

NEWS REPORT

Date: 31 December 2014
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Title: Change of Act on Prohibition of Discrimination on the Labour Market etc. regarding age discrimination
Country: Denmark

Context

Issue at stake: From January 1, 2016 employers are no longer allowed to decide that an appointment automatically ends when an employee turns 70 years of age.

Ground of discrimination: Age

Source: Act no. 1489 of December 23, 2014

Field: Employment

Legislative provisions: Repeal of section 5a (4) of the Act on Prohibition of Discrimination on the Labour Market etc.

Content

According to the current Act on Prohibition of Discrimination on the Labour Market etc. employment can be automatically terminated when an employee reaches the age of 70 if it has been agreed upon in the individual employment contract or if it follows from collective agreements. The rule constitutes an exception to the general prohibition of age discrimination in employment.

According to Act no. 1489 of December 23, 2014 neither individual employment contracts nor collective agreements on automatic termination of employment by the age of 70 can be entered into from January 1, 2016. It also follows from the Act that previous individual contracts on automatic termination cannot be enforced after January 1, 2016. Collective agreements on automatic termination are, however, valid until the time when the collective agreement in question can be denounced.

The objective of the amendment is to promote the participation in the labour market and to limit barriers that hinder senior employees from staying in the labour market.

Internet link source and additional information:

<https://www.retsinformation.dk/Forms/R0710.aspx?id=167206>