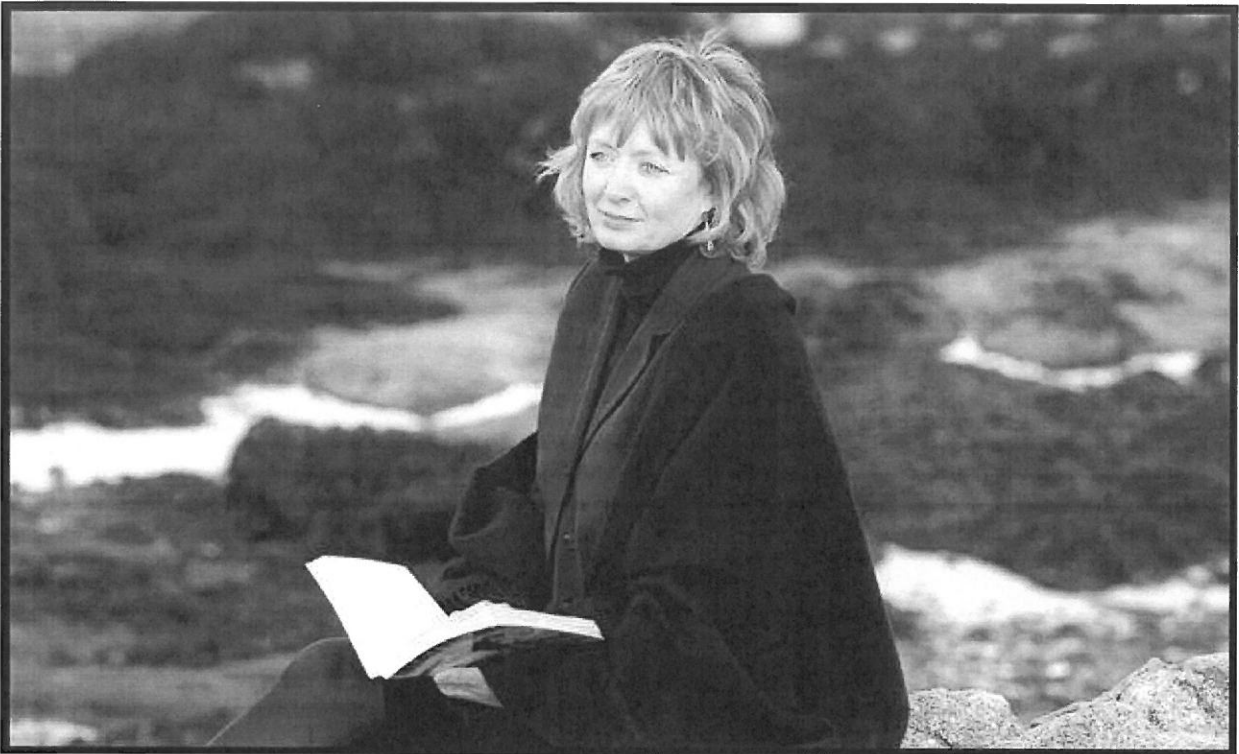


'Floodgates are opened' as workers to reject being forced to retire at age 65



Forced to retire: Former senior TV producer Anne Roper



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A flood of cases is expected to go before the Workplace Relations Commission (WRC) this year from people who don't want to be forced out of their jobs at 65 as a result of a landmark case taken against RTÉ.

Employment law expert Richard Grogan, who is based in Dublin, predicted "the floodgates are now opened".

"The publicity around the case and the increase in the State pension age in 2020 will prove triggers for more cases on age grounds," he said.

On Thursday, it emerged RTÉ had been ordered to pay Anne Roper, a former senior TV producer, €100,000 compensation after forcing her to retire at 65. She took a discrimination case under equality legislation after the station refused to allow her to work for a further 18 months when she reached 65.

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Yesterday, RTÉ revealed it intends to appeal the decision of the WRC.

'Dancing with the Stars' contestant Mary Kennedy previously revealed she was sad to leave 'Nationwide' due to the station's retirement age. She turned 65 last September.

Meanwhile, 'Prime Time' host Miriam O'Callaghan, who recently celebrated her 60th birthday, said yesterday: "I definitely can't see myself slowing down at all by the time I'm 65.

"I have no plans on retiring anytime soon. I'm going to be like Barbara Walters or Ellen Degeneres, who's in her 60s.

"She said the other night that she's happy and at the top of her game and I feel the same."

The National Union of Journalists (NUJ) has expressed "grave disappointment" at the decision of RTÉ to appeal the WRC determination.

The NUJ said it had sought, through internal procedures, to have Ms Roper's employment extended by 18 months "but the employer insisted that she should retire at 65, even though her contract was silent on the issue of a retirement date."

NUJ Irish secretary Séamus Dooley said the comprehensive determination published this week identified the need for clear criteria in relation to longer working and transparency surrounding retirement.

It followed another case, in March 2018, when the WRC ordered RTÉ to pay €50,000 to former employee Valerie Cox because the broadcaster discriminated against her on age grounds. Ms Cox said she was "inundated with letters and contacts from people all over the country" working in different sectors after the ruling in her case was made public. It is an issue that affects many people who want to continue working, she said.

Meanwhile, Mr Grogan told the Irish Independent that employment lawyers had been pointing out "objective justification" must be applied regarding retirement ages.

"You have to be 35 years of age to run for President of Ireland, you have to be 21 to run for the Oireachtas. There is no cut-off date for retirement," he pointed out.

"It's not enough that employers say 'we always had 65 as a retirement age' - many people who are fit and capable want to continue working past this point. Picking 65 as a retirement date is in a terminal state of decline," he said.

"My reading of it is you have to be able to justify the retirement age when you issue the contract, not after the event of the employee's retirement.

"These cases are settling left, right and centre."

He said among those who wish to continue working there are some who genuinely believe they have something to offer and want to continue.

"There is another group who don't have a sufficient income to sit at home," he said.

"These are people, who may have purchased property in the Celtic Tiger era to have an income, but don't have one.

"Other people don't have a pension. They are saying 'I don't have the money to retire.'

"People are having children later in life, living longer and taking out longer mortgages lasting 35 to 40 years."

He said more of these cases would go through the WRC this year and next year, and some would go to the Labour Court.

"My own view is some of these cases will go to Europe and some have already gone to the European Court of Justice.

"Companies need to look at issues such as flexible retirement ages, having different retirement points based on different roles within companies," he said.

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