

Guidance Notes for Handling Retirements

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1. Introduction

- 1.1 During 2011, the... and the default r... and they will bo... arrangements are...
- 1.2 This means that, issue notifications...

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2. Statutory provisions and

- 2.1 Under the statuto... are required to w... less than 6 mo... employee that h... allowed to reques...
- 2.2 Employers are ab... employer's norma... September 2011... statutory retireme... has the letters ne... They will be remo...

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3. Compulsory retirement

- 3.1 When the DRA is... employees just be...
- 3.2 From 1 October... employees unless... be very difficult to... so, the employer... legitimate aim of... were proportionat...
- 3.3 "Proportionate" n...
 - 3.3.1 what the e... fully achieving its aim;
 - 3.3.2 the discrim... significantly outweighed by the... imate aim; and
 - 3.3.3 the emplo... reasonable alternative to the action
- 3.4 An aim could be "... for example:

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3.4.1 economic
running a

needs of and the efficiency of

3.4.2 the health

the individual; or

3.4.3 the particu

of the job.

3.5 Where the Empl
age can be objec
legitimate aim, thi

maintaining a compulsory retirement
proportionate means of achieving a
the employment contract:

The [Company's/
age)]. When you
an end by reason
give you advance

retirement age is [65/(or higher
employment will normally come to
[the Company/Employer] will
retirement date.

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4. Options for Employers

4.1 Employers can d
This means that
Instead, the emp
Employer can dis
instance, lack
redundancy, havi

at a compulsory retirement age.
be able to 'retire' employees.
to retire and the only reason the
the potentially fair reasons of, for
duct, statutory restriction or
procedure.

4.2 The employer ca
However, the ex
justification is no
amount to age dis

objectively-justified, retirement age.
are that the test of objective
and a fixed retirement age will
be objectively justified.

4.3 The employer ca
some specific rol
retirement age fo

objectively-justified retirement age for
that operate without a compulsory

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5. Voluntary Retirement

5.1 Obviously, empl
circumstances, th
giving as much r
give the employe
employment.

to retire voluntarily. In those
from his/her line manager, ideally
a minimum, the employee must
set down in his/her contract of

5.2 The employer sh
to retire.

employee acknowledging his/her notice

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6. Benefits

Under the Employm
from 6 April 2011, reduc
or over and this action w

From 6 April 2011, employers may, with effect
benefits for employees aged 65
discrimination.

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