

hours. These institutions also offer training to older persons who decide to pursue a course which will enable them to enter the workforce even at an older age with the qualifications which today's world requires.

32. With regards to Life Long learning, the following targets have been set:

- Developing a strategy for Lifelong Learning;
- Opening of new lifelong Learning Centre which provides a wider choice of programmes;
- Entering into partnerships with local councils and voluntary organisations for the provision of adult training programmes;
- Integrating qualifications awarded in past with qualifications awarded nowadays;
- Providing scholarships schemes for supporting adults in access to specialist higher education and training.



5 PUBLIC OPINION

33. Debate has not really focused on the employability of older workers but still focuses predominantly on increasing the employment rate of women in general and on the re-employment of those who may have lost their job during the financial crisis. However, examples of intergenerational activities are reported⁴⁸ but tend to focus on encouraging the younger generation to take up voluntary work with the elderly. In this respect therefore the portrayal of intergeneration solidarity does not in itself promote employability of older workers.
34. The Flash Eurobarometer published in April 2009⁴⁹ indicated that 45% of the respondents felt that the Maltese government was doing a good job in promoting a better understanding between the young and the old. 56% of respondents were in agreement with regards to the fact that local authorities should support associations and initiatives that foster stronger relations between young people and older people. Whilst 60% of the respondents in Malta agreed with the statement that there should be public centres where older volunteers are helped to find opportunities for volunteering which match their skills and wishes. 59% of the Maltese also felt that schools should promote better relations between the young and the old. These results are not surprising when one considers that Malta has culturally and traditionally fostered an attitude of respect towards older persons where age is often equated with experience and knowledge. The intergenerational gap is further addressed within the Maltese culture through the family structure whereby families remain close to the grandparents and older relatives and where generally support structures exist within the family for the younger members to support the older members and vice versa. Children are in fact brought up close to their grandparents, with the latter often stepping in as child-minders where both parents are in employment.
35. It was clear that the majority of persons in Malta felt that young people and older people do not easily agree on what is best for society but on the other hand at least two thirds of the respondents felt that older persons were not a burden to society. The older generation heavily provides support to the younger generations within the family structures and consequently it is not surprising for the result to indicate a general perception that the older persons are not a burden to society. The differences between generations as to what is best in society, is on the other hand, consequent to the changing mentality and cultural perceptions.

⁴⁸ <http://www.timesofmalta.com/articles/view/20020728/local/dar-santanna-houses-intergenerational-summer-project>,

⁴⁹ Intergenerational solidarity, Analytical Report, Published in April 2009, Flash Eurobarometer Number 269; http://ec.europa.eu/public_opinion/flash/fl_269_en.pdf

36. One cannot but indicate however that despite the general good relations between the older and younger generations within the family structures, places in old people's homes are often scarce and once a medical dependency arises often the relations between the older and younger generations within the family become strained.
37. The results for Malta for the Special Eurobarometer on discrimination in the EU in 2009⁵⁰ are also to be taken in the light of the level of awareness, or rather lack of awareness, of age discrimination of the public. In this respect, therefore it is not surprising that 48% indicate that age discrimination is perceived as being rare. Neither is it unexpected that a lower than the EU average would indicate that they have personally felt discriminated against on the ground of age. The public is generally not adequately informed or aware of what constitutes age discrimination and is consequently unable to recognise it where it occurs. Moreover, the general perception is that obstacles for employment for older workers is somewhat unjustified for those above 45 years of age, while it is perceived as justified for those who have reached pension age. In society, one also perceives a general complacency in relation to age discrimination in employment whereby many readily accept that a person's contribution to society through work is justifiably limited to pensionable age. The lack of awareness, knowledge and media attention on age discrimination are important elements that may have shaped the answers provided to such a survey.
38. It is also interesting to note that while 62% perceive that age discrimination is less widespread now than 5 years ago, 43% consider that the economic crisis may contribute to an increase of age discrimination in the labour market. One would have expected a lower percentage of respondents to indicate that age discrimination is less widespread in the year of the financial crisis, when there is indication that this crisis may contribute to age discrimination. In this regard, however it is also worth considering that the general debate on the economic crisis was more focused on the creation of fewer employment vacancies and the closure of businesses in general, rather than with particular attention to any age group.
39. Media reports and public debate on age discrimination or the employment of older workers is generally lacking.

⁵⁰ Special Eurobarometer 317, Discrimination in the EU in 2009, Fieldwork May – June 2009, Report Publication November 2009

MULTIPLE DISCRIMINATION

40. In the past there was a distinction between the retirement age of males and females but this is not the case anymore. The current retirement age is set at 65 years of age for both male and female workers and both should have paid a minimum of 40 years contributions to be entitled to a state pension. Female workers are much less than male workers in all age brackets in Malta. Moreover sharp decreases in employment for older workers are also seen for both male and female workers. The Labour Force Survey for the third quarter of 2010 indicates that the number of employees beyond 54 years decreases by almost a half so that the following data is represented in the Survey:

Age Group	Males (%)	Females (%)
15 – 24	48	47.6
25 – 54	88.2	48.3
55 – 64	48.8	12.7

41. In fact, the decrease is sharper for females over 54 years of age than that for males, even if there is still a share decrease for males. Activity rates also mirror the same pattern.
42. According to the underreporting survey carried out as part of the European Commission co funded project 'Strengthening Equality Beyond Legislation' out of the 39% of the interviewees indicated that they had faced multiple discrimination in seeking employment and another 29% while on the job. While the survey report does not indicate the combination of grounds upon which multiple discrimination is claimed, yet it is to be noted that 13% of the interviewees were between 40 and 59 years and another 4% were above 60 years of age.
43. Both gender discrimination and racial discrimination, especially in relation to colour and migration status, are well documented in Malta, however a correlation between gender or race with age has not been studied, even if it is thought that such a correlation exacerbates the obstacles for the individual. Although the last data on disabled persons in Malta is that found in the national census of 1995, it is difficult to identify a correlation between age and disability discrimination especially when one considers the low level of education attained by disabled persons due to obstacles faced in the past for access to mainstreamed education.

6 GOVERNMENT POLICIES AND MEASURES

Government Policies and Measures

44. Malta was first to raise the question of Ageing as a matter of international concern at the United Nations in 1968. Eventually in 1979 the General Assembly agreed to call a World Assembly on Aging held in 1982. In its Resolution 37/51 it recommended inter-alia the promotion of training and research, as well as the exchange of information and knowledge in order to provide an international basis for social policies and action. It unanimously, and without reservation, adopted the Vienna International Plan of Action on Aging. On the 9th October 1987, the United Nations signed an official agreement with the Government of Malta to establish the International Institute on Ageing as an autonomous body under the auspices of the United Nations.
45. Prior to Malta becoming a member of the European Union in 2004 the Maltese government started to process and introduce the provisions of Council Directive 2000/78⁵¹ into its legislation. Anti discrimination legislation in the sphere of employment was first introduced for the ground of gender and disability⁵². Age discrimination in employment was only prohibited with the enactment of the Equal Treatment in Employment Regulations⁵³. These regulations give effect to the relevant provisions of Council Directives 76/207/EEC, 2000/78/EC, 2000/43/EC, 2002/73/EC and 2006/54/EC and apply to persons within the public and private sector. This remains the only national legal basis which actively prohibits age discrimination since article 45 of the Constitution⁵⁴ does not include the ground of age. Protection from age discrimination can otherwise be argued under the European Convention Act⁵⁵ in constitutional proceedings.
46. The regulations however specifically provide for instances of justified age discrimination. To this effect, regulation 5.1⁵⁶ clearly states that

⁵¹http://eurex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32000L0078&model=guichett

⁵² Employment and Industrial Relations Act, Chapter 452 of the Laws of Malta; www.mjha.gov.mt

⁵³ Equal Treatment in Employment Regulations, Legal Notice 461 of 2004 as amended by Legal Notices 53, 338 and 427 of 2007 and 137 of 2008; www.mjha.gov.mt

⁵⁴ <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8566&l=1>

⁵⁵ Chapter 319 of the Laws of Malta

⁵⁶ Equal Treatment in Employment Regulations, Legal Notice 461 of 2004 as amended by Legal Notices 53, 338 and 427 of 2007 and 137 of 2008; www.mjha.gov.mt 5. (1) Notwithstanding regulation 3(1) and (2), difference of treatment on the ground of age shall not constitute discriminatory treatment if - (a) such differences are objectively and reasonably justified by a legitimate aim, including a legitimate employment policy, labour market and vocational training objectives; and (b) if the means of achieving that aim are appropriate and necessary.

differences which are objectively and reasonably justified by a legitimate aim and if the means of achieving that aim are appropriate and necessary are not considered as constituting discriminatory treatment. A legitimate aim is specifically indicated as including a legitimate employment policy, labour market and vocational training objectives.

The regulations also provide for examples of what it terms as ‘*non-discriminatory differences of treatment*’ and these include the following:

- “(a) the setting of special conditions on access to employment and vocational training, including dismissal and remuneration conditions, for young people, older workers and persons with caring responsibilities in order to promote their vocational integration or ensure their protection;*
- (b) the fixing of minimum conditions of age, professional experience or seniority in service for access to employment or to certain advantages linked to employment;*
- (c) the fixing of a maximum age for recruitment which is based on the training requirements of the post in question or the need for a reasonable period of employment before retirement.”⁵⁷*

47. The first example may be seen as allowing ‘positive discrimination’ in favour of ‘older workers’ since it allows the setting of special conditions on access to employment and vocational training for older workers in order to promote their vocational integration or ensure their protection. Yet no such measures or schemes are known to have been put in place.
48. On the other hand, the regulations do not define the category of persons who are considered as ‘older workers’. The third example provided in Regulation 5.2 may be considered as justifying one of the obstacles that older workers face in accessing employment since it allows the making of a maximum age for recruitment that is based on training requirement of the post in question or the need for a reasonable period of employment before retirement.
49. Moreover regulation 6 also provides for the taking of positive action even in relation to age but this specifically refers to action that affords persons of a particular age access to benefits relating to training which would help prepare them for a particular work or encourage them to take advantage of opportunities for doing a particular work. Such action would only be considered as a valid positive measure where it ‘*reasonably appears to*

⁵⁷ Regulation 5.2 of Equal Treatment in Employment Regulations, Legal Notice 461 of 2004 as amended by Legal Notices 53, 338 and 427 of 2007 and 137 of 2008; www.mjha.gov.mt

the person doing the act that it prevents or compensates for disadvantages linked to ground ofage”⁵⁸

50. The role of supervising the implementation of these regulations is entrusted to the Director of the Department of Industrial and Employment Relations. Yet no particular measures or action addressing the employment of older workers has been attributed to this Department.
51. Despite these regulations, there has been no complaints presented to the civil court, the Industrial Tribunal or before the courts of criminal judicature based on age discrimination.
52. One of the objectives of the National Strategic Reference Framework⁵⁹, which is the strategic document that sets out Malta’s priorities for the Cohesion Policy 2007 – 2013, is that of *‘Investing in human capital’*. Furthermore the National Strategic Reference Framework was complemented by two Operational Programmes one of which is entitled *‘Empowering People for More Jobs and a Better Quality of Life’*.⁶⁰ In turn this Operational Programme is based on four priority axes, the aim of which is to improve education and skills, invest in employability and adaptability of the workforce, support an equal and inclusive labour market and strengthen institutional and administrative capacity.
53. Following a consideration of the Operational Programme in question it seems that the emphasis in relation to older workers is placed on ensuring life long learning and continuous and workplace training and education. The Operational Programme states that the *‘lifelong learning ratio, measured by the percentage of population aged 25 to 64 participating in education, training or courses, is only around half that recorded in the EU.’*⁶¹ State investment in adult education and training is mainly carried out through the following entities:
 - i. the Employment and Training Corporation which provides training for basic skills;
 - ii. the Department for Further Studies and Adult Education that is established within the Education Division and offers subsidised courses and also manages the National Life Long Learning Centre for adult learners; and
 - iii. Malta College of Arts, Science and Technology as well as the University which offer academic evening courses as well as full time programmes to adult learners;

⁵⁸ Regulation 6.1 of Equal Treatment in Employment Regulations, Legal Notice 461 of 2004 as amended by Legal Notices 53, 338 and 427 of 2007 and 137 of 2008; www.mjha.gov.mt

⁵⁹<http://www.doi.gov.mt/images/homepage/banners/national%20strategic%20ref/nat%20strat%20document.pdf>

⁶⁰ <http://finance.gov.mt/image.aspx?site=MFIN&ref=OP2>

⁶¹ EU Data: Eurostat 9 November 2005, extracted 10th October 2006

54. Other private entities also provide training, academic and skills, to adult learners. The expected outcome of providing training is to retain older workers in employment despite changes in technology and furthermore to assist older workers to obtain new skills and enable them to seek new employment.
55. Safeguarding the retention of older workers in employment was also one of the concerns noted in the National Report on Strategies for Social Protection and Social Inclusion⁶².
The previous National Action Plan on Social Inclusion had already identified older workers as a group at risk of poverty and social exclusion and in need of action to ensure their social inclusion. The 2008 – 2010 Strategy document actually admits that *'In consideration of the efforts made, more progress than that actually registered was expected in respect of some of the more challenging Lisbon objectives, particularly with regards to the ... (b) employment rate of older persons ...'*⁶³. Recognising this failure the 2008 – 2010 Strategy document identifies the inclusion of older workers within the labour market as a key challenge and notes that they remain underrepresented in the labour market. It continues to state that *'Improving access to education and improving the employment rate among these groups, particularly among the long-term unemployed ... is therefore pivotal if Malta is to successfully counter balance the effects of an ageing population and redress factors that impinge upon the entrenchment of risk of poverty and social exclusion.'*⁶⁴ With this objective, the Strategy document sought to promote active inclusion by *'raising the employment rate of older workers to 35% by 2010'*⁶⁵.
56. Concerns on the pension situation in Malta are also expressed in this document which identifies these difficulties as arising from population ageing, low employment rates of older workers and early exit from the labour market.⁶⁶ Yet difficulties have been encountered in raising the

⁶² National Report on Strategies for social Protection and Social Inclusion, 2008 – 2010
<http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=0&subCategory=0&country=17&year=0&advSearchKey=&mode=advancedSubmit&langId=en>

⁶³ National Report on Strategies for social Protection and Social Inclusion, 2008 – 2010 Page 19
<http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=0&subCategory=0&country=17&year=0&advSearchKey=&mode=advancedSubmit&langId=en>

⁶⁴ National Report on Strategies for social Protection and Social Inclusion, 2008 – 2010 Page 21
<http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=0&subCategory=0&country=17&year=0&advSearchKey=&mode=advancedSubmit&langId=en>

⁶⁵ National Report on Strategies for social Protection and Social Inclusion, 2008 – 2010 Page 22
<http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=0&subCategory=0&country=17&year=0&advSearchKey=&mode=advancedSubmit&langId=en>

⁶⁶ National Report on Strategies for social Protection and Social Inclusion, 2008 – 2010 Page 36
<http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=0&subCategory=0&country=17&year=0&advSearchKey=&mode=advancedSubmit&langId=en>

employment rate of older workers and while Malta's employment rate of older workers is still below the required Lisbon target of 50% it continued to show a decrease between 2005 (30.8%) and 2007(28.3%) and then a rise again in 2010 (30.5%)⁶⁷. For 2010 the rate is broken down as follows: 21% were workers of the age between 45 and 54 years, 10.7% those between 55 and 64 years and 1.5% those who are 65 years and more.

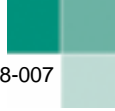
57. Concrete measures to ensure the retention of older workers in employment have consequently been focused on the provision of training and retraining and these have predominantly been implemented by the Employment and Training Corporation⁶⁸, through, for example, the '*I Can – Employability Programme*'.
58. The Employment and Training Corporation also provides training to supplement skills shortages as well as assistance to older workers to be able to re-employ themselves or to enter employment. This is predominantly carried out through assistance in seeking employment as well as provision of training courses to increase one's employability.
59. On the other hand, workers' unions also provide training courses to workers to help address skills mismatch and this mainly through the Reggie Miller Foundation established by the General Workers' Union⁶⁹ and the Salvinu Spiteri Foundation established by the Union Haddiema Maghqudin⁷⁰.
60. Another measure that is to be noted in this regard is a national tax scheme whereby pensioners have been allowed to work on a part-time basis without forfeiting their pension entitlement and whereby they qualify to pay tax at a fixed rate of 15% on this income.
61. Retaining workers in employment through increased pension age was a step initiated in 2004 with the launch of the pension reform consultation process which culminated in 2007 with a legislative amendment raising the age of retirement as well as raising the number of years during which contributions should have been paid for one to qualify for a pension. This reform saw the rise of pension age from 60 years for women and 61 years for men to 65 years for both genders. In this respect, therefore the increase in the age of pension seeks to retain in employment older workers. Their retention is expected to provide not only financial stability to the worker and his/her family but is also expected to minimise the loss caused to the employer with the loss of trained employees as well as to

⁶⁷ Labour Force Survey: Q3/2010, http://www.nso.gov.mt/statdoc/document_file.aspx?id=2930

⁶⁸ National designated employment agency; www.etc.gov.mt

⁶⁹ http://www.gwu.org.mt/pages/Reggie_Miller_Foundation.aspx

⁷⁰ <https://www.uhm.org.mt/content.aspx?id=9310>



the general economic loss and alleviate the burden on social security pension.

62. Moreover, while prior to 2007 one would have qualified for a pension upon having paid thirty years contributions, an amendment was introduced into the Social Security Act which now requires a person to have paid forty years contributions so as to qualify for a state pension.
63. Moreover, while in the past years early retirement schemes were offered in relation to State owned or State controlled companies and entities, such schemes have not been issued any more and focus seems to have shifted from encouraging early retirement by giving cash-outs to providing retraining and redeploying of employees.⁷¹

⁷¹ Despite this, until December 2011 the government was still considering an early retirement scheme in its plan to help the national airline survive.



7 NGO'S AND CIVIL SOCIETY

64. There are two NGOs that are mostly seen as working towards the elimination of age discrimination namely, the National Association of Pensioners⁷² and the National Council for the Elderly⁷³.

National Council for the Elderly

65. The Council brings together Non-Government Associations/Organisations that work on a voluntary basis to promote and safeguard the interests of elderly persons. At present, there are 18 such Associations affiliated. The Council aims at assisting all those who are holders of KartaAnzjan which is a card issued to all persons upon obtaining the age of retirement.
66. The National Council for the Elderly serves as a bridge between the elderly - whether organised or not - and the Government as well as other international organisations for the elderly. The purpose is always that of promoting and safeguarding the interests of the elderly and is therefore wider than that of eliminating age discrimination. The focus of these NGOs is on the social protection and social inclusion of the elderly into the Maltese society, aiming at improving the image of older people in society and protecting their needs under the social protection umbrella whilst at the same time expose instances of age discrimination.

National Association of Pensioners

67. The National Association of Pensioners is a voluntary apolitical and non governmental organisation aiming at promoting and protecting the interests of pensioners, widows and older persons in aspects of life. Essentially they focus on pensioners only and consequently on those who have already withdrawn from employment.
68. There are no known organisations that focus on age discrimination specifically for the 45 year old and older and in fact even the above councils mentioned focus specifically on those who are 60 years and over.

Labour Unions

69. The two main trade unions in Malta namely Union Haddiema Maghqudin (UHM)⁷⁴ and the General Workers Union (GWU)⁷⁵ both have a specific sub department within the union itself which focus on the employment of older workers and pensioners and in this manner provide assistance

⁷² <http://www.nap.org.mt/>

⁷³ <http://www.sahha.gov.mt/pages.aspx?page=88>

⁷⁴ www.uhm.org.mt

⁷⁵ www.gwu.org.mt

against unfair dismissals as well as training of older workers to address skills mismatch. However no specific policy of these Unions has been traced to indicate any particular measure that they may be taking towards older workers beyond the general assistance given to all workers. Both focus on providing training to workers and education so that each of the mentioned unions have their own foundation that provides training as well as a department that deals with pensioners.



8 BUSINESS PERSPECTIVE

70. Measures and practices for sustainable employability are primarily being implemented by the State. Workers' unions are also somewhat calling for the implementation of some measures in this respect, however there is nothing to indicate that private businesses is providing any such measures beyond the normal training of employees that is carried out by companies in general.
71. Diversity management in so far as focused on age does not seem to be of a major concern to the business industry as a whole, and one cannot identify measures that are implemented by businesses in this regard. It is however to be noted that individual businesses at times keep older workers in employment either on reduced hours or as advisors or trainers to the junior staff as they recognise the need to retain experienced staff and for the older workers to be able to train younger workers, especially in jobs dependent on skills. However, these are not measures that form general policies but are sporadic decisions taken by employers in the private sector on an individual basis. In this respect, one cannot identify an established policy or practice.

9 DISCUSSION ON RECENT DEVELOPMENTS

72. The statistics published by the National Statistics Office for 2007, 2008 and 2009⁷⁶ indicate only slight movements in unemployment so that the total number of unemployed persons in 2007 is indicated as 3.3% (10,729 in total of whom 6,474 males and 4,255 females); in 2008 it is indicated as 3% (10,389 in total of whom 6,442 males and 3,947 females) and in 2009 3.4% (12,044 in total of whom 7,644 males and 4,400 females). However statistics also show variances for the population which was inactive so that in 2007 49.3% of the population was inactive (161,905 in total, 49,902 males and 112,003 females), for 2008 50.7% of the population was inactive (175,924 in total of whom 57,695 males and 118,229 females) and in 2009 50.3% of the population was inactive (175,905 in total of whom 58,091 males and 117,814 females).
73. When considering unemployment for those aged 45 to 64 years the Malta in Figures, 2010 continues to indicate that in 2007 21.2% males and 22.1% females were unemployed, in 2008 26.1% males and 25% females were unemployed and in 2009 26.6% males and 21.4% females were unemployed.⁷⁷
74. Discussion of the financial and economic crisis has focused on the general issues of a decrease in job opportunities as well as closure of businesses, but has not focused on specific issues related to age. In this regard, the financial and economic crisis did not bring about a reduction in benefits but rather served as an argument for the government not to increase benefits in the budget for 2010. In this respect, therefore one cannot identify any specific issues that were publicly debated in this regard and that have particular focus on the age of workers.
75. Pension ages had already been stretched only in 2007 and consequently this was not again publicly debated in the light of the financial and economic crisis.
76. Discussion in this regard was also lacking as since deficit in 2009 was calculated at 3.8%, government officials publicly stated that austerity measures were not necessary.

⁷⁶ Malta in Figures, 2010 published by the National Statistics Office, Malta 2010, http://www.nso.gov.mt/statdoc/document_file.aspx?id=2873

⁷⁷ Malta in Figures, 2010 published by the National Statistics Office, Malta 2010, Data extracted from Table 88; http://www.nso.gov.mt/statdoc/document_file.aspx?id=2873



10 ANALYSIS AND CONCLUSIONS

Reflection and conclusions on the information and analysis provided in the report.

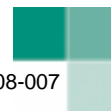
77. Considering the data and information above analysed it seems that measures to retain older workers in employment are not necessarily driven by anti-discrimination objectives but often are more driven by economic factors, not least the sustainability of a State pension scheme in the absence of private pension funds. At the same time, a legislative measure was introduced in 2007 whereby a gradual increase in the pension age was introduced with the aim of making the state pension scheme more sustainable.
78. The workforce is considered to be relatively young with the average exit age from employment having been indicated as 58.8 years, and in fact official statistics for activity rates indicate a sharp decrease for those within the age group of 55 to 64 years. No studies have been identified that analyse the reasons behind this sharp decrease however it is perceived that at this age it becomes very difficult to find new employment if one becomes unemployed and it also becomes difficult for unemployed persons to change job.
79. Measures to retain or assist older workers in employment have not included measures that may be seen as giving advantage to older workers, but emphasis has instead been placed on training. This has specifically been provided by the national employment agency that has focused on addressing mismatches of skills with job requirements and offers training opportunities aimed at retraining from one trade to another as well as training in modern technology. Furthermore, emphasis has also been placed on lifelong learning for adults with courses and training opportunities being made available to all adult persons and not only the 45+ year olds.
80. Diversity management on all the grounds of discrimination does not seem to be considered as being particularly important to business and consequently diversity management is still lacking. Where older workers are encouraged by particular businesses to remain in employment this is done on an individual basis and often depending on the need of the business for the retention of the skills of the person.
81. A lack of adequate support structures proves to be an insurmountable obstacle for older women to remain in employment where family responsibilities are generally seen by society to be her responsibilities rather than equally of men. At the same time, the training opportunities

provided do allow for possibilities for women to return to employment since this provides them with the necessary skills sought by employers.

82. Both the sustainability of the State pension scheme as well as the amount paid out as a pension are both issues that are generally of concern to the Maltese.

To address such concern the government has introduced a measure which allows pensioners to retain part time employment without losing their pension, however these are generally faced with obstacles in accessing part time employment due to their age.

83. Furthermore, it seems that older persons may be more openly received in the voluntary sector rather than in the employment sector, thereby reinforcing the obstacles they face when seeking to remain in employment.



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