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# Age discrimination at work and some reflections from job ads: The case of Turkey

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**Purpose** – to analyze the situation of age discrimination at work and to give some reflections from job ads in the case of Turkey.

**Design/Method/Approach of the research.** This study presents a limited depiction of age discrimination occurring in Turkey by analyzing job ads.

**Findings.** One of the most critical demographic issues for the entire world, especially for the advanced world, is aging. It is essential as it necessitates some critical regulations that have economic and social consequences. During this aging trend, job seekers over a certain age in labor markets face age discrimination. Although many countries, both developed and developing, have some legal regulations against age discrimination, it remains a crucial form of discrimination. Where we can easily see this kind of discrimination is job ads. This study examined more than fifteen hundred job ads posted by İŞKUR, state-affiliated Employment Agency of Turkey, for the cities of Marmara Region of Turkey were examined. Nearly 20% of all job ads is indicating some statement for age limit.

**Research limitations/Future Research.** Although just the age value indicated by employers in the ads itself does not mean an absolute age discrimination rate, 20 % is a vital implication for that kind of discrimination, and also, this figure implies the need for detailed further studies.

**Paper type** – empirical.

**Keywords:** age discrimination; aging; Turkey.

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## Вікова дискримінація на роботі та деякі роздуми з оголошень про роботу: приклад Туреччини

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**Мета роботи** – проаналізувати ситуацію за віковою дискримінацією на роботі та надати деякі роздуми з оголошень про роботу на прикладі Туреччини.

**Дизайн/Метод/План дослідження.** Це дослідження представляє обмежене зображення вікової дискримінації, що трапляється в Туреччині, здійснене шляхом аналізу оголошень про роботу.

**Результати дослідження.** Одне з найбільш критичних демографічних питань для всього світу, особливо для розвиненого, - старіння. Це має важливе значення, оскільки вимагає встановлення деяких критичних норм, що мають економічні та соціальні наслідки. Під час тенденції старіння шукачі роботи старше певного віку на ринках праці стикаються з віковою дискримінацією. Хоча в багатьох країнах, як розвинених, так і тих, що розвиваються, існують деякі законодавчі норми проти вікової дискримінації, вона залишається найважливішою формою дискримінації. Подібну дискримінацію можна легко побачити у оголошеннях про роботу. Щоб виявити такий вид дискримінації в цьому дослідженні вивчено понад півтори тисячі оголошень про роботу, розміщених İŞKUR – державною агенцією зайнятості Туреччини, у містах Мармурового регіону Туреччини. Виявлено, що близько 20% усіх оголошень про роботу вказують певну заяву щодо вікового обмеження.

**Обмеження дослідження/Перспективи подальших досліджень.** Хоча лише вікове значення, зазначене роботодавцями в рекламі, не означає абсолютного рівня вікової дискримінації, 20% є життєво важливим наслідком для такого роду дискримінації, а також ця цифра вказує на необхідність детальних подальших досліджень.

**Тип статті** – емпіричний.

**Ключові слова:** дискримінація за віком; старіння; Туреччина.

## Возрастная дискриминация на работе и некоторые размышления из объявлений о вакансиях: пример Турции

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**Цель работы** – проанализировать ситуацию с дискриминацией по возрасту на работе и представить некоторые размышления об объявлениях о вакансиях на примере Турции.

**Дизайн/Метод/План исследования.** Это исследование представляет собой ограниченное изображение дискриминации по возрасту, имеющей место в Турции, полученное путем анализа объявлений о вакансиях.

**Результаты исследования.** Одна из самых серьезных демографических проблем для всего мира, особенно для развитого, – это старение. Это важно, поскольку требует принятия некоторых важных правил, которые имеют экономические и социальные последствия. Во время этой тенденции старения соискатели определенного возраста на рынке труда сталкиваются с дискриминацией по возрасту. Хотя многие страны, как развитые, так и развивающиеся, имеют некоторые правовые нормы, запрещающие дискриминацию по возрасту, она остается важнейшей формой дискриминации. Подобную дискриминацию можно легко увидеть в объявлениях о вакансиях. Чтобы выявить такого рода дискриминацию, в этом исследовании изучено более полутора тысяч объявлений о вакансиях, размещенных İŞKUR – государственным агентством занятости Турции в городах Мраморного региона Турции. Выведено, что почти 20% всех объявлений о вакансиях содержат какие-то ограничения по возрасту.

**Ограничения исследований/Перспективы дальнейших исследований.** Хотя само значение возраста, указанное работодателями в рекламе, не означает абсолютного уровня дискриминации по возрасту, однако 20% являются жизненно важным значением для такого рода дискриминации, а также эта цифра подразумевает необходимость подробных дальнейших исследований.

**Тип статьи** – эмпирический.

**Ключевые слова:** дискриминация по возрасту; старение; Турция.

## 1. Introduction

Currently, many countries faced a demographic crisis. As demonstrated in the following section, many countries' population is getting older while the birth rate is falling. In one of the recent statements, the president of Russia, Vladimir Putin, takes attention to the demographic crises in his country. In his statement, Putin insists on a need "to do more to encourage new births and support young families" (*The Associated Press, 2020*). Similar statements are quite common for Turkey's president, Recep Tayyip Erdoğan, who frequently but especially during attended wedding ceremonies recommends the newlywed couples to have at least three children. Shortly most countries can easily see the demographic trends and try to intervene. On the other hand, we have another story which is mostly a consequence of this trend for labor markets, namely age discrimination.

Age discrimination is a relatively new kind of discrimination that involves an odd contradiction. On the one hand, the contradiction is that there is a reality about the world demography, which is called in short as "global aging," and on the other hand, there is a tendency of reluctance to recruit older candidates. Thus, older people are becoming a growing part of the precarious class. Unemployment is one of the most incredible treats for those people since they become unwanted candidates for job positions. Another global development also worsens older people, i.e., the reformation of national social security systems' regulations. These reformations or regulations try to increase the retirement age since the average life expectancy is increasing. As we witnessed social protests in France in the last weeks of 2019, French people demonstrate mass protests against the government's age pension plan to increase the age to get the full pension from 62 to 64 age (*Fouquet, 2019*). Thus, older people faced a two-edged reality, both of which include some forms of social insecurity.

On the one hand, obtaining retirement is becoming difficult because of long-retirement ages; and on the other hand, to stay in the labor market or working life is also getting complicated due to ageism or age discrimination. The matter is that there is a tendency within business corporations not to hire or recruit over-some-age candidates. Thus, the current economic condition pushes people over a certain age toward a precariat position in society.

## 2. Problem statement

This paper intends to analyze this situation of age discrimination at work and to give some reflections from job ads in the case of Turkey. At first, there will be presented the World and Turkish population aging trends, followed by a short presentation about the legal framework for age discrimination in Turkey, and analysis on job postings by a government agency,

Turkish Employment Agency. The job postings by content analysis method will be reviewed to present a depiction of the Turkish case.

## 3. Results

### 3.1. Aging in Turkey and the entire world

There is a relatively new issue which the world, especially the developed part, the face is aging. As well known, some trends are supporting this aging tendency. First of all, with science development and correspondent medicine development, life expectancy at birth has risen. According to *World Bank (2019c)*, life expectancy at birth for the World average has risen to 72 years (for 2015) from 52 years in 1960. That means during around a half-century life expectancy of the world population has risen by 20 years.

On the other hand, the crude birth rate has shown a reverse tendency. While the world's average birth rate in 1960 was around 32 per 1000 people, this figure fell to around 18 in 2017 (*The World Bank, 2019a*). Thus, while on the one hand, life expectancy is rising, on the other hand there the birth rate is falling. With relation to this latest data, another figure also is essential to mention, i.e., fertility rate. According to the *World Bank (2019b)*, births per woman was around 5 in 1960, while this figure decreased to 2,4 in 2017. Furthermore, while the infant mortality rate was around 65 per 1000 live births in 1990, this rate reached 29 in 2018 (*The World Bank, 2019d*).

All these data clearly explain the reason for the rising global aging. Thus, for many developed countries, today's old population rate and especially for the near future have become one of their most alarming issues. Because an aging population has many initial social and economic consequences, an aging population directly affects labor markets. Telling by the concepts of labor economics, aging directly relates to the concepts of 'labor force participation rate' and 'working-age population.' Moreover, the generally working-age population is defined as "the people aged 15 to 65" (*OECD, 2020*).

So, if the crude birth rate is getting down and life expectancy is rising, the population is generally getting old, and this means the rate for the population aged between 15 - 65 is decreasing; the working-age population decrease virtually affects labor force participation rate. *Table 1* figures clearly show that the aging phenomenon is evident in most countries within ten years. This fact has an essential effect on the labor market and especially on the social security system. A report by *OECD(2011)* that reviews the pensionable age and life expectancy between 1950 and 2050 foresees a general rising for the pensionable age for the OECD countries.

Table 1

Some figures about age for the selected OECD countries\*

Country	Population from 15 to 64 years as a percentage of the population		Elderly dependency rate (persons aged over 64 as % of the population aged 15-64)		Total dependency rate (youth and elderly as % population aged 15-64)	
	Years		Years		Years	
	2005	2013-14	2005	2013-14	2005	2013-14
Czechia	71.1	67.3	19.9	26.2	40.7	48.6
France	65.1	63.6	25.4	28.2	53.6	57.2
Germany	66.9	65.5	28.8	32.8	49.6	52.7
Japan	66.1	62.1	30.5	40.4	51.3	61.1
Korea	71.7	73.1	12.6	17.3	39.4	36.9
Netherlands	67.5	65.9	21.0	25.9	48.2	51.8
Poland	70.3	70.0	18.8	20.5	42.2	42.8
Spain	69.0	66.5	24.0	27.5	45.0	50.4
Turkey	66.0	67.9	10.2	11.5	51.4	47.3
UK	66.3	64.9	23.3	26.6	50.9	54.0
USA	67.1	66.3	18.5	21.9	49.0	50.7
European Union	67.2	66.0	26.1**	29.2**	49.7**	52.6**

\*Source: Derived from OECD data, OECD 2016.

\*\*Note: The figure is for Eurozone.

Of course, it is not difficult to achieve that conclusion. To keep an actuarial balance, social security systems face the reformation process. This process has some implications for employees, especially for people over a certain age. That means people need to work more to achieve the pensionable age. So, they have to fight for their work with the young and overcome the unemployment phenomena with a great struggle in a labor market that includes discrimination tendencies toward them, as we will see further in the paper.

### 3.2. A similar or the same situation is for Turkey

Now, almost the same view of general tendency about aging and its implications, such as retirement age, is right for Turkey. Comparing with the other OECD country, Turkey still has a young population. In other words, Turkey, at the moment, has a demographic window opportunity (Tansel, 2012). Nevertheless, according to some studies, this window will close around the middle of this century (Tansel, 2012; TÜSIAD, 2010). The data below demonstrates the current demographic situation in Turkey.

Table 2

Basic Fertility and Mortality Indicators (Turkey)

	2001	2010	2018
Total fertility rate (number of children)	2,38	2,08	1,99
Crude birth rate (‰)	20,3	17,2	15,3
Mean age of the mother	26,7	27,7	28,9
Crude death rate (‰)	5,1*	5,0	5,2
Infant mortality rate (‰)	13,9*	12,0	9,3

\*the year 2009

Source: Derived from the Turkish Statistical Institute(TÜİK, 2020).

Table 3

Median age by years (Turkey)

Year	Median Age
1935	21,1
1950	20,1
1965	19,3
1980	19,9
1990	22,2
2000	24,8
2010	29,2
2018	32,0

Source: Derived from the Turkish Statistical Institute(TÜİK, 2020)

As the tables above show, the same tendency about aging is real for Turkey. The median age has risen from 22,2 to 32 in the last several decades, while the crude birth rate has decreased. These tendencies are indicating an aging trend. However, compared with the developed countries, Turkey's population is currently relatively young, but it is on the aging trend, so the president of Turkey, Recep Tayyip Erdogan, frequently advises newlywed couples to have at least three children. The president repeats similar advice in wedding ceremonies frequently. A long quotation is following (Hurriyet Daily News, 2013).

"As I always say, I advise every couple to have three children. Moreover, when the southeastern region's conditions are considered, the number should be more than three. That is of great importance for the future of our nation. (...) One child means bankruptcy for the country, two means skidding. Three children are okay, but we need four to five to carry the country forward. (...) Economic achievement is only possible through human [capital] since human [capital] paves the way for labor, production, consumption, and investment. So, having a young and dynamic population is crucial. Currently, 60 percent of our population is under the age of 30. However, when birth rates are considered, the years between 2037 and 2040 seem alarming. So [couples] should have four or five children."

### 3.3. “No Country for Old Men”: Age Discrimination

Cambridge English Dictionary (Cambridge Dictionary, 2020) defines the word *discrimination* as: "treating a person or particular group of people differently, especially in a worse way from how you treat other people, because of their skin color, gender, sexuality, etc." Discrimination practices lead to so many unequal and unjust results in different areas such as economic and social life. It has numerous images in working life or labor markets that keep some candidates or employees out from some opportunities or using their rights. UK Equality Act 2010 mentions nine characteristics that can subject to discrimination (EOC, 2020): age, gender, race, disability, religion, pregnancy and maternity, sexual orientation, gender reassignment, marriage, and civil partnership.

Discrimination can occur in two primary ways; one is direct discrimination, and the other is indirect discrimination. The first kind of discrimination can easily be determined because subjects for discrimination are expressed. A well-known example is job postings that state a limited age range for candidates. This point is also our primary issue and will be examined in the next section. The second type of discrimination, indirect discrimination, is more challenging because it is generally quite challenging to prove that discrimination occurs. One of the most common examples is about gender issues. However, there is no obstacle seen for women to appoint high-rank posts; in practice, so many women are not appointed to high-rank positions even if they deserve it because of an invisible obstacle, their gender.

Reflecting on labor markets or working life, there are several essential age stereotypes, and these stereotypes have effects for some age categories both in the recruitment process and within working experience. As Truxillo et al. (2015) state, age stereotypes are different from other stereotypes because the age component is a continuous variable, not a categorical one. Since stereotyping is a process of generalizing characteristics about a group of people, constructing age categories is also a drawing boundary between some age groups that may lead to discrimination. From this point of view, we need to emphasize stereotypes for older employees and younger ones.

Truxillo et al. (2015) present the age stereotypes' effects in organizations or working life in several ways: hiring, training opportunities, performance appraisals, and terminations/layoffs that may also be translated into discrimination. According to their review, age bias in the recruitment process is the most prevalent form of age discrimination in the workplace: "Interview studies that manipulate job candidate age, (...) have often revealed a preference for hiring younger job candidates. Other research has also revealed that older job applicants may receive less favourable responses from employers, have shorter interviews, and receive fewer job offers than younger job applicants."

Another effect of age stereotype is seen in performance appraisal. As generally known, performance should improve with sound and more experience, "the belief that older employees do not perform as well as younger employees continues to persist in organizations." Therefore, age bias may lead to a kind of discrimination in workplaces. Layoff risk is another threat for older employees. Some perceptions about the older employees that these employees are "more continues to retirement, need to more training, have greater absenteeism, and use more benefits." Age bias and stereotypes also affect training opportunities for older employees. The misperceptions about the older that they cannot manage the changes and learn new skills pave the way for discrimination. Because training is a significant cost item, organizations have a strong desire to return on investment. So "some managers may feel that simplifying tasks is a better alternative for improving older employees' performance than providing them with training opportunities" (Truxillo et al., 2015). A well-known study about age discrimination has been conducted by Neumark et al. (2017), who designed this study as an "audit" or

“correspondence” one. These kinds of studies are “designed to mimic controlled experiments by creating artificial job applicants who have identical job-related background characteristics other than race, ethnicity, or gender. Hence, when they apply for the same real-world jobs, differences in hiring outcomes are plausibly attributable to discrimination” (Neumark et al., 2017). Under that

study, the researchers created realistic but fictitious resumes for three age categories; young (aged 29-31), middle-aged (aged 49-51), and older (aged 64-66). Researchers send these fictitious applications to over 13,000 positions, totaling more than 40,000 applicants. Figure 1 demonstrates the callback rates by age.

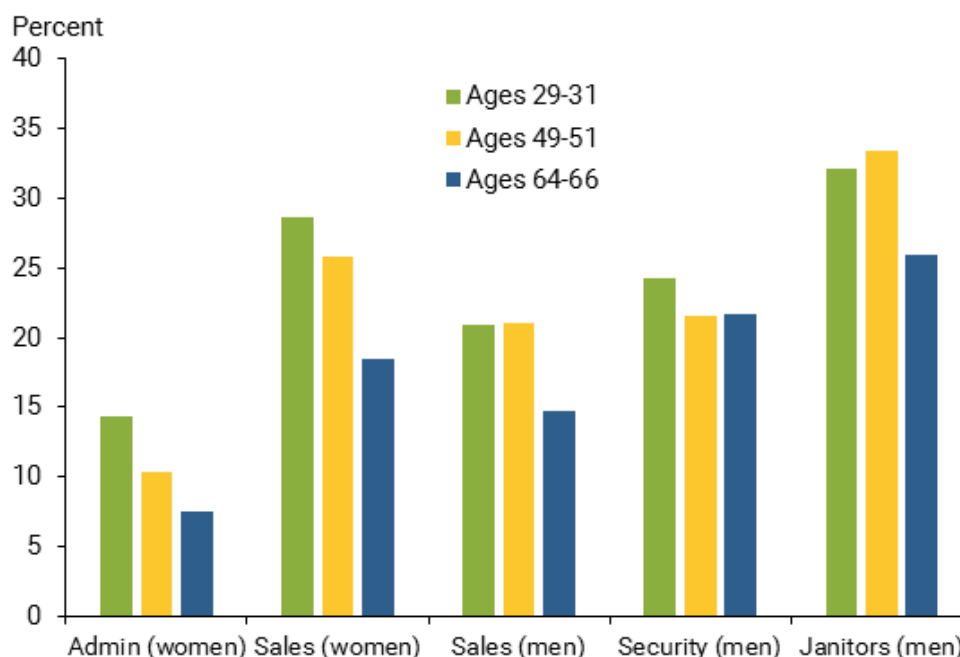


Fig. 1. Comparison of Job Applicant Callback Rates by Ages\*

\*Source: (Neumark et al., 2017).

Researchers present several implications using these data. First of all, they point some evidence of age discrimination in hiring for both genders. Second, the older applicants nearer the age of retirement experience more age discrimination. Furthermore, finally, women experience more age discrimination than men (Neumark et al., 2017).

### 3.4. Legal framework for age discrimination: What is the situation in Turkey?

The laws that needed to be examined closely for the paper are the constitution and labor law and the law on human rights and equality institution. Before dealing with direct provisions about discrimination in the Turkish constitution, it would be appropriate to draw attention to a constitution clause, Article 90. According to the last paragraph of that article, “International agreements duly put into effect have the force of law. No appeal to the Constitutional Court shall be made concerning these agreements because they are unconstitutional. In the case of a conflict between international agreements, duly put into effect, concerning fundamental rights and freedoms and the laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail” (Constitution of the Republic of Turkey, 1982). That provision has significant implications for fundamental rights, especially in the conflict between national codes and international regulations. So, the regulations of some international institutions or organizations such as International Labour Organizations or European Convention on Human Rights or European Social Charter have implications for the Turkish judicial system and its citizens on the fundamental rights and freedoms.

In addition to this detail, the constitution also has direct regulation for equality. The first paragraph of Article 10 says: “Everyone is equal before the law without distinction as to language, race, color, gender, political opinion, philosophical belief, religion, and sect, or any such grounds” (Constitution of the Republic of Turkey,

1982). Especially the last part of the sentence is essential for our paper. The expression (“any such grounds”) can also be interpreted as a provision against age discrimination.

The second important source against age discrimination in the Turkish juridical system is the Labour Code. Article 5, titled ‘principle of equal treatment’ bans discrimination. Although it does not directly mention ‘age discrimination,’ literature interprets the first paragraph broadly and uses it against age discrimination (Ünal, 2018). The first paragraph of Article 5 is: “No discrimination shall be made in the business relation, based on language, race, color, gender, disability, political thought, philosophical belief, religion and sect, and similar grounds” (Labour Law, 2003). As in the constitution, the last expression can also be interpreted against other similar discrimination such as age discrimination.

Recently a new institution, the Human Rights and Equality Institution of Turkey, has been established in Turkey to realize some aims on human dignity. According to its statement, the institution has three primary purposes (HREI, n.d.): (1) Protection and promotion of human rights; (2) Guaranteeing individuals’ right to equal treatment, prevention of discrimination in the exercise of legally recognized rights and freedoms and which will carry out actions in line with these principles; and (3) Effectively fight against torture and ill-treatment and act as National Preventive Mechanism.

The establishment law of that institution has unique regulations for age discrimination. The law is the first and only law that directly mentions ‘age’ in the discrimination factor. The second paragraph of Article 3 directly prohibit age discrimination: “Within the scope of this Law, discrimination based on gender, race, color, language, religion, faith, sect, philosophical or political opinion, ethnic origin, wealth, birth, civil status, medical condition, disability or age is prohibited” (Law on Human Rights and Equality Institution of Turkey, 2016).

Article 6 of that law is explicitly focusing on employment and banning discrimination, generally. The first paragraph of Article 6 states that: "An employer or a person authorized by the employer shall not discriminate against an employee or applicant for a job, a person gaining applied work experience or an applicant for that kind of work and anyone wishing to receive information about the workplace or the work to be an employee or gain applied work experience, while being informed of the work, during the application process, selection criteria, work and termination of work and in terms of conditions for recruitment" (Law on Human Rights and Equality Institution of Turkey, 2016).

On the other side, the discrimination ban, for our case, age discrimination, is not an absolute one. Article 7 of the Law on Human Rights and Equality Institution of Turkey expresses the age discrimination ban's limits. Article 7 mentions the exceptions of the discrimination directly: "The cases and exceptions where the allegation of discrimination cannot be asserted within the scope of this Law are as follows: ... (c) Different treatment during recruitment and employment when determining and implementing age limits due to exigencies of the work offered, provided that it is in line with the necessities and purpose of the work," (Law on Human Rights and Equality Institution of Turkey, 2016).

Briefly, we can say that, primarily, the constitution of Turkey and the labor law are generally banning discrimination. The statements of these legal texts can be interpreted against age discrimination indirectly. However, the recently legislated Law on Human Rights and Equality Institution of Turkey directly mentions and bans age discrimination and state the limit of that banning. Now, the next section of the paper will focus on the main case, job postings.

### 3.5. A Case on Job Ads: Research Design, Data, and Analysis

Located in north-western Turkey, Marmara Region is one of Turkey's seven geographical regions that is the most populous region with over 25% of Turkey's total population. There are eleven cities (see the map below), including İstanbul, the country's largest city, and Kocaeli, the city with the highest GDP per capita. Marmara region also has the highest urbanization rate and the most industrialized and advanced region regarding the other social and economic indicators (see, TUIK, 2020). Therefore, the region has the highest workforce population. Our case focuses on and is limited to that region as the number of total job postings of all cities in the Marmara region makes up nearly half of all job postings in the country.



Fig. 2. Map of the Marmara Region, Turkey\*

\*Source: (Common Wikimedia, 2020).

We used the data of job postings from İŞKUR, a government employment agency. İŞKUR is the most prominent institution presenting employment services both for job-seekers and business organizations. The institution's official web site provides job postings for open job positions. We collected the details of these postings for eleven cities located in the Marmara region during December 2019.

Table 4 represents the country's and region's major city, İstanbul, which includes over half of all job ads per se. In another world region's three biggest cities, İstanbul, Kocaeli, and Bursa, include more than 3/4 of all job postings.

For our estimations in this paper, we examined over 15 hundred job ads with age limits. Of course, the age limit itself does not express age discrimination deterministically, but it can be interpreted as an indicator of such discrimination.

The job ads with an age limit that we derived from İŞKUR open jobs database is overwhelmingly demanding workforce for the service

industry, consisting of nearly 3/4 of all job ads with age limits. Almost the rest of the job ads with age limits concentrated in the industry sector. These figures are also reflecting Turkey's workforce structure. According to Turkish Statistical Institution indicators, nearly 60% of the workforce is employed in the service sector.

The figures above present two crucial points. One of them is that an average of 20 percent of all job ads has an age limit. Table 4 represents that around 20% of all job postings specifying an age limit in the region. Although that does not mean that around 1/5 of job ads include age discrimination, such a high percentage implies some discrimination implications.

The percentage is higher for some cities such as Çanakkale (27,9%), Balıkesir (26,7), and Sakarya (23,3). Nevertheless, if we take İstanbul as a reference city because of its scale, its indicator is very close to the average and represents half of all job ads with age limitation.

Table 4

General Data Set

	A	B	C	D	E	F
	City	Number of open job positions indicating the age limit	Total job ads number	Number of job ads indicating the age limit	% of D among total job ads indicating the age limit	% of D among C
1	Bilecik	53	99	16	1,0	16,2
2	Edirne	7	72	5	0,3	6,9
3	Kırklareli	31	99	10	0,6	10,1
4	Çanakkale	67	140	39	2,5	27,9
5	Yalova	45	146	7	0,5	4,8
6	Balıkesir	135	307	82	5,3	26,7
7	Sakarya	85	249	58	3,7	23,3
8	Kocaeli	476	826	160	10,3	19,4
9	İstanbul	3484	4519	794	51,2	17,6
10	Tekirdağ	211	672	126	8,1	18,8
11	Bursa	566	1306	254	16,4	19,4
	Total	5160	8435	1551	100,0	18,4

The other essential point derived from these figures is about age ranges (Fig. 3). According to Fig. 3-B, around 5% of job ads with age limits states an age limit between 18-27; around 44% of ads states a range between 28-37; around 46% of ads states a limit for 38-47 age range and just around 6% of ads indicates some ages above 48 age. This figure has quite a critical implication as it shows for those older than 48; it is so challenging to get a chance for job application. In

other words, more than 90% of the job ads with age limits are posted for those younger than 48 age. This result is compatible with the debate above. In short, while there is a clear tendency toward a totally (or globally) aging and in all over the world the median age increases, on the other hand, employment opportunities or ways for aging people include serious threats. In the conclusion section, we try to propose some ways out.

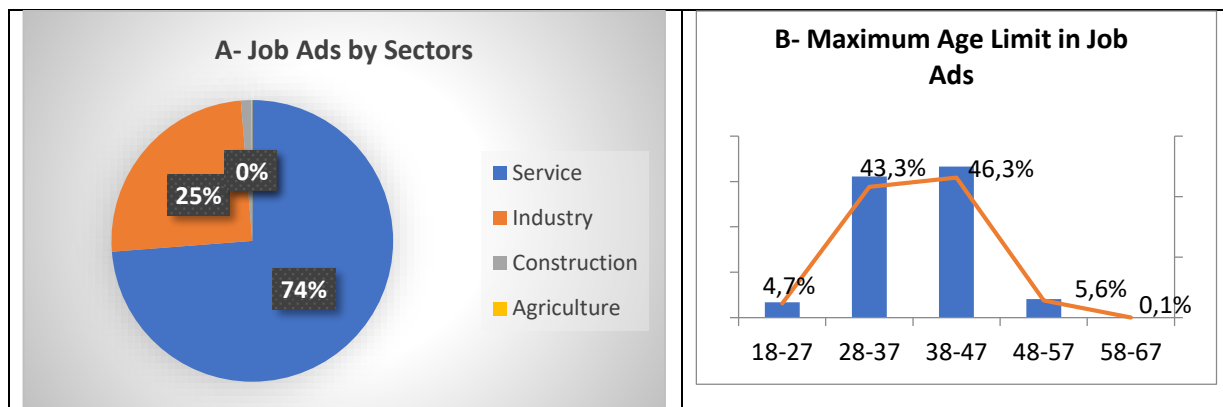


Fig. 3. Job Ads by Sectors and Upper Age Limits

#### 4. Conclusions

Especially during the recent epidemic, the age issue has come even more as the issue becomes one for public debate through communication technologies. In many countries, the authorities announced that the epidemic affects more older people, so many of them introduce some measures into practice to keep older people at home. However, the social exclusion that has already been available in so many countries has great force pushing older people into the precarious class. Nevertheless, this paper takes this tendency as a contradiction because the world population, especially in advanced societies, is inevitably getting older. However, a total aging population pushes the government to reform their social security systems that are generally coming across to increase the retirement age. Thus, the labor market or employment relations people have to stay in the market for a more extended period to achieve their retirement right. In this situation, older people have more unemployment risk than younger.

That global tendency highlights a kind of discrimination, age discrimination. Age discrimination is not a new phenomenon, but it is for some developing countries like Turkey. As analyzed above, the primary legal texts, constitution, and labor law have some indirect statements that can interpret against age discrimination. A relatively recent law, the Law on Human Rights and Equality

Institution of Turkey, has a direct statement that bans age discrimination. However, the problem is bigger than the legal regulations because establishing any legal norm takes a long time as it requires an institutionalized legal, political, and social structure.

Thereby, Turkey's legal framework, constitutional provisions, both its principal regulations and Article 90, and the other legal regulations could be used against age discrimination, but in practice, it is so hard to prevent such kind of discrimination. This study presents a limited depiction of age discrimination occurring in Turkey by analyzing job ads. According to our data, nearly 20% of job ads indicate age limits. Although just this figure itself does not mean an absolute age discrimination rate, it is a vital implication for that kind of discrimination, and also, this figure implies the need for detailed further studies.

In our perception, some ways out could be as the following. One of them is about the big picture, and the other is related to the organization level. Although there are legal regulations, there is also a need for more direct or explicit statements of regulations. In other words, a direct expression of "age" discrimination should be added to the constitution and labor law. Moreover, of course, just only legal texts themselves are not enough to fight age discrimination; also, a system with social, political, and economic components runs in compliance with this legal framework. The



other is about the responses of organizations in the economic field. As seen in the data above, organizations have tendencies to recruit people at a certain age, especially the candidates under some ages. However, modern HRM function, training, and development (T&D) have the potential to overcome age discrimination. The T&D function of HRM has tools to keep employees working life by orienting them to occurring changes. In other words, organizations can keep their employees or recruit candidates over a certain age by using the T&D function.

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