



Interfederaal
Gelijkkansencentrum

AGE DISCRIMINATION

Programme

- UNIA
- The criterium age
- Domains in which gets discriminated on age

- an independent public institution that combats discrimination and promotes equal opportunities
- active at the federal level as well as the level of the regions and communities
- independence and engagement in favor of human rights recognized by the Global Alliance of National Human Rights Institutions

3 Tasks:



provide support to citizens who have experienced discrimination



raising awareness and informing the public



knowledge and expertise centre,
inform the government on discrimination
and diversity

What is discrimination?

direct discrimination: when you are badly treated for a quality which the law protects against. For **example**, you are rejected in a recruitment process because of your dark skin.

An action which appears innocent at first sight may also lead to discrimination. This we would describe as **indirect discrimination**. **Example:** if a café does not allow animals, it does not allow guide dogs for the blind.

At times it may be appropriate to distinguish between one person and another. **For instance**, if an agency is looking for an older model to promote anti-aging skin products, then this is justified.

AGE DISCRIMINATION

- More complex criterium than other criteria
- Not as bad as gender or origine?
- Phases through life, isn't it normal to get treated differently when you're young?
- Age as a protective factor (cfr. Childrens' Rights)
- Defines your place in society: as a parent, as a child, a teacher, a student...
- Each valorisation of age category can have perverse side effects for others

MULTIPLE DISCRIMINATION

- Age combined with other criteria (gender, origine, ...)
- More risk when linked to age criterium
- f.e ethnic profiling

SOCIOLOGICAL APPROACH

- Age categories as starting point for social protection systems
- Age as a structural social criterium can lead to exclusion and discrimination
- Evolutionary character of age: other criteria (f.e origine) stay the same throughout our lives, our age changes: will you have at the same age the same rights as other generations at that age?

A FLEXIBLE JURIDICAL TERM

- Age criterion in regulation for young people is often contradictory and subjective
- ‘entitled to’, ‘subjected to’, ‘who’s allowed?’
- Paradoxes: different restrictions in different laws
- F.e: not allowed to vote before age of 18, but tried in court as an adult from age of 16 for certain offenses

DOMAINS

Goods and services:

- f.e: car insurance is more expensive for young people, while life insurance is more expensive for old people
- Inherent for insurance technique: risk assessment
- Age criterium can be discriminatory but often justified because of proof of risk for insurer

Housing:

- f.e refusing students as tenants (prejudice about young people, 'loud music', 'damage to the property', etc.
- Risk of indirect discrimination: neutral measure at first sight but hits mainly people of one age category
- Indirect discrimination: justification has to be considered, part of analysis

Hobbies/volunteer work:

- Some organisations can justify the distinction based on age through their statutes
- Transparency about the activity, otherwise justification won't be accepted

Employment:

- IPSOS – study ordered by Unia in 2012
- ‘Too young, too old’: age related stereotypes on the workforce
- Study shows that young people (18 – 34) experience the most feelings of discrimination (self reported) based on age
- Age group 45+ is in reality most victimised

- Mainly young employees find the cooperation between young and old on the workforce unequal.
- Juniors (18-34) feel disadvantaged during hiring, promotions, training opportunities, dismissal
- Stereotypes about young employees: less discipline, not loyal, no experience, arrogant, but also more dynamic, better communication skills, willing to learn...

- Problematic: lack of experience
- Therefore accepting more jobs beneath their level to get a chance
- Vicious circle: you first need a job to gain experience
- Perception (mainly in health care and catering industry) that young people have to work harder for less income

POSITIVE ACTION

- Can strengthen the employment position of some groups in society (f.e young people)
- Is included in Belgian antidiscrimination law
- Government needs to define the legal conditions to activate this measure
- Unia seminar on positive action, May 7th: federal Minister of Work Kris Peeters agrees to to create necessary juridical framework

- Goal: give access to employment for disadvantaged groups
- POSITIVE ACTION IS NOT POSITIVE DISCRIMINATION
- Positive discrimination is forbidden

Examples of positive action:

- Recruiting campaigns that target specific groups
- Reserving part of internships or student jobs for specific groups
- Quota



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