

## 退休

強制退休政策為較年輕的工作人口提供就業機會；提供給予退休金及其它退休福利的基礎；有助職業策劃、員工發展和接任安排，因此，強制性退休政策是合理的。即使如此，我們建議僱主不時檢討他們的退休政策，特別要考慮：

- (i) 應否訂定“正常”及/或“強制性”退休年齡；
- (ii) 現行的退休年齡是否適合；及
- (iii) 訂定現行退休年齡的理由，以及是否假設僱員達到某個年齡便不能履行某些特別職務。

僱主不應因為強制性退休政策而不考慮臨近退休年齡，但希望退休後繼續工作的在職員工的職位申請。僱主在審議每宗申請時，應考慮僱員的個別情況、公司的退休政策，以及奉行不應因年齡而歧視僱員的原則。



## RETIREMENT

A compulsory retirement policy can be justified as being reasonable and rational since it facilitates the provision of employment opportunities for younger members of the workforce; provides a basis on which to provide for pensions and other retirement benefits; and allows for career planning, staff development and succession planning. Even so, we recommend that from time to time employers should review their policy on retirement. In particular they should consider:

- (i) whether there should be a "normal" and/or a "mandatory" age of retirement;
- (ii) whether the set retirement age is appropriate; and
- (iii) how the retirement age was set, and whether this was based on any reasonable and rational grounds that a person above a particular age is unable to carry out the inherent requirements of the particular employment.

The existence of a compulsory retirement policy should not in itself stop an employer from considering job application from their serving staff members who are close to retirement age but wish to continue to work after that age. Such applications should be considered on their own merits, having regard to the retirement policy and the principle that age should not be a discriminatory factor.