

Older women in the workplace

Health and safety issues

Introduction

The number of women over the age of 50 working in the UK is on the increase. This is down to a number of factors, including:

- increased life expectancy;
- falling birth rate;
- changes to the retirement age; and
- cuts to private pension arrangements.

Despite this trend, many employers are failing to recognise and address the specific needs of this group of workers.

This briefing covers some of the health and safety issues affecting older working women. It also suggests ways union reps can help support these women in the workplace.

The law

The Equality Act 2010 outlaws direct discrimination, indirect discrimination, harassment and victimisation related to age. There are, however, a number of exceptions to this, such as allowing employers to base their pay structures on the National Minimum Wage, which sets hourly rates that are lower for younger workers. If there is no exception which applies to the situation, the age based treatment may still be lawful if it can be objectively justified if the

employer can show that what they have done is a proportionate means of achieving a legitimate aim¹.

Age related health conditions and disabilities can affect performance and attendance at work. If an individual has a physical or mental impairment that has a substantial and long-term negative effect on their ability to do normal daily activities, they are considered disabled under the Equality Act 2010. If this is the case then the employer has an obligation to make reasonable adjustments, for example reducing hours or workload.

Older women may face dual discrimination, on the ground of age and gender. For older women from black and minority ethnic backgrounds, there is the possibility of facing triple discrimination, which further compounds barriers in the workplace. Pursuing a case involving discrimination on a number of different grounds can be extremely complicated. The Equality Act 2010 has provisions to tackle this but they have not yet been brought in to effect by the UK Government, and trade union bodies are lobbying for this to happen.

The menopause

Trade unions have argued that the menopause is a workplace health issue that many employers overlook. Women's experiences of the menopause can differ greatly. While many may encounter few problems, others experience a range of symptoms that significantly affect their wellbeing, and potentially their performance, in the workplace.

Symptoms can include:

- Hot flushes.
- Night sweats.
- Insomnia.
- Aches and pains.
- Irregular and heavier periods.
- Mood swings.
- Increased need to urinate.

Women experiencing the menopause may find their symptoms are aggravated by unsuitable temperatures in the workplace, poor workplace ventilation, or unsuitable uniforms or personal protective equipment.

It is important that employers create and maintain a positive workplace culture that supports menopausal women. However, the fact that many women and many union reps are still reluctant to discuss the menopause with their employer because of perceived negative attitudes towards older women suggests that, on the whole, there remains a need for greater awareness and understanding of this issue.

Stress

While stress can affect all workers, older women are more likely to suffer from stress in the workplace than any other group². Inflexible hours of work, overwork and pressure to meet targets can have a detrimental impact on women's mental health. Additionally many older women are already balancing caring responsibilities with their jobs.

The relentless focus on targets in the workplace can have a disproportionate effect on older women. Many fear being replaced with younger, lower paid workers by employers who do not value the contribution older women make.

Another common concern is their employer taking disciplinary action due to menopausal related absences or on the grounds of capability because they are not as strong or fast as they used to be.

These factors, combined with challenges older women may face regarding their own physical health, significantly increases their risk of mental distress.

Physical constraints

Many older women continue to do physically demanding jobs which involve standing for long periods, lifting and twisting. Workplace risks associated with this type of work can be

greater for older women than their younger colleagues. Often years of physical work has taken its toll on their bodies, resulting in long term damage and musculoskeletal disorders. Many older women may be hesitant to discuss this issue with their employer through fear of being dismissed on grounds of capability, and concern that the opportunities for finding another job diminish with age.

What reps can do

- Make sure risk assessments cover the specific needs of menopausal women. For example ventilation, temperature and access to toilet facilities.
- Make sure sickness absence policies are flexible enough to cover menopause-related sickness absence.
- Encourage employers to make reasonable adjustments to sickness absence 'triggers' and performance targets for older women.
- Negotiate more flexible working time arrangements for older women to accommodate their multiple caring responsibilities and/or to help them manage menopausal symptoms.
- Agree a policy with employers that accommodates older women who feel the need to slow down, reduce or alter their hours of work - one which can offer them opportunities for redeployment, lighter duties or job re-design.
- Contact your union office find out if your union has developed any resources on supporting older women, or is holding any events to raise awareness among members of the particular health and safety concerns for older women.

- Set up Women's Health Days in the workplace or in your branches to raise awareness about the specific health and safety issues that affect older women in the workplace.
- Encourage employers to include the menopause in wider occupational health campaigns.

Resources

www.stuc.org.uk

www.closesthegap.org.uk

www.oneworkplace.org.uk

www.tuc.org.uk

www.acas.org.uk

Contact details

For further information on issues affecting older women in the workplace please contact your union office.



Published: December 2014