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Seldon V Clerkson Employment Appeal Tribunal

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Seldon V Clarkson Employment Appeal Tribunal

Employees face several discriminations from their employers and therefore, providing them with proper rights that will ensure they work in a safer and conducive environment is very significant. Several laws and regulations have been put in place to protect employees from discriminations either based on age, gender or race. This paper will focus on Seldon V. Clarkson Wright and Jakes's case as well as explain how the ¹United States equal employment opportunity commission for age discrimination applies to the case.

Based on Seldon vs. Clarkson Wright and Jakes's case there was age discrimination involvement where Mr. Seldon was required to retire compulsorily at the age of sixty-five. Mr. Seldon was among the equity partners of Kent law firm which had established the terms that a partner should have compulsory retirement. Although Kent law firm accepted that the act was direct age discrimination, they argued that the reason behind the terms is to enable one to attain several legitimate goals such as providing associates with an opportunity to be partners of the firm within a reasonable period (Dewhurst, 2013).

¹The United States Equal Employment Opportunity Commission criteria for age discrimination applies to the Seldon's case by providing them with the early retirement investment plan rather than having the compulsory retirement that is justified by the employer (Sargeant, 2016). Through early retirement investment, employees who are old are provided with a financial enticement when they agree to leave the workforce earlier than planned.

In summation, Seldon's case is one of the cases that indicate how employers are discriminated against directly based on their age. Mr. Seldon is forced to compulsory retirement at 65 years that is determined by the employer. Therefore, United States Equal Employment

Opportunity Commission provides an early retirement incentive plan to older individuals who would agree to leave work earlier than planned rather than using direct age discrimination by compulsory age retirement.

References

- Dewhurst, E. (2013). "An Evaluation of the Principles Governing the Prohibition on Direct Age Discrimination in the UK. A Case Study of Seldon V. Clarkson, Wright and Jakes [2012] UKSC 16." *QMLJ*, 4, P.11
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