

## High Court Upholds Compulsory Retirement at 65

**On September 25, 2009, the High Court considered the issue raised jointly by Age Concern and Help The Aged, that it was contrary to age discrimination legislation for employers to be able to retire a member of staff when they reached 65 years of age, regardless of their actual capability in the role.**

It was held by the High Court that the current compulsory retirement at 65 was lawful, at this point in time. It was justified in terms of it being consistent with European Directives on social policy, noting that retirement at 65 was a "proportionate means of achieving a legitimate aim".

However, the ruling went on to acknowledge the apparent inconsistency that was highlighted by the charities and noted that compulsory retirement at 65 will be reviewed and it is likely that the normal age of retirement will increase in 2010 to 68 years of age.

The charities had sought the removal of any compulsory retirement age.

At least six months before an employee's 65th birthday, the employer is required to write to them giving notice of retirement. At that point, the employee can write to the employer requesting to work beyond the age of 65. The employer will then arrange a meeting to discuss the request and a

decision will be made. The employee has a right to appeal where their request has been declined.

### Government delays Agency Workers

The government has delayed the introduction of the Agency Workers Directive (AWD) until October, 2011, as part of efforts to cut the cost of business regulation.

The AWD gives temporary staff the same employment rights as permanent staff after 12 weeks' work, including pay. There had been speculation that the directive could have been implemented as early as next spring, but the legislation has now been delayed until October 2011.

The announcement today by the Business Department is part of moves to cut the costs of regulation to business by £6.5bn by 2015.

Mike Emmott, employee relations adviser at the CIPD, said: "We're pleased that the Government has pushed back the implementation of the Agency Workers Directive to the last possible date - we've consistently called for such a delay.

"Implementing the directive in the early stages of a recovery could have been particularly damaging, as firms will be willing to take on temporary workers at an earlier stage than they are willing to commit to permanent appointments. Early imple-

mentation could therefore have delayed the recovery and prolonged unemployment."

Lord Mandelson also revealed a delay to the implementation of the right to request training in small firms.

David Frost, Director-General of the British Chambers of Commerce, said: "With these announcements, the government is sending out a positive message to business.

Additional employment legislation would be a real barrier to job creation at a time when unemployment could approach three million."

### Redundancy Pay Rises

As announced in the recent budget, the Government has increased the statutory limit on a week's redundancy pay from £350 to £380 effective from October 1, 2009.

The move is designed to cushion the impact on employees made redundant. Normally the increase is effective from February 1 each year.

The Government has further made it clear that there will be no further increase in February 2010 and the £380 limit will remain until February 1, 2011.

The limit will also apply to other payments such as the basic award for unfair dismissal.



## in the shed answers

### QUICK 'NINE HOLE' QUIZ ANSWERS:

1. Sir Chris Hoy
2. Sir Roger Bannister
3. Sir Bobby Charlton
4. Sir Jackie Stewart
5. Sir Garfield Sobers
6. Sir Steven Redgrave
7. Dame Ellen McArthur
8. Sir Clive Woodward
9. Lord Coe
10. Sir Percy

### CROSSWORD

	O	M	W	E	D	G	W	O	O	D	
S	A	B	B	A	T	H	I	O		A	
U	V	R	E	S	Y	N	O	N	Y	M	
P	I	M	U	N	R	O	G			T	
E	C	O	L	I	R	E	A	L	T	O	R
R	U	O	M	G							
B	U	S	I	N	E	S	S	A	S	U	S
U	T										
G	R	E	A	T	E	X	H	I	B	I	T
U	L	T	S	V	D						
P	L	A	Y	B	O	Y	A	A	B	O	U
T	E	R	F	U	T	O	N	L	E		
T	O	R	P	E	D	O	I	H	I	R	
U	A										
T	R	I	M	A	R	A	N	E	E		

### MONSTER SUDOKO

1	E	7	2	3	5	D	A	C	0	9	6	B	8	F	4
9	A	5	0	2	6	E	B	D	4	8	F	C	1	3	7
F	8	6	B	7	4	C	9	2	1	3	E	5	A	D	0
C	3	D	4	F	8	0	1	B	5	7	A	6	2	E	9
7	9	1	C	8	E	F	0	6	D	A	3	2	5	4	B
A	B	4	5	D	C	9	7	1	8	E	2	F	0	6	3
6	0	8	3	4	A	2	5	7	F	B	C	1	D	9	E
E	F	2	D	1	B	6	3	0	9	4	5	A	7	8	C
5	6	F	7	E	3	A	D	9	2	C	8	4	B	0	1
D	1	9	A	B	0	8	F	4	E	5	7	3	C	2	6
3	2	0	8	5	1	4	C	F	6	D	B	E	9	7	A
4	C	B	E	9	2	7	6	3	A	0	1	8	F	5	D
B	D	E	9	A	7	1	2	5	3	F	4	0	6	C	8
0	5	3	1	C	F	B	8	E	7	6	9	D	4	A	2
8	4	C	6	0	9	5	E	A	2	D	7	3	1	F	
2	7	A	F	6	D	3	4	8	C	1	0	9	E	B	5

### SQUIGGLY SUDOKO

1	2	3	9	8	5	6	4	7
4	5	6	7	3	1	8	9	2
7	8	9	4	6	2	3	1	5
3	1	8	2	5	7	9	6	4
2	6	5	3	4	9	1	7	8
9	4	7	8	1	6	5	2	3
5	7	4	6	9	8	2	3	1
8	9	2	1	7	3	4	5	6
6	3	1	5	2	4	7	8	9