

Title: Drivers and patterns of early retirement in the neoliberal university

Abstract

This article increases understanding of university labour processes. The antecedents and characteristics of early retirement schemes implemented by Australian universities over the past decade (2010 – 2020) were considered. Twenty-eight schemes were identified across 20 universities. Content analysis of descriptions of the schemes contained in official documents was undertaken. This revealed somewhat common justifications for the schemes, linked to concerns about organisational sustainability/resilience in the face of external threats and the implementation of modernising efforts. Such justifications appeared to underpinned by similar ageist biases on the part of management. Despite this broad commonality, however, the schemes manifested a multifurcation of possible work-retirement pathways across institutions. Such reorganisation of labour processes, based on ageist representations that potentially place established workers in conflict with others, represents an incongruence between the market-oriented objectives of universities and areas of public policy responding to workforce ageing. It is argued that drawing momentum from emerging conceptions of sustainability and current diversity initiatives such as Athena Swan and Age Friendly Universities it may be possible to sever the link university leadership perceive between the divestment of older workers and the fulfilment of modernising agendas.

Introduction

Accompanying the ageing of populations in developed countries have been changes in public policy towards the employment of older workers aimed at mitigating increasing welfare costs and at alleviating problems of falling labour supply as large numbers retire.

On the back of a range of official and semi-official enquiries in many countries, and with pressure from influential bodies such as the Organization for Economic Cooperation and Development (OECD) (2006, 2015), recent policy reforms have focused on increasing older workers' labour market participation (Wang and Shultz, 2010).

This situation contrasts with that of the 1970s and 1980s, a period of simultaneous contraction of full-time employment and historically high numbers of labour market entrants. At that time, governments prioritised reducing youth unemployment, utilising new and existing institutional tools for labour market regulation in the form of early exit pathways that facilitated the removal of older workers from the labour market, often with active support from employers and trade unions (Kohli and Rein, 1991; Sargeant, 2016). Presented as a bloodless means of lowering unemployment, the extent of this social consensus on early retirement mirrored the present one concerning the necessity of extended working lives. Figure 1 presents average effective age at which older workers withdraw from the labour force across the OECD countries for men and women for the years 1970-2018. It demonstrates a marked decline well into the 1990s and an increase from the early part of the new century onwards, although current ages fall short of those observed in 1970.

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The OECD (2018) links the recent upward trend in retirement ages to actions across many countries focused on pension reforms, the rolling back of early retirement provisions, and the raising of pension eligibility ages. However, it contrasts this with fewer efforts to remove employer barriers in terms of hiring and retaining older workers and promoting employability over a working life. One such barrier is workplace age

discrimination, a topic of long-standing scholarly interest (Cebola et al., 2021), which has attracted international attention (World Health Organization, 2021).

In many ways, what is happening inside higher education exemplifies present international debates concerning the prolongation of working lives. Research points to the ageing of the academic and scientific workforce, partly driven by declining retirement rates, raising questions about the possible crowding out of younger scientists trying to establish a career foothold, and the potential for declining productivity among those often considered past their prime (Blau and Weinberg, 2017; Kaskie, 2015). Constraints on those university academics with fixed-term contracts transferring from such ‘periphery’ employment to that offering a career track have been identified (Broadbent, Troup and Strachan, 2013). However, the presence of older teachers does not appear to compromise student outcomes (ICF Consulting Services, 2018) and research performance is largely explained by factors other than academic position, gender and age (Rørstad and Aksnes 2015). While early retirement has sometimes been justified on the basis that it would open job opportunities for younger people, it may be better to view older and younger workers as complements rather than substitutes in production (OECD, 2013).

Further, tertiary education institutions are generally taken as social and ethical role models leading in areas such as gender equity (e.g., the Athena Swan Accord), fairness, and free as well as creative thinking (Albulescua and Albulescua, 2014). More specifically, there has been the recent emergence of the Age Friendly University Global Network (World Health Organization, n.d.) and the benefits of a greater focus on age diversity inside universities have been extolled (Morrow-Howell et al., 2020). Thus, any evidence of age discriminatory practices among world class universities should be of global concern to academia and to the public at large.

In Australia, there are 43 universities, of which 40 are Australian, two are international, and there is one private speciality university (Study Australia, 2021). Notably, the education and training sector workforce is one of Australia's oldest, with over a fifth (22%) aged 55 years or older (National Skills Commission, 2020). While recent studies have taken as their context contemporary debates concerning the prolongation of working lives, focusing on academic careers (Blackham, 2021; George and Maguire, 2021) we return to an earlier theme of research and policy on older workers, namely that of early retirement. This paper examines its deployment by Australian universities as part of restructurings aimed at making the sector more fit for purpose, considering whether their use may be grounded in hegemonic ageist attitudes among university leadership. This issue is made particularly pertinent considering a recent address given by Australia's Age Discrimination Commissioner who stated:

When it comes to the workplace, age discrimination can occur at the point of recruitment, as well as in relation to opportunities for training, promotion and flexible work practices. It can also affect how strategies around retirement are approached. As Australia's population ages, and our health span, the number of healthy years in older age, increases, along with lifespan, organisations need to be prepared and have strategies in place for employing and retaining older employees. (Patterson, 2021).

Following a brief discussion of relevant historical approaches, policies, theories, and the context of universities, a content analysis of Australian early retirement schemes operational between 2010 and 2020 is reported. The intention was to understand the

nature of such schemes and whether ageism played a role in their design and implementation.

Early retirement remains popular, but is criticised

While there is a popular image of older people willingly entering a post-work life of leisure organisational pressure is known to influence the decision to retire early (Topa et al., 2018). Early retirement is often viewed favourably from an organisational perspective (Shabat, 2020) but growing international attention in the 1990s to the socio-economic consequences of population ageing led to government efforts to curtail its use. The view of it as an effective labour market instrument came to be widely discredited with little evidence, for instance that its deployment created the intended employment opportunities for younger workers (e.g., Lindell, 1998). Also, it has been described as a ‘manifestation of how age discrimination became an acceptable method of reducing the size of a workforce...an example of indirect discrimination, which has its major impact on older workers’ (Sargeant, 2016: 162). Emerging in its place has been a broad international public policy consensus concerning the need to prolong working lives (OECD 2006, 2015).

Yet early retirement has not entirely disappeared from retirement income frameworks, most OECD countries retaining it in some form (OECD, 2019). In Australia, a range of measures in support of prolonging working lives have been initiated, including the establishment of the role of Age Discrimination Commissioner and the pushing out of the age at which a person can receive the Age [State] pension (Taylor, Earl and McLoughlin, 2016). However, while under Australian law there are prohibitions concerning compulsory retirement (Patterson, 2004), provision also exists for employers to implement voluntary early retirement schemes. According to the

Australian Taxation Office (ATO) these are plans that offer employees incentives to retire early or resign during programs of business rationalisation or reorganisation. A scheme must be approved by the ATO and this will be generally granted if the following conditions are met:

- It is available to broad groups of employees who have reached a particular age and have a particular occupational skill
- It constitutes part of a plan to reorganise business operations.

The employer must demonstrate that it is implementing the scheme to achieve a specific short-term objective, such as:

- Replacing employees with certain skills with employees who have different skills
- Closure, relocation, or reduction in output of part of a business
- Introduction of new technology, systems, processes, or productivity increases.

(ATO, 2021).

Managerialism and the changing nature of work in the neoliberal university

Universities have undergone a profound transformation, becoming increasingly corporatized, taking on an overtly commercial orientation and entrepreneurial character (Jessop, 2017). Drawing from business models of production so-called neoliberal universities have turned to managerialist approaches that seek to minimise inefficiencies and condition workers to accept constant change and continuous flexibility (Troiani and Dutson (2021), which has transformed the requirements and organisation of academic labour (Olssen and Peters, 2007; Thomas, Forsyth and Bonnell, 2020).

Workforce characteristics considered desirable in market-oriented and entrepreneurial university, such as flexibility, the ability to navigate technological change, agility, and innovation (PricewaterhouseCoopers, 2016) contrast with common

stereotypes of older workers (Brooke et al., 2013; Gringart, Helmes and Speelman, 2011). Those that are cheaper to hire, considered unlikely to resist reform agendas, demonstrate greater malleability and flexibility, with work identities that might be considered better suited to the aspirations of the business-like university are attractive (Ross and Savage, 2021). However, workers must also be ‘willing to stand down, move on or, in neoliberal- speak, find opportunities for investment and attainment elsewhere.’ (Thomas, McArdle and Saundry, 2020:107). Consequently, ‘The academic worker whose mind and body are “inanimate, inert and unaging,” with infinite energy for work, arguably is more easily rationalized and economized to generate more revenue/status for a university’ (Troiani and Dutson, 2021), leading management towards the assumed potentiality of younger academics (Scott, 2006).

At the same time as universities emphasise their workforce diversity and inclusion credentials, assumptions concerning the relationship between age and work role performance pervade management practices, with an acceptance that older academics have deficits that are generally unamenable to remedial action, and that they lack qualities that could be developed and maximised (Earl, Taylor and Cannizzo, 2018). They are therefore problematised, viewed as impeding the progression of younger workers, or as having deficiencies that might undermine organisational performance. The management response is what Ross and Savage (2021: 501) describe as “‘cleaning house’, where those with long-standing historical memory of ‘how things were done’ are removed (sometimes quite unceremoniously) to clear the way for restructuring and ‘innovation’.” The ongoing availability of the institutional mechanism of early retirement might, therefore, be conceived of as a manifestation of business-friendly regulatory and labour frameworks that entities such as universities can utilise in managing their workforces (Blackham, 2021). Such organisational perspectives may put managers in

conflict with older academics, many of whom retain a strong attachment to their work identity (Altman et al., 2020).

Theoretical perspectives

We view workplace representations of age and retirement as social constructs, and in the context of long-standing efforts aimed at prolonging working lives it is important to consider how each is treated in organisations. Representations of older and younger workers in society are highly persistent (Taylor and Earl, 2021) and frame organisational level narratives regarding employability and retirement timing. It is hypothesised that stereotypical beliefs about older workers lead to adverse employment outcomes (Murphy and DeNisi, 2021). Preconceptions regarding the needs capabilities, capacities and orientations of older workers include that they are less adaptable, interested, trainable, ambitious, energetic, creative, and flexible (Gringart, Helmes and Speelman, 2005, 2008, 2011; Ng and Feldman, 2012). These are potentially linked to narratives of managing skills and optimising operational efficiency and acted out in the careful selection of only those considered the most motivated, skilled and competent for retention (Arman et al., 2021), reflecting what Vickerstaff and Van der Horst (2021) identify as the ‘decline narrative’.

Alongside this, Vickerstaff and Van der Horst (2021) identify the ‘intergenerational narrative’, whereby younger workers are privileged, older workers considered ‘too old’ on the one hand, and ‘less deserving’, on the other. Thus, in organisations, age norms also determine actions such that, for instance, longer working lives are thought to disadvantage younger people stuck at the foot of career ladders. Consequently, older workers are obliged to make way in order that managers may create job opportunities for younger workers.

Revealing these narratives, critical discourse analytic approaches have contributed to understanding the role of language in perpetuating hidden ageist ideologies (Previtali, Keskinen, Niska and Nikander, 2022). The social construction of older worker identity through language has been a focus of examination of ‘new ageism’ (McVittie et al., 2003), manifesting as subtle and covert, emerging in contexts where overt prejudice is unacceptable, occurring when individuals or groups use alternative means of rationalising or justifying social inequalities (Riach, 2007). Such an example is British public broadcaster the BBC when it invoked the need for ‘brand refreshment and rejuvenation’ (Spedale, Coupland and Tempest, 2014: 1586) in justifying its decision to replace older television presenters with younger ones. An employment tribunal adjudicated that this action was discriminatory (Spedale, Coupland and Tempest, 2014). Thus, discourse has been identified to reflect ageist agendas in the context of work, which may also be psychologically injurious to older workers as well as discouraging for younger ones in relation to long-term prospects.

Changing conceptions of work and retirement provide a backdrop for such workplace narratives. The end of working life is undergoing a transformation (Marshall et al., 2001) with efforts underway to redefine retirement. Phillipson et al. (2019) identify three main historical periods of retirement: first, its emergence as an institution from the 1950s; second, the widespread use of early retirement from the 1970s onwards; and third, the ‘individualisation’ of retirement, and accompanying pressure to prolong working lives, from the late-1990s onwards.

Industrial transformation partly explains the rise in early retirement observable in most developed economies. According to Lain (2016), in weakly commodified liberal economies (e.g., Australia, the UK and the USA) early retirement was more individualised and responsive to market fluctuations, with private occupational pensions

an important pathway. Subsequently, with a policy shift in favour of longer working lives as pension ages are rising in response to population ageing, the same logic has been drawn from to argue that older workers in such economies will need to accept greater insecurity, a diversity of later-life work-retirement pathways, and market-driven job opportunities (Lain, 2016).

While the standardised tripartite pattern of education, work and retirement still describes the lives of most workers, there is evidence of diversity in work-centred life courses in terms of labour force entrance and exit (Komp-Leukkunen, 2019). New and less certain biographical pathways are multiplying (Guillemard, 2013), with implications for the nature and timing of retirement and consequently for all labour market stakeholders. There is a substantial literature devoted to understanding retirement timing (Fisher et al., 2016). While there has been much research interest in retirement planning, this has primarily been concerned with the role of macro-level factors (e.g., economic conditions and public policy) or individual micro-level factors (e.g., wealth and health), with the ‘nuances of mesolevel factors related to work environments and workplace polices’ receiving less attention (Moen et al. 2016: 322).

The present study aimed to identify the rationales for early retirement schemes inside Australian universities, with the intention of gaining insights into the representations of age and older workers, and how these reflect organisational strategies focused on growth and viability. Alongside this, the study aimed to identify the key characteristics of these schemes, focusing on the degree of control exerted over workers’ ability to utilise them. Also of interest, the study investigated the extent to which schemes had a basis in ageist assumptions, given long-standing concerns about age discrimination in the labour market (Australian Human Rights Commission [AHRC], 2016).

Methods

The authors reviewed all university early retirement schemes registered with the Australian Tax Office (ATO) and operational between January 2010 and December 2020 (N = 28). Documents describing each scheme are prepared by universities and submitted to the ATO for approval. Descriptions of approved schemes are publicly available from the ATO website. Each of these documents included the justification provided by the university and a description, which sets out the inclusion and exclusion criteria applied to staff, and financial terms. The institutions included in the current investigation represent a wide cross section according to global rankings. They include four among the top 100, one with no ranking, and the rest ranked between 201 and 1000 (QS World Rankings, 2021).

Consideration of the schemes began with the authors being assigned a selection of universities to review. To enhance the study's rigour, each scheme was reviewed independently by at least two authors who separately read each document and produced summaries of the scheme's justification and key elements, placed these in a standardised template and compared them for inconsistencies.

As noted, an aim of the study was to investigate the extent to which the schemes potentially had a basis in ageist assumptions. During the review process, each author also highlighted terms and discourses that they perceived as contextually ageist or ageist by implication, resulting in 36 terms. This process provided a data set whereby two of the authors (DD and MO) were assigned to independently assess and categorise the terms on a three-point ordinal scale (1 = ageist, 2 = unsure if ageist, and 3 = not ageist). Table 1 reports the language identified and whether these authors agreed this was ageist. The literal meanings, synonyms and definitions of the words and terms were used to inform

the authors' decisions. A Cohen's Kappa (κ) indicated that there was agreement between the authors', $\kappa = .616$, 95% CI [.399, .833], $p < .001$.

Findings

Management rationales for the implementation of early retirement schemes were grounded in a desire to better align organisational staff profiles with strategic objectives, including regarding teaching, research and, recently, concerns about shortfalls in revenues because of declining enrolments from overseas students unable to enter Australia due to border closures because of the COVID-19 pandemic. Within the logics of the implementation of schemes was a desire for future resilience and sustainability in the face of perceived national and international competition. In descriptions of schemes that were recently implemented was specific reference to the COVID-19 pandemic having accelerated pre-existing trends in higher education.

Thus, in a scheme implemented by one university (ATO, 2015) early retirement was explicitly linked to bringing in capability in terms of new learning methods, technologies, and improved research performance via attracting high quality research degree students and early career researchers to enhance the quality, productivity, and profile of its research across all disciplines. Another rationale (ATO, 2016a) explicitly mentioned the value of new technologies for research. Two universities' (ATO, 2016b; ATO, 2016c) rationales made clear their aim was to be youthful, stating that they aspired to be 'new generation' universities. Notably, in the descriptions of these schemes, the need for new kinds of capability was directly linked to the acquisition of early career academics. One university (ATO, 2020a) tied the departure of older workers to creating opportunities for career progression within the organisation in a situation where, it argued, opportunities for lateral movement were constrained.

Also noteworthy were the conditions imposed by universities in terms of staff eligibility to take up the schemes. Figure 2 shows that there was wide variability in terms of the ages early retirement could be accessed by workers, including some with an entry floor of age 50. Figure 3 shows the compensation payment range in terms of weekly wage for each scheme, again demonstrating wide variability, with some schemes seemingly financially advantageous, with others more modest in the compensation they provided.

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Another criterion applied was that high performing staff were excluded from participating in schemes. Content analysis revealed 21 schemes that explicitly proscribed the departure of those considered highly performing researchers, while 13 explicitly proscribed the departure of highly performing teaching staff. Examples of the wording of exclusionary criteria were ‘Staff currently highly research-active’ and ‘Identified for teaching excellence’ (ATO, 2013) and ‘staff who are currently highly research-active which includes those staff who are contributing to most recent Excellence in Research in Australia (ERA) Band 4/5’ and ‘staff who have received national teaching citation, teaching excellence or program award’ (ATO, 2016c). The presumed organisational intention here was to increase the concentration of high-ability staff. Where these were not specified as exclusions, presumably universities retained the right to refuse applications from staff not considered expendable.

In 13 cases, agreements specified levels of staff who were eligible to participate in schemes. Of these, most specified that all levels (level A, the most junior, to level E the most senior) could participate, although some excluded level A staff. However, one

scheme (ATO 2020a) only applied to those at the level of Associate Professor (D) or Professor (E), while another precluded academic staff entirely (ATO, 2013).

As noted, the schemes were assessed for language that could be considered as inherently ageist or as having ageist implications in the context of workforce planning. As Table 1 shows, the terms repeatedly used included: ‘refresh(ment)’ - used 17 times across 14 schemes; ‘regeneration’ - used nine times across eight schemes; ‘renewal’ used five times across five schemes; and ‘rejuvenate/rejuvenation’ – used three times across three schemes. Terms, which identified deficits in the current workforce that would be rectified by implementation of the scheme (rebalance, reshape, replace, transform) were also prominent. Illustrations of the deployment of such terms in the scheme justifications are provided below:

[The University] has identified a need to refresh its academic staff profile to better reflect the increasing dependence on information technology for scholarly research and the increasing demand for online education. (ATO, 2016a)

The aim is to regenerate the academic workforce and align capabilities and performance with the University’s strategic direction rather than to reduce the size of the academic work force...Concurrent with this Scheme will be the need to source new academic and research talent to ensure workforce refresh and renewal. (ATO, 2014)

To achieve its strategic plan, the University has identified the need to rejuvenate its academic staff profile to better reflect its strategic aspirations. This includes the attraction of early career academics with the capability and passion for an enhanced student experience through the provision of blended learning initiatives. (ATO, 2016c)

< Insert Table 1 approximately here >

In the justifications, there was also limited specific reference to the skills of the workforce that the deployment of the scheme would engender, for example, ‘the aim is to regenerate the academic workforce and align capabilities and performance with the University’s strategic direction’ (ATO, 2014: 3) and ‘the university needs to refresh the capabilities of the professional staff with an uplift of specific capabilities such as digital literacy, data analytics and data science skills.’ (ATO, 2020b: 2) More generally, a small number of descriptions of schemes referred to ambition ($n=2$), aspiration ($n=3$), drive ($n=1$) as characteristics sought as part of the early retirement scheme, for example, ‘...to ensure academics who may be considering retirement, or whose aspirations no longer align with those of the University, are able to consider retirement.’ (ATO, 2015: 3).

Discussion

This study has extended knowledge about retirement processes in universities.

Consideration of the deployment of early retirement schemes reveals managerial discourses of ageing manifested in market-focused rationales, in which older workers are identified as a risk factor for organisational success. Sitting alongside this is a decoupling, sometimes substantially so, of retirement from ‘old-age’. While we have identified commonalities in how Australian universities’ early retirement schemes are constructed our findings points to a plurality of retirement pathways and a measure of individualisation, driven by and adjusting to current operational requirements and possibly drawing from ageist worldviews as well as attitudes among their leadership. In contrast to recent British research, which describes a retreat from participation in ‘work-ending’ on the part of employers, greater responsibility falling to employees (Phillipson et al., 2019), the current study finds that the universities studied were actively engaged in

the process, deploying early retirement as a mechanism underpinning a strategic organisational realignment. However, as this earlier research found a lack of action created uncertainty, it seems likely that the *ad hoc* nature of the interventions described in the present study made individual retirement planning or workforce planning on the part of line managers harder.

Implicit in the descriptions of the early retirement schemes analysed is that older workers often lack key attributes relevant to successful contemporary universities. In the context of early retirement schemes couched in ageist language, older workers might experience stereotype threat – ‘the fear or anxiety of confirming a negative stereotype about one’s social group’ (Casad and Bryant, 2016, p. 1) - resulting in a disruption to performance and engagement at work (Casad and Bryant, 2016). Further, intergenerational competition, negative attitudes toward work, and the desire to retire early have been shown to be significantly related to ageist organisational cultures (Desmette and Gaillard, 2008; Thorsen et al. 2012). Thus, universities emphasising age as a distinctive factor and including it as a principal criterion in downsizing may be psychologically injurious to their older workers and promote self-fulfilling prophecies of disengagement as well as retirement among them.

Also noteworthy from the description of these schemes is that not only are some older staff devalued, but their departure is also explicitly linked to recruiting younger staff. It may be inferred that some universities consider it generally preferable to bring in new capability rather than for it to be home-grown, not seeing value accruing from a long-term investment in staff viewed as a source of competitive advantage (Kooij and van de Voorde, 2015). With regards to the broad age range for eligibility applied in the early retirement schemes it is noteworthy that the age at which a person can access Australia’s Age (State) pension has been increasing. Between 2017 and 2023 this age

will be raised from 65 to 67 for men and women (Department of Social Services, 2019). Thus, an academic retiring at age 50, should they be eligible for the means-tested Age Pension, would not be able to claim this for over 15 years. Without an alternative source of income, this would require continued employment for those who might be viewed as being at a disadvantage should they choose to stay in academia amid youthful signalling from universities. Also suggestive from the limitations imposed in terms of accessing these schemes is that those exiting via them were often considered less able, with the implication that once made, in the context of a competitive labour market, a retirement decision might be irreversible. This may place a university's duty of care to staff in conflict with its desire to reduce headcount.

In terms of how an older worker might be defined, a lower eligibility age of 50 would place one aged in their 40s potentially at the threshold of retirement, which may raise questions as to how universities manage issues of generational conflict. For instance, someone returning to work aged in their late 40s or early 50s following a period of child-rearing and wishing to build their career may already perceive pressure to make way for a younger colleague. From a retention perspective, this might also cause staff to doubt the university's long-term willingness to invest in its staff. This may be a particular concern for those completing PhDs whilst aged in their 40s.

There is an imperative, it would appear, to respond to the apparent disjunction between the strategic objectives of universities and public policy focused on prolonging working lives. Amid increasing reflection on the wider business purpose (Business Roundtable 2019) and sustainability (Aust, Matthews and Muller-Camen 2020) and drawing momentum from diversity initiatives such as Athena Swan and Age Friendly Universities it may be possible to sever the link university leadership perceive between the divestment of older workers and the fulfilment of modernising agendas.

At the same time, from a public policy perspective, the evidence presented in this study points to some incoherence, suggesting that the responsibility for working longer is primarily being placed on the worker, industry being afforded a measure of flexibility in terms of decisions regarding their employment. Here it is interesting to speculate on whether there are grounds for considering university early retirement schemes to be discriminatory.

In this respect, Australia provides an instructive case study, which illustrates the complexities associated with the ambit and interpretation of legal schemes intended to prohibit age discrimination that have also been noted across other jurisdictions, for example, in the European Union (Sargeant, 2008, 2016) and the United States of America (Georgetown University Law Center, 2010). Indeed, the position regarding early retirement under Australian law is arguably consistent with Sargeant's (2008, 2016) assessments that age is treated less favourably than any other grounds of discrimination, given the justifications identified allowing for both direct and indirect age discrimination permissible under European labour law as enshrined in Council Directive 2000/78/EC. Accordingly, Duncan (2003) has argued that early retirement may be plausibly justified as an anti-ageist strategy on equity grounds, drawing on criteria other than age. Such a business-friendly view of ageism, Duncan argues, offers employers plenty of scope for manoeuvre.

Australia has on the face of it, robust age discrimination legislation and has identified addressing discrimination against older workers as a priority area (Patterson, 2019), although there are few decided cases in relation to age discrimination (Blackham 2020). A finding of the Human Rights and Equal Opportunity Commission (HREOC) under Australia's Age Discrimination Act 2004 (Cth) (ADA) (Australian Government 2020) concerning 'end of career transitioning schemes' for permanent academic staff at

the University of Western Sydney (UWS), however, is directly relevant. The scheme allowed employees aged between 54 and 65 to voluntarily retire and receive a compensatory payment with concessional tax benefits. The HREOC upheld the scheme concluding that it was permissible to utilise measures that ‘seek to address the needs of particular ages that are different or more acute than the needs of people of other ages.’ (HREOC, 2007: 3.4). Consequently, there does not appear to be a mechanism whereby an older worker claiming discrimination under such circumstances could seek legal redress.

If individual older staff were targeted or brought under pressure to take an early retirement package, then arguably the circumstances could evidence discriminatory behaviour. The stumbling block would be obtaining sufficient evidence (Blackham, 2020). Management efforts to coerce staff into taking early retirement have sometimes been claimed by the trade union representing Australian university staff, the National Tertiary Education Union (Darwin, 2013). Nevertheless, research shows that worker preferences and the actual timing of retirement reflect the interaction of various ‘push’ and ‘pull’ factors (Stattin and Bengs, 2021) and that the late career and retirement pathways of university academics are heterogeneous (Cahill et al., 2021; Crow 2021; Hutchings, Wilkinson and Brewster 2022). While recent debate about labour processes in the university sector has particularly focused on women and those at earlier career stages (Thomas, Forsyth and Bonnell 2020), there may be merit in extending this to include comparisons with those at older ages, whose employment trajectories may be subject to similar contingencies. This may lead to mutually reinforcing intergenerational and diversity approaches (OECD 2013).

In this context future research could examine the perceptions of those departing via such schemes, the ‘survivors’ who did not depart, and younger workers. For instance,

from a generational equity perspective, did those departing perceive pressure from line managers or younger co-workers to do so, what form did this take and were their experiences of retirement as they expected them to be? Do those older workers not departing via such schemes feel vulnerable and how do they view their career trajectories? Do younger workers consider the departure of their older colleagues justified? Does the departure of older staff suggest an uncertain future for younger academics?

There would also be value in considering whether such schemes ultimately help universities' achieve their strategic objectives and what alternative measures might be deployed. Research indicates that, from an organisational perspective, benefits of university early retirement schemes are not always realised. For instance (Kim, 2003) reports evidence of successful organisational cost savings, but declining education and research performance resulting from university restructuring. Kaskie (2015) describes schemes having a modest impact on retirement patterns, and adjustments to the labour model that followed from the exit of tenured staff having uncertain consequences for the overall mission of universities. Considering industry more widely, the removal of older workers to improve organisational performance has been shown to adversely affect productivity under certain circumstances (Lee et al., 2018).

Such evidence potentially undermines a prevalent justification for early retirement enshrined in the principle of positive discrimination, that is, to protect the interests of younger workers it is sometimes necessary to discriminate against older ones. Considering the evidence this stance might be conceived of as drawing from an ageist worldview that not only perpetuates a vicious circle of ageism in society but may also injure scientific advancements and pedagogy and encourage and legitimise ineffective management practices.

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