



## **Ageism and age discrimination in Israel**

**Submission to the United Nations Independent Expert on the human rights  
of older persons**

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**1. What forms does age discrimination affecting older persons take and which ones are the most prevalent? Where available, please provide concrete examples and collected data including in employment, education, social protection, and health, financial and social services.**

Israel is in transition between traditionalism and modernity (Lavee & Katz, 2003) and is considered a collectivistic society which holds values which support and honor older adults (Bodner & Lazar, 2008). However, modernization tendencies can bring increases in marginalizing older people and age-based discrimination (Band-Winterstein, 2015). A comparison of Israel to European countries indicated slightly less ageism in Israel compared to Europe: 32% of Israeli adults aged 15+ reported ageist attitudes, a lower rate compared to the mean prevalence of 35% across European countries (Ayalon, 2014).

Ageism in Israel may take several forms. During the COVID-19 pandemic, especially in its initial months, the media and societal discourse were rife with ageist and paternalistic attitudes toward older adults, who were often portrayed as weak, vulnerable and in need of protection (Cohn-Schwartz et al., 2020; Roth, 2020; Wurgaft, 2020). A study exploring the perceptions of community-dwelling older adults in Israel during the first months of the pandemic, showed that they believed society views older adults as "vulnerable" (agreement level 7 of 10) more than they believed older adults were perceived as a "burden" (agreement level 4 of 10; Cohn-Schwartz & Ayalon, 2020). Risk factors for perceived societal ageism were age-based discrimination in healthcare and higher dying anxiety. Social resources emerged as protective, in particular, living with children and maintaining contact with family members during the COVID-19 outbreak (Cohn-Schwartz & Ayalon, 2020).

One arena in which ageism takes place is healthcare services (as it occurs in other countries). This is particularly problematic as older adults are frequent consumers of the healthcare system and require services more often compared to younger age groups. Our study examined this phenomenon among a representative sample of community dwelling adults aged 50 and above in Israel. Of this sample, 24% reported experiencing ageism in healthcare settings, such as during physician visits and in HMOs, in the previous year (e.g. "being treated with less respect because of your age"; Cohn-Schwartz & Ayalon, 2020). This notion was further verified in a different quantitative investigation. Nurses working in long-term care facilities reported ageist practices in their everyday routine and on the institutional level. This included treating their older patients as transparent, giving them inappropriate care, including a lack of accurate medical diagnoses, objectification older patients, and attempting to save money at their expense. Unfortunately, the most severe and most negative type of ageism was reported against the most incompetent older persons, who are bedridden and cognitively impaired (Band-Winterstein, 2015). An additional quantitative study of physicians, nurses, and social workers in Israel found that these professionals reported invisibility and discriminatory communication patterns towards their older patients. The participants indicated that the older patients were not involved in their care. The patients were neither asked questions about their medical history, nor were they told about medical plan or their prognosis. Professionals from all groups either "bypassed" the older patient by approaching younger family members, or simply made a



decision without any meaningful conversation. The healthcare professionals also reported several ways in which older adults receive inappropriate or lower quality care, such as immediately putting a diaper on older people who did not need a diaper before (Ben-Harush et al., 2017).

**2. Please provide information and data collected about the causes and manifestations of ageism in society, both for younger and older generations, and how it translates into discriminatory practices.**

Jewish tradition considers the older person a central pillar of society and holds them in great respect. Nevertheless, studies in recent years show that Israeli society, similar to other Western societies, suffers from ageism (Bodner & Lazar, 2008). Despite the claim about ageism in Israeli society, qualitative interviews of older Jewish Israeli Adults indicated that only a minority of the older adults interviewed mentioned that they experienced ageism, and in fact, some of them stated that they feel greatly respected by their family members and by the community due to their advanced age (Zamir et al., 2020).

A situation in Israel in which ageism manifests is found in the age mandatory retirement laws governing academia and the civil service, in which older workers are forced to retire at age 67 (Clarfield & Jotkowitz, 2020). A case of "positive ageism" is seen in the "senior citizen" status. When women turn 62 and men turn 67, they become "senior citizens", a status which awards them the eligibility to a universal old-age allowance. Senior citizen status also confers discounts on public transport, films, concerts and municipal taxes. (Clarfield & Jotkowitz, 2020)

How do the experiences of ageism translate into feelings of loneliness? Vitman et al. (2014) demonstrated how ageism could lead to social exclusion of older adults in their neighborhood. In the study, younger adults in three neighborhoods in Tel Aviv, Israel completed questionnaires regarding attitudes towards older people. As a measure of social integration, older adults in the same neighborhoods indicated how often they participated in neighborhood activities, how familiar they are with neighbors, and to what degree they feel a 'sense of neighborhood'. Regression analysis revealed that higher ageism in the neighborhood predicted reduced social integration. Encountering ageist attitudes in one's neighborhood may lead to behavioral withdrawal and avoidance

**3. From an intersectional perspective, are there specific factors that aggravate ageism and age discrimination and how? Please provide concrete examples and collected data where available.**

Older adults belonging to minority groups seem to suffer from aggravated age discrimination in Israel. Specifically, a study that examined ageism among young Israeli Arabs and Jews (ages 18–25) found that the Jewish adults report higher levels of ageism compared with Israeli Arabs. Young Israeli Arabs reported their culture to be more tolerant towards older people and less fearful of them. The study has concluded that older people in the Arab society enjoy lower levels of ageism due to a more reverent approach towards old age in this population group,



which is more traditional in nature (Bergman et al., 2013). A different qualitative study, in contrast, was conducted with older Arab adults living in Israel. These adults reported experiencing ageism and feeling loss of respect and status in both the public and private spheres. These adults also showed self-ageism and demonstrated a disinclination to be in the company of their older adult peers (Manor, 2020). These seemingly contradictory results possibly point to modernization processes in the Arab community in Israel, which are more easily acknowledged by older adults, rather than by younger adults.

A recent study in Israel indicated that belonging to minority groups was related to increased age discrimination in healthcare, compared to the majority group of Jewish older adults who came to Israel before the 1990s (Ayalon & Cohn-Schwartz, n.d.). The findings showed that both Arab Israelis and Israelis from the former Soviet Union report higher levels of discrimination in the healthcare system. Moreover, Israelis from the former Soviet Union reported higher levels of perceived ageism in the healthcare system as their age increase, suggesting that the experience of perceived age discrimination intensifies with age. This was not the experience of Israeli Arabs who reported higher levels of discrimination regardless of their age. Israelis from the former Soviet Union represent a unique group of migrants who are better qualified and educated than the majority culture yet migrated at a later stage in life and as a result were not adequately absorbed in the country. This population group is likely disadvantaged due to its migration status as well as old age. Hence, as the age of members in this group increases, they likely report higher levels of perceived age-based discrimination. Similar to Israelis from the former Soviet Union, Israeli Arabs also are exposed to high levels of discrimination in Israeli society. Our results showed that their sense of discrimination may not be only due to ethnicity but also be attributed to age, thus possibly stressing the double jeopardy they face. This study was submitted for publication and is available upon request.

## **Legal, policy and institutional frameworks related to ageism and age-discrimination**

**4. What international, regional and national legal instruments are in place to combat ageism and age discrimination?**

**5. Please also note any action plans or policies to raise awareness and combat ageism (including anti ageism in school curricula) and to move toward a more age-friendly and inclusive society.**

One example of a plan to combat ageism in Israel is *Dialogue with Time* - an original Israeli interactive museum exhibit that aims to change negative ageist attitudes by creating a meaningful and stereotype-breaking encounter between visitors and old age. The exhibit is being visited in small groups (up to 10 visitors at a time), with a dedicated older adult guide aged 70 years or older. The older guides have been specifically trained to discuss aging in general, and ageism specifically. The exhibition is built so that visitors advance through different rooms, which present various presentations and activities intended to evoke physical, emotional, or educational aspects of aging, both its weaknesses and its strengths. For example,



in one room, visitors are exposed to the positive side of aging while watching a hologram of an active older woman who talks about her travels around the world (Fruhauf et al., 2020). A study was carried out to examine whether the exhibition reduces ageist attitudes among its visitors. The study employed a comparative pre-post structure with a comparison group. A closed-answer questionnaire was supplied to 100 participants in the experimental group, visitors to the “Dialogue with Time” exhibit, and to 100 participants in the control group. Participants were asked to complete the questionnaire before entering the exhibits and again after experiencing them. A significant reduction in ageism attitudes was shown in the experimental group when comparing before and after the visit, whereas in the control group there was no significant change (Fruhauf et al., 2020). The findings indicate that combating ageism can also be sustained by means of museum exhibits that advance multigenerational exposure to positive images of aging.

**6. At the national level, please outline the legal protections available against age discrimination and indicate whether age is explicitly recognised as a ground for discrimination? If so, are there specific areas for which equality is explicitly guaranteed? Are there any areas where differential treatment based on older age is explicitly justified?**

Section 2 (a) of the *Equal Employment Opportunity Act* prohibits employers from discriminating against employees based on age, in any of the following: Hiring employees; working conditions; promotion; vocational training or advanced training; dismissals or severance pay; benefits and payments provided to the employee in connection with retirement. The Equal Employment Opportunity Law applies only to workplaces that employ 6 or more workers, although the prohibition of discrimination against workers based on age also applies to workplaces that employ less than 6 workers, by virtue of the principle of equality derived from the Basic Law: Human Dignity and Liberty. Inequality based on age will not be considered unfair discrimination in cases where it is warranted by the nature of the job.

In the Recanet case in 2000, the Supreme Court heard a petition by flight attendants who, according to their collective labor agreement, were required to retire at the age of 60. The court rejected the flight company's claims that retirement was necessary because the job required a good appearance and physical strength and proclaimed that it goes against the Equal Employment Opportunity Act. In August 2012, the High Court ruled that requiring prison service employees to retire at age 57 is illegal.

However, while age-based discrimination is prohibited by law in Israel, some exceptions do exist. The Retirement Age Law stipulates a mandatory retirement age of 67, at which time the employee may require the employer to retire from work. Thus, the Equal Employment Opportunity Law does not protect workers who are older than the retirement age. An employee who wishes to continue working after the mandatory retirement age is entitled to request it from his employer, and his employer must examine the application individually, and exercise due discretion in examining it.



**7. Do the existing legal protections against age discrimination allow for claims based on intersectional discrimination, that is discrimination which is based on the intersection of age and other characteristics such as race, ethnicity, gender, disability, sexual orientation or other status?**

**8. What legal and other measures have been taken to address and protect from racism, sexism, ableism or other similar forms of discrimination that might be useful models for addressing ageism?**

**9. Please indicate if there are institutional or complaints mechanism to address inequalities or grievances related to ageism and age discrimination. If so, please provide statistics on cases and types of cases received?**





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