

Rolls-Royce v Unite

Redundancy selection favouring older workers was not discrimination

The selection criteria in a collectively agreed redundancy procedure gave credit for length of service. This favoured older employees. But the High Court said this was not unlawful age discrimination. The scheme had the legitimate aim of achieving “peaceable” selection. It respected the loyalty and experience of older workers by protecting them from dismissal when other employment would be hard to find. Using length of service constituted a “benefit” fulfilling a business need and so was permitted under the age discrimination regulations.
Case ref 2008 EWHC 2420 (QB)

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