

## A COMPARATIVE ANALYSIS OF YOUTH LABOR MARKET EXCLUSION

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## Abstract

This paper tries to answer the question of whether one of the causes of youth unemployment might be the existence of a positive discrimination in favor of adults. This discrimination might be resulting from the existence of a legislative framework referring to anti-age discrimination and which might be a manifestation of adultism in itself.

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**Keywords:** ethics of accounting, ethics of finance, indicators, individual motives, management control, mission.

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# A COMPARATIVE ANALYSIS OF YOUTH LABOR MARKET EXCLUSION<sup>1</sup>

## Introduction

Over 73 million young people worldwide are in search of employment, according to the International Labor Organization (ILO). The current generation of youth has been named a “generation at risk” or a “lost generation,” with individuals between 16 and 24 being three times more likely to be unemployed than adults. The ILO calls “on governments, social partners, the multilateral system, including the G20 and all relevant national, regional and international organizations, to take urgent and renewed action to address the crisis of youth employment” (ILO, 2012).

The significantly high youth unemployment rate reflects the difficulties faced by young people in gaining a proper and permanent foothold on the labor market. In the short run, it leads to a risk of young people being over-represented in temporary jobs and excluded from developing their skills through permanent employment. The long-run consequence is a significant labor supply and demand mismatch, which will have severe consequences when the demographic challenges increase the demand for skilled and experienced employees. For this reason, it is important that equal employment opportunities exist for all age groups and generations.

Although the consequences of youth unemployment usually go unchallenged, the question we try to answer in this chapter refers to the causes of youth unemployment.

*We ask whether there is an age discrimination problem behind the high unemployment rates or if the high number of unemployed youth is merely a result of the financial crisis that has affected most of the developed countries since 2008.*

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According to Loretto et al. (2000) it seems that youth unemployment and discrimination by age are closely related. The authors acknowledge that it is difficult to establish whether ageism significantly affects younger employees and to untangle the extent of unwarranted prejudice; yet they affirm that recent trends in youth labor markets in OECD countries suggest that age discrimination may play a significant role in the marginalized position of many young workers.

Without a doubt, unemployment constitutes a vulnerable situation and it is therefore even more essential to combat marginalization on the labor market and its consequences, such as undignified living conditions. There is a need for a focused effort preventing high dropout rates from education and work. Such an effort must facilitate the right conditions necessary to maintain equal opportunities for the youth in the educational system and on the labor market.

Age discrimination against youth, or the bias and discrimination against youth in favor of adults, is known as adultism. In an adult-centric world, decisions are made for youth without their input, and negative stereotypes are applied to them to rationalize any harsh treatment. Although adultism is not always adverse, it can have less than ideal effects for youth. In 1978 the term “adultism” was introduced by Jack Flasher in his article in the journal *Adolescence*, though it had appeared as early as 1903 in the work of Patterson Du Bois. The terminology of “adultism” is rarely mentioned in academic literature and therefore it could be argued that this omission from the world of academia is in itself youth oppression. It is generally considered that the academic world informs much of what become the “norms” of society, such as behavior, learning and acceptable social attitudes, yet academia is reluctant to accept adultism as a form of oppression. Adultism refers to behaviors and attitudes based on the assumption that adults are better than young people and entitled to act upon young people without their agreement, reinforcing this with social institutions, laws, customs and attitudes.

For our analysis, this chapter studies how age discrimination or adultism contributes to youth unemployment in three countries: Spain, Mexico and Colombia. We chose these countries for two reasons: one of them is similarity and the other one is differentiation. As for similarity,

*The question of debate is whether one of the causes of youth unemployment might be the existence of a positive discrimination in favor of adults resulting from the existence of a legislative framework referring to anti-age discrimination and which might be a manifestation of adultism in itself.*

these three countries share a similar language and cultural heritage. As for differentiation, we consider the different way in which the economic crisis has affected these three countries. This comparative study will help us isolate the “crisis effect” from the hypothesized effect of “age discrimination of youth.” Moreover, the literature on countries in Latin America is scarce and we are contributing to bridging this gap in academic studies.

Latin America has been the focus of debate and study in recent years, especially since the economic crisis has had such diverse effects around the world, leaving Latin American countries with bright economic prospects. Yet even though the emerging markets in Latin America have experienced sustained growth in recent years, poverty and social discontent as well as discrimination and high economic inequality persist. As Vassallo et al. (2011) state, Latin America is a “paradoxical region” and one very different from Spain.

The “myth of cultural homogeneity” between the Hispanic and Spanish culture is dismantled by Idrovo et al. (2012), who thoroughly discuss and present new nuances to this commonly held view. They argue that the factors that led to considering Latin American countries and Spain or Portugal as a cultural unit are the strong historical ties and important Spanish or Portuguese cultural legacy in Latin America, including the transmission and assimilation of the Spanish language, traditions, religion, and lifestyle.

Yet these authors argue that there is also a Latin American and Spanish singularity from a management perspective, as well as a cultural heterogeneity and a significant difference in national economic indicators. Susaeta et al. (2013) affirm that “the cultural ties between Spain and Portugal and the Latin American countries are due to historic reasons. Latin America has received its historical, political and cultural legacy from these two countries. This includes the transmission and assimilation of the language (Spanish and Portuguese), traditions, religion, lifestyle, etc.” For this reason, the region can be considered a homogeneous “cultural block.”

Therefore, because of both similarity and differentiation, we compare Spain with Mexico and Colombia in our effort to understand how discrimination is perceived differently in these countries. Our contribution addresses age discrimination at work in the case of young people between 16 and 24 years old. We aim to analyze how the high youth unemployment rates are related to ageism and adultism. In Spain, the youth unemployment rate reached 46.4% in 2011; in Colombia it was 24.39% for those aged 15-19 and 20.29% for those 20-24 in the same year. In Mexico the youth unemployment rate was 10% in 2011.

In this chapter, which is theoretical as well as descriptive, we will revise the literature on discrimination, focusing on age discrimination, and within age discrimination, on the discrimination of youth. We want to investigate measures taken by the national governments of the proposed countries to avoid age discrimination and encourage equal employment opportunities. We will proceed to analyze these actions by drawing a parallel of public policy in Spain, Mexico and Colombia. Thereafter we analyze youth unemployment as a way that age discrimination is manifested based on the figures of the three countries and the “crisis effect” in a comparative way. We will also relate youth unemployment with the educational attainment level in the different countries and briefly present the social consequences of youth unemployment. We conclude with a discussion of the main ideas developed in this chapter.

## **2. Literature Review on Ageism and Adultism**

Age discrimination, or ageism, is the “unfair, age-related treatment against any age group, not only against older members of the group” (Kunze et al., 2011). Age discrimination in employment happens when a job seeker or an employee is treated unfavorably because of his or her age. This unfair treatment may be related to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment.

The literature on the ageism phenomenon is scarce, yet there are a few publications on this topic, and the ones that exist focus on the age discrimination of the elderly in the labor market. One idea supported by this literature is that employers believe that older workers are more expensive and less flexible to adapt to new circumstances and new technologies, and the literature presents evidence of the various acts of discrimination that have been carried out (Sargeant, 2001).

As mentioned, the debates about age discrimination have focused mainly on older employees (Taylor, 2003; Lahey, 2010; Bendick et al., 2008). However, other research on the perception of workers of different ages shows that both younger as well as older workers perceived discrimination in the workplace (Garstka et al., 2005). And findings from Snape and Redman (2003) suggest that discrimination on the grounds of being too young is at least as widespread as discrimination of being too old.

*We attempt to overcome this literature gap by studying the reasons binding youth discrimination by age, adultism and youth unemployment together.*

For this purpose, we identify several mechanisms through which age discrimination and youth unemployment are related. One possible relation is through the prejudices held by employers. Age differences may lead to differences in treating workers. Young, middle-aged and older workers might receive different treatment in areas such as training and development or compensation, as well as decision making. It is the “adults” that make the important decisions and that decide hour and wage schedules, work pace and environment, who is promoted and who is fired, as well as less important decisions such as “appropriate” clothing and behavior. This argument should be understood taking into consideration the fact that apart from skills and capacity, time and experience are other important factors in career advancement.

## **2a. Adultism Conceptualization**

Adultism is popularly used to describe any discrimination against young people and is distinguished from ageism, which is simply prejudice on the grounds of age, not specifically against youth. Adultism is ostensibly caused by fear of youth (Scraton, 1997). It has been suggested that “adultism, which is associated with a view of the self that trades on rejecting and excluding child-subjectivity, has always been present in Western culture” (Kennedy, 2006). These adultism phenomena refer to behaviors and attitudes based on the assumption that adults are better than young people and entitled to act upon young people without their agreement (Bell, 1995; Gong and Wright, 2007). This mistreatment is reinforced by social institutions, laws, customs, and attitudes. For instance, Flasher (1978) discusses abuses of the power that adults have over youth referring to such behavior as excessive nurturing, possessiveness or over restrictiveness, all of which are consciously or unconsciously geared toward excessive control of the youth.

A growing number of governmental, academic, and educational institutions around the globe have created policy, conducted studies, and created publications that respond to many of the insinuations and implications of adultism. Much of popular researcher Margaret Mead’s work can be said to be a response to adultism (Michell, 2006). Current researchers whose work analyzes the effects of adultism include sociologist studies (Males, 1998).

## **2b. Age Discrimination in the Job Market and at the Workplace**

Age discrimination is a question of democracy and equity of adults and young people. As researchers are increasingly illustrating, it is not a question of ability. All people develop at different rates and have different skills at different ages, largely making the age-based laws, yet they are all responsible for the world that they live in and should all be active and proactive members of their community and of society, and productive contributors to companies. And for

this reason it is important that young people not be left out, be it from the decision-making process at the national level, from education, or from the job market.<sup>2</sup>

Studies funded by the U.S. Social Security Administration show that older workers are more educated, more productive, and make more money than ever before. And with the increasing numbers of Baby Boomers approaching retirement, these trends are only going to accelerate. Even so, there is a general tendency to affirm that young employees are more productive than the old and that the old are being moved away from companies.<sup>3</sup> Burtless (2013) observes, for example, that 20 years ago, only 20% of workers who were high school dropouts remained in the workforce past age 60, vs. 60% of those with doctoral or professional degrees. This metric has stayed essentially the same for men but has risen for women. Plus, since average educational levels are rising for older workers, greater labor participation rates are coming with it. This author shows that there are enormous differences between the labor force participation rates of older employees depending on their level of schooling, more exactly, people with limited education have low employment rates in old age.

Baruch et al. (2013) try to debunk the myths surrounding workers and emphasize the importance for professional vitality at all ages, a concept that comprises passion, vigor and satisfaction in the workplace, for career advancement and the role that age plays in it. They find that the relationship between the two concepts has an inverted “U” shape, with professional vitality peaking at about 50 years. They provide empirical proof for the importance of the inner strength of workers in maintaining professional vitality and argue that this proof holds for all age groups, whether old or young.

Another way that adultism, ageism and youth unemployment are related is through the “Last In, First Out” principle when downsizing. Many firms choose to fire junior employees instead of senior employees when faced with the need to reduce costs and improve efficiency. Companies use temporary contracts in order to achieve this facility of disposing of young, recently hired workers, and this only raises youth’s job precariousness and instability (Choudhry et al., 2012).

Moreover, the average worker is older than before and has a longer employed life. And studies show that anti-age discrimination legislation is normally protecting the old or the children, or both, but “forgets” the young. Adams (2004) finds evidence that “laws increase employment among individuals in protected age ranges. Among older workers that are above age ranges covered by laws, however, employment declines.” The problem is that age discrimination of youth is very hard to prove as employers can hide behind the obvious fact that younger people will have less training and less experience than more experienced workers, and thus motivate their reason to hire an older candidate.

As Finkelstein and Truxillo (2013) also argue, companies don’t like investigators unveiling their more-or-less orthodox practices regarding youth unemployment and potential discrimination by age. Adultism as well as ageism are well accepted in society and do not have the “bad renown” that discrimination by sex or age has. The trials based on age discrimination do not receive media attention and are far fewer compared with other types of discrimination. We all age, and we will all get old, and for this reason age discrimination is not seen as discrimination against “the other.”

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<sup>2</sup> Monitor Breakfast, <http://www.csmonitor.com/2003/0124/p25s04-usmb.html>.

<sup>3</sup> A recent J. P. Morgan study (Kelly and Ordenath, 2009) suggests that people in their 50s and 60s have actually been disappearing from the workforce.

Expressions such as “Grow up!” or making fun of the “young blood” of the youth hires are often used and even well seen even though they are just another manifestation of adultism.

It is very likely that such adult-centric behavior will expand in future years as demographic and sociologic studies warn us about the challenges of having five different generations of people in the workplace by 2020. Even so, other studies also provide compelling reasons to pursue age diversity in companies. One reason for this is that companies that properly manage age diversity achieve superior performance than those in which there is age discrimination (Rupp et al., 2006; Kunze et al., 2011). However, companies are reluctant to oblige to implement diversity as it requires a long-term commitment and the results of the investment are unpredictable (Klarsfeld et al., 2012).

Resuming the previous points and based on Schmiedek et al. (2013), we can affirm that youth discrimination on the labor market with respect to elderly employees is based on a series of reasons such as the educational attainment and the experience that older people have – which is more extensive than that of youth – and on the existence of positive discrimination in order to avoid trials for age discrimination. Moreover, young workers are usually those that have more precarious working contracts and, in a situation of downsizing, they are the first to be fired. These reasons, combined with the high unemployment due to the economic crisis, make the labor market even more competitive for youth and lead to their exclusion from the job market. The labor market supply is much higher and there are many more job seekers than before. The job seekers are highly qualified and have extensive working experience, and companies prefer to employ them than inexperienced youth. Although these affirmations are rather general, they must be checked against numerical facts, company type and also the cultural and socioeconomic environment of the country under study.

### **3. Comparative Study of Spain, Colombia and Mexico**

#### **3a. National Context**

##### *Mexico*

The “Education at a Glance 2012” report (OECD, 2012) shows that Mexico, since making pre-primary education compulsory in 2009, has achieved one of the highest enrollment rates of four-year-old children among OECD countries: 99% of this population participated in education in 2010. Still, the ratio of teachers to students did not adjust accordingly in the short term. In primary education, close to 100% of children aged five to 14 are enrolled in school. In upper secondary school, more students are enrolling, yet only half are expected to successfully finish their studies, having the expected graduation rate at 47%. Upper secondary education will be compulsory starting with the 2012–2013 academic year and is aimed to increase upper secondary schooling enrollment, which is currently at 54% for ages 15–19.

These figures are of concern due to the high attendance of public schooling. The PISA results from 2012 (OECD, 2012b) show that there is a gap in PISA test scores by the socioeconomic status of the children taking the test. This difference is consistent across mathematics, science and reading scores. This report highlights the inability of the Mexican education system to offer the same opportunities to all students irrespective of social, economic and cultural status. Moreover, Mexico has the highest difference of the quality education index between socioeconomically



disadvantaged and advantaged schools, which reflects high levels of inequality in the distribution of educational resources.

It is precisely the children from disadvantaged backgrounds that benefit most from pre-primary and primary level education. Most of these disadvantaged children in Mexico are of indigenous origin. UNICEF<sup>4</sup> reports that of the total 39 million Mexican children, 2.2 million (6%) are indigenous, one of the highest proportions of indigenous populations in the world. These indigenous children are nearly twice as likely to live in poverty, and over 87% do so. Also, the school nonattendance rate is higher amongst this population.

Other data from UNICEF<sup>5</sup> shows that in 2010, 46.2% of Mexico's residents lived in poverty – a figure that rises to 53.8% among children, who are overrepresented among the poor. INEGI, the Mexican National Institute of Statistics, reports that in 2013, 39.2% of the population are middle class in Mexico, while 59.1% are lower class. When children live in poverty, this affects their entire future and their social, emotional and educational development. Moreover, poverty among children affects the youth, lowers educational levels and increases unemployment.

### *Colombia*

The situation in Colombia is explained by a World Bank and OECD joint report (OECD, 2012c), which informs that “between 2002 and 2010, poverty fell from 49.4% to 37.2%, while the proportion of the population that could not satisfy basic nutritional needs (the extreme poor) declined from 17.6% to 12.3%. The decline in poverty is commendable, but given Colombia's economic performance since 2002, the country's progress in reducing poverty falls below that of regional peers.”

The same study reports net enrollment rates for 2010, which is, according to the UNESCO definition, the enrollment of the official age group for a given level of education expressed as a percentage of the corresponding population, at 61.8% at the preschool level, 89.7% at primary level, 70.8% at secondary level and only 41.6% at the upper secondary level. These relatively high school attendance levels are a result of the *Revolución Educativa* (Education Revolution) program the Colombian government started in 2002. PISA reports show that during the time of the Education Revolution the number of low achievers has been dramatically reduced and the difference between the best and the worst students has considerably decreased. Still, PISA scores are well below the OECD average, and the authors of the OECD (2012c) report conclude that there is a lack of “college-readiness” of Colombian students entering tertiary education.

Data from a UNESCO report (UNESCO, 2010) show that in 2009, the public schooling system comprised 87% of all primary students, 86% of secondary students, and 81% of upper secondary students. In 2012, the Colombian National Institute of Statistics, DANE,<sup>6</sup> shows that 77.1% of all students were enrolled in official state educational establishments. Even so, the overall low level of educational attainment and the difficulty for children with a disadvantaged socioeconomic background to attend schooling still makes Colombia one of the countries with the highest inequality in the world.

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<sup>4</sup> [http://www.unicef.org/equity/index\\_65277.html](http://www.unicef.org/equity/index_65277.html).

<sup>5</sup> [http://www.unicef.org/media/media\\_68584.html](http://www.unicef.org/media/media_68584.html).

<sup>6</sup> [https://www.dane.gov.co/files/investigaciones/boletines/educacion/bol\\_EDUC\\_2012.pdf](https://www.dane.gov.co/files/investigaciones/boletines/educacion/bol_EDUC_2012.pdf).

Moreover, poverty is also an issue in Colombia, with 32.7% of the population being declared to be in poverty in 2013. Another 10.4% live in extreme poverty conditions, as reported by DANE.<sup>7</sup> The indigenous population is also a generator of cultural conflicts. Studies shows that it is the ethnic population that most suffers the effects of poverty, with many living without having their basic needs satisfied. Ethnic education is a consequence of the recognition of these groups by the Constitution, and of them having the right to bilingual education and to ethno-trained teachers. Despite these efforts, ethnic school enrollment is increasing slowly, attaining a gross enrollment rate of about 82% in 2008.<sup>8</sup>

Even with the significant percentage of population living in poverty, Colombia has a growing middle class. The World Bank (2013) reports that the Colombian middle class increased from 21.1% in 1995 to 32.3% in 2011. This middle class is defined by the World Bank as individuals with daily income per capita between US\$10 and US\$50.

Like Mexico, Colombia has a road of improvement ahead in areas such as economic living conditions, education and national security. Youth unemployment in these countries is very likely to be due to social exclusion, ethnic origin, social and socioeconomic status and access to education. In Spain, the situation is quite different. Instead of speaking about exclusion from education, we must speak of discouragement and about the choice not to pursue further education, or the choice to pursue education and to acquire skills that are not demanded in the labor market.

### *Spain*

In recent years, the socioeconomic conditions for youth in Spain have deteriorated greatly due to the recent financial crisis. Compared with Mexico or Colombia, the educational problems in Spain are quite different. The literacy rate for adults over 15 was 97.9% in 2012, and for youth it was 99.7% in the same year. The children that are out of primary school are only about 7,000 in the year 2012.<sup>9</sup> Despite this, the population at risk of poverty was 20.4% in 2014<sup>10</sup> for the entire population and 26.7% for youth younger than 16. In terms of meeting basic bills and housing costs, 9.3% of households reported having difficulties, while 16.9% of households reported struggling to make ends meet at the end of the month. Some 41% of households have no capacity to face unforeseen expenditures.

Education in Spain is a controversial topic. On the one hand, the percentage of young adults that keep on studying after finishing compulsory education is growing faster than the OECD average,<sup>11</sup> with 86% of youth aged 15-19 enrolled in education in 2011. Yet the education youth get is many times not what is required by the labor market and there is a lack of vocational training programs, with only 8% of adults having upper secondary vocational education training as their highest diploma. This figure is much lower than figures for Germany (56%), Italy (32%) or France (30%).

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<sup>7</sup> [https://www.dane.gov.co/files/investigaciones/condiciones\\_vida/pobreza/cp\\_pobreza\\_13.pdf](https://www.dane.gov.co/files/investigaciones/condiciones_vida/pobreza/cp_pobreza_13.pdf).

<sup>8</sup> [http://www.ibe.unesco.org/fileadmin/user\\_upload/Policy\\_Dialogue/48th\\_ICE/Presentations/IBE\\_ICE\\_Workshop\\_3B\\_Presentation\\_EN\\_Cecilia\\_Maria\\_Velez\\_White\\_Nov08.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Policy_Dialogue/48th_ICE/Presentations/IBE_ICE_Workshop_3B_Presentation_EN_Cecilia_Maria_Velez_White_Nov08.pdf).

<sup>9</sup> World DataBank, World Development Indicators.

<sup>10</sup> <http://www.ine.es/prensa/np844.pdf>.

<sup>11</sup> [http://www.oecd.org/edu/Spain\\_EAG2013%20Country%20Note.pdf](http://www.oecd.org/edu/Spain_EAG2013%20Country%20Note.pdf).

On the other hand, although educational attainment in Spain is high, PISA scores demonstrate that the quality of education is somewhat lacking, with students' performance in mathematics, reading and science being below the OECD average.<sup>12</sup> Equity in education has also suffered in recent years, and students from socially disadvantaged backgrounds are outperformed by students from economically advantaged families. Differences in performance by province can be explained up to 85% by differences in socioeconomic status.

Rather than having problems with ethnic groups, it is the immigrant population that has minority status in Spain. PISA scores show that differences in educational level persist between Spanish students and minorities. From 2003 to 2012 the proportion of immigrant students increased from 3% to 10%.

Youth in Spain have a privileged status as compared with youth in Mexico or Colombia and have free access to public education. Educational centers offer quality environments for learning. For all these reasons, in Spain, the focus is on affirmative action for youth and not so much on capacity development and implementation. Affirmative actions are aimed to stop youth labor market exclusion and have been impulsed recently by European Union and Spanish joint efforts.

Starting in 2013, the Spanish authorities have designed the "Strategy for Entrepreneurship and Youth Employment 2013/2016,"<sup>13</sup> a document aimed to "improve the employability of young people as well as the quality and stability of employment to promote equal opportunities for access to the labor market and to foster entrepreneurship." The "Strategy" was followed by a "Spanish National Youth Guarantee Implementation Plan"<sup>14</sup> published at the end of 2013 and aimed to implement the Youth Guarantee adopted by the Council of Ministers of Employment, Social Affairs and Consumption on February 28, 2013. The Youth Guarantee is the "guarantee that all young people aged under 25 receive a good offer of employment, further education, apprenticeship or training within four months after they complete their formal education or find themselves unemployed." Because of this and through the European Social Fund and the Youth Employment Initiative and other funding organisms, Spain will have almost €1.89 billion<sup>15</sup> available for the implementation of the Youth Guarantee.

The latest development in the implementation of the Youth Guarantee in Spain is the launching of an official website<sup>16</sup> on July 7, 2014, where young people that comply with certain requisites can sign up. The government commits itself to finding a decent employment or training opportunity within four months for any young person signing up to the website and uniting the specified requisites.

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<sup>12</sup> <http://www.oecd.org/pisa/keyfindings/PISA-2012-results-spain.pdf>.

<sup>13</sup> [http://www.empleo.gob.es/es/garantiajuvenil/document/EEEJ\\_Documento\\_en\\_INGLES.pdf](http://www.empleo.gob.es/es/garantiajuvenil/document/EEEJ_Documento_en_INGLES.pdf).

<sup>14</sup> [http://www.empleo.gob.es/es/garantiajuvenil/document/plannacionalgarantiajuvenil\\_en.pdf](http://www.empleo.gob.es/es/garantiajuvenil/document/plannacionalgarantiajuvenil_en.pdf).

<sup>15</sup> [http://www.empleo.gob.es/es/garantiajuvenil/document/PRESENTACION\\_GARANTIA\\_JUVENIL\\_web.pdf](http://www.empleo.gob.es/es/garantiajuvenil/document/PRESENTACION_GARANTIA_JUVENIL_web.pdf).

<sup>16</sup> <http://www.empleo.gob.es/es/garantiajuvenil/accesoJovenes.html>.

### 3b. Antidiscrimination Laws: Spain, Colombia and Mexico

Klarsfeld et al. (2012) argue that companies are subject to two main forces when dealing with diversity. Basically, companies can either choose to voluntarily implement diversity through management, or they are legally obliged not to discriminate against employees and potential employees. Affirmative action requirements are still not legally implemented worldwide, yet antidiscrimination laws usually are. Similar to other developed countries, in Spain, Mexico and Colombia antidiscrimination laws have become an issue since the 1980s.

Seen as a matter of human rights, one important step towards implementing antidiscrimination laws in the European Union was taken through the Charter of Fundamental Rights of the European Union (2007/C 303/01), which contains the following statement in Article 21: “Any discrimination based on any ground such as sex, race, color, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.”

Article 32 of the same Charter of Fundamental Rights explains that “The employment of children is prohibited. The minimum age of admission to employment may not be lower than the minimum school-leaving age, without prejudice to such rules as may be more favorable to young people and except for limited derogations. Young people admitted to work must have working conditions appropriate to their age and be protected against economic exploitation and any work likely to harm their safety, health or physical, mental, moral or social development or to interfere with their education.”

The Framework Directive 2000/78/EC reinforces these rights. Through it, the European Council establishes common non-discriminatory guidelines for employment. Particularly, Directive 2000/78/EC establishes the general framework for equal treatment in employment and occupation irrespective of religion or belief, disability, age or sexual orientation. While religious and sexual discrimination and even the discrimination of the disabled are relatively straightforward to prove, perhaps age discrimination is the most ambiguous of all.

Yet in Spain, anti-age discrimination laws have a three-decade long tradition. Drury (1993) mentions Article 14 in the 1978 Spanish Constitution, which is phrased: “Spaniards are equal before the law... none shall suffer any discrimination whatsoever on grounds of birth, ... or any other personal or social condition...” as well as the 1980 Workers’ Statute implementing that “workers have the right not to be discriminated against in their application for employment or once employed on grounds of sex, marital status or age, within the limits set out in this Law...”

More recently, the Royal Legislative Decree 1/1995, of 24 March, which approves what the Revised Text of the Workers’ Statute foresees in Article 17 (an article modified through the Law 35/2010), says that “Any regulatory provisions, CBAs, individual agreements and unilateral employer decisions that are directly or indirectly discriminatory and unfavorable, on the grounds of age or disability, or favorable or adverse to employment, including any related to remuneration, working schedule and other employment conditions, on the grounds of sex, origin, racial/ethnic origin, married status, social status, religion or beliefs, political ideas, sexual preference, trade union membership and adhesion to trade union agreements, family links with other workers in the company and language within the State of Spain, shall be null and void.”

Specific youth protection laws are included in Articles 6 and 34: “All employees under eighteen years of age may not carry out night jobs or any activities or work posts which the Government, at the proposal of the Ministry of Employment and Social Security, after consulting the most representative trade unions, declares to be insalubrious, burdensome, noxious or hazardous, both for the individual’s health and professional/human development. All persons under eighteen years of age may not work extra hours.” Additionally, “All workers under eighteen may not execute more than eight daily hours of effective work including, as the case may be, the time dedicated to training and, if work is provided to various employers, the hours provided to each one.”

In Mexico there is a comprehensive set of laws against discrimination and that protect youth. The most important features of the legal framework include such protection at the federal level: the Mexican Political Constitution, the Federal Law to Prevent and Eliminate Discrimination and the Federal Labor Law. At the State Level, there are Local Constitutions and Antidiscrimination Local Laws.

The Mexican Political Constitution was first drafted in 1917. Antidiscrimination articles appeared in 2001. The Constitution establishes in Article 1 the following statement: “In Mexico all people shall enjoy the human rights recognized in the Constitution and in the international treaties to which the Mexican State is a party, as well as guarantees for their protection... It will be prohibited all kind of discrimination based on ethnic or national origin, gender, age, disability, social status, health status, religion, sexual preference, marital status or any other discrimination against human dignity and that has the effect of nullifying or impairing the rights and freedoms of people.” (Congreso de los Estados Unidos Mexicanos, 2014, p. 2-3)

Regarding criminal justice for youth, according to the amendments to the constitution in 2005 and 2008, nowadays Article 18 of the Constitution establishes that young people (from 12 to 18 years old) will be subject to a particular criminal justice system that did not exist before. “The operation of the system at each level of government will be in charge of institutions, specialized courts and authorities in the administration and enforcement of juvenile justice. They may apply measures of guidance, protection and treatment that merit each case in accordance with the comprehensive protection and the best interests of the teenagers.” (Congreso de los Estados Unidos Mexicanos, 2014, p. 17)

The Federal Law to Prevent and Eliminate Discrimination was first published in June 2003. This law was reformed recently in December 2013. In terms of youth protection (related to age), Article 4 of this law specifies a definition of discrimination as “any distinction, exclusion or restriction based on ethnic or national origin, sex, age, small size, disability, social or economic status, health condition, pregnancy, language, religion, opinion, sexual orientation, marital status or any other, that has the effect of impairing or nullifying the recognition or the exercise of rights and real equality of opportunity for people.” (Congreso de los Estados Unidos Mexicanos, 2013, pp. 1-2).

Another important aspect of this Federal Law regarding youth is related to what is considered as discriminatory practice in Article 9 in terms of education, employment and health: “Preventing access to public or private education, as well as scholarships and incentives to stay in the schools... restricting free choice of employment, or restricting access to opportunities of hiring, retention and promotion therein; establishing differences in pay, benefits and working conditions for equal work... limiting access to training programs and vocational training... denying or limiting information on reproductive rights or preventing the free exercise of determining the number and spacing of their children...” (Congreso de los Estados Unidos Mexicanos, 2013, pp. 2-3)

The Mexican Federal Labor Law that was recently reformed in 2012 has also several articles referring to antidiscrimination and youth protection. Article 3 of this law indicates that “It cannot be admitted to establish conditions involving discrimination among workers because of ethnic or national origin, gender, age, disability, social status, health status, religion, immigration status, opinion, sexual orientation, marital status or any other condition that attempts against human dignity.” (STPS, 2013, p. 2) In this law, Articles 5 and 176 regarding youth work establish that a firm will be infringing the law if it makes people younger than 16 years old work extra time. It will also be infringing the law if it pays workers doing the same work differently because of differences in age, sex or nationality. Making young people less than 16 years old execute manufacturing activities at night is illegal. It is also prohibited for firms to make people younger than 16 years old work after 10 p.m.

It is also forbidden to employers, in Article 133, to refuse workers because of their age or any other criteria that could imply discrimination (STPS, 2013). Finally, Article 537 is favorable to youth employment. This article was subject to a reform in 2012 and gives new powers to the National Employment Service for “designing, conducting and evaluating specific programs to generate employment opportunities for youth and vulnerable groups.” (STPS, 2013, p. 64)

All the laws described before show evidence of the efforts of the Mexican government to avoid youth discrimination. However, as we can see from the results of surveys from the National Counsel to Prevent Discrimination (CONAPRED), 20% of the overall population reported that they considered that rights of young people were not respected and 25% of young people considered that their rights were respected (CONAPRED, 2011). These results indicate that Mexico still needs to strengthen the laws, reinforce penalties for noncompliance and even create more mechanisms to create a better environment of antidiscrimination for youth.

Colombia is ruled by the 1991 Constitution, which replaced the 1886 Constitution and introduced freedom of worship, antidiscrimination laws and a series of mechanisms and areas for citizens’ participation, signaling a transition from a representative democracy to a participative democracy. Discrimination based on gender, race, religion, age, etc., is prohibited and sanctioned accordingly. The Colombian Constitution is based on equality as a basic right of every citizen and provides equal opportunities for workers as a fundamental principle of the Labor Statute. The Labor Statute states in Article 10 that “All workers are equal before the law, have the same protection and guarantees, and thus abolished any legal distinction between workers on the basis of intellectual or material nature of the work, its form or remuneration, except as otherwise provided by law.”

The Colombian Congress issued Law 931 in 2004 expressly forbidding age discrimination. This Law also prohibits specifying age ranges in the recruiting process and limiting the participation of elderly people, thus violating their right to equality and work.

Laws for youth protection include the Code for Children and Adolescents, which sets the minimum required age to work at 15, subject to approval of the relevant authorities. This Code also limits underage workers’ working hours to six hours a day, if they are younger than 17, and to eight hours if they are older than 17 but still underage.

On December 29, 2010, the Colombian Congress approved Law 1429, known as the “law to formalize and generate work” or the “law of the first job.” The beneficiaries of this law are: those under the age of 28 at the time of signing a labor contract; women older than 40 that haven’t

had a labor contract within the previous 12 months; those who have been displaced by internal conflict; heads of families who are in strata 1 and 2 of the Social Security System; and those earning less than 1.5 minimum monthly wage salaries and who are enrolled in the Social Security System for the first time. Businesses hiring any of the above can use the amount paid as parafiscal contributions as a discount of their taxes.

*Although the application and the specifics of antidiscrimination laws by age differ between the three countries, there are a few common ideas that transpire: the declaration of equal treatment in employment is considered a basic human right, the equality of all workers under the law is universal to the three countries and the protection of underage workers is a priority of their governments.*

## 4. Youth Unemployment as a Way That Age Discrimination Is Manifested

### 4a. Youth Unemployment Causes

#### *Youth Unemployment and Crisis: Comparative Figures*

Young people are discriminated against in the labor market on the basis of their individual characteristics – real or perceived – including gender, race and ethnic origin, social and family background. They often find themselves victims of prejudice and discrimination in the labor market, and one of the ways that this discrimination is evident is through the unemployment rate.

The unemployment rate is defined by the ILO as the number of unemployed youth (typically aged 15-24) divided by the youth labor force (the sum of employment and unemployment). The unemployed youth comprise all persons between the ages of 15 and 24 who, during the reference period, were without work, currently available for work or actively seeking work.

In the European Union, the unemployment rate has soared since the 2008 crisis as can be seen from Table 1. In 2012, the annual average youth unemployment rate in Spain was 53.2%, while in 2013 it reached 55.7%. Yet this evolution has been very similar to other rates worldwide – for example, the ones in the Eurozone – and very different from the ones in Latin America.

Unemployment rates have also increased in Mexico because of the 2008 crisis. Until 2008, rates were on average around 7.1%, but in 2009 rates increased to 10.2%. In 2012 the youth unemployment rate was 9.5%, and in 2013 it was 9.7%. In general, even if rates of youth unemployment were not as elevated as in Spain, they followed the same trend upwards.

In Colombia unemployment has declined steadily since 2002 and has gone from 15.5% in that year to 10.8% in 2011 and to one-digit unemployment in 2013 (8.5%). But the good news does not apply in the same way for the young people. For 2007 the unemployment rate for those between the ages of 15 and 19 was 24.9% vs. 11.2% for the total population. The same happens with those aged 20 to 24. There is a 20.8% rate of unemployment in 2007 vs. 11.2% for the total population.

**Table 1**

Total and Youth Unemployment Rate, Annual Averages in Spain, Mexico and Colombia (%)

Country	2007	2008	2009	2010	2011
Spain – youth (<25)	18.2	24.6	37.8	41.6	46.4
<b>Spain – total</b>	<b>8.3</b>	<b>11.3</b>	<b>18.0</b>	<b>20.1</b>	<b>21.7</b>
Mexico – youth (women)	7.5	8.4	10.6	10.1	10.4
Mexico – youth (men)	6.2	6.2	9.7	9.0	9.5
<b>Mexico – total</b>	<b>3.4</b>	<b>3.5</b>	<b>5.2</b>	<b>5.2</b>	<b>5.3</b>
Colombia – youth (15-19)	24.9	26.1	26.0	25.9	24.4
Colombia – youth (20-24)	20.8	21.0	22.0	21.6	20.4
<b>Colombia – total</b>	<b>11.2</b>	<b>11.3</b>	<b>12.0</b>	<b>11.8</b>	<b>10.8</b>

Data source: Eurostat, World Bank, DANE.

Moreover, in recent years, an increase in the participation in the labor force increases the competition for jobs even more. With the adult population being unemployed and having more experience, the discrimination against youth increases and results in higher vulnerability when compared with adults. Historically, the unemployment rate for ages 15 to 24 in advanced economies has been two to three times higher than for older age groups. In fact, Table 2 shows that the unemployment rates of youth are usually double the unemployment rates of the total population.

In Spain, the youth unemployment rate is between 2.0 and 2.2 times the total unemployment rate and has been so in the past decades, through the period of intense economic growth as well as during the recession and the aftermath of the financial crisis.

Mexico follows the same trend as Spain. As Table 2 shows, the rate of youth unemployment was twice as much as the unemployment rate of the total population. In the last decade (2004-2013) this multiple was between 1.9 and 2.2.

In Colombia, unemployment among the young is twice that of the total population and that tendency continues through the years as can be seen in Table 2. In 2013 the youth unemployment was 16.4% vs. 8.5% for the total population, keeping the same gap as previous years. Women are the most affected by it: their percentage ascends to 21.6%, while the one for men is 12.4% (DANE, July-September 2013). The average youth unemployment rate in Latin America is 13.6% (ILO, 2013).



**Table 2**

Youth to Total Unemployment Ratios in Spain, Mexico and Colombia (%)

Country	2007	2008	2009	2010	2011
Spain – <25	18.2	24.6	37.8	41.6	46.4
Spain – total	8.3	11.3	18.0	20.1	21.7
<b>Ratio</b>	<b>2.2</b>	<b>2.2</b>	<b>2.1</b>	<b>2.1</b>	<b>2.1</b>
Mexico – <25	6.9	7.3	10.2	9.6	10.0
Mexico – total	3.4	3.5	5.2	5.2	5.3
<b>Ratio</b>	<b>2.0</b>	<b>2.1</b>	<b>2.0</b>	<b>1.8</b>	<b>1.9</b>
Colombia – youth (20-24)	20.8	21.0	22.0	21.6	20.4
Colombia – total	11.2	11.3	12.0	11.8	10.8
<b>Ratio</b>	<b>1.9</b>	<b>1.9</b>	<b>1.8</b>	<b>1.8</b>	<b>1.9</b>

Data source: Eurostat, World Bank, DANE.

Besides the sharp increase in the unemployment rate, the employment rate, defined as the proportion of the working population in employment, is considered a key social indicator for analytical purposes when studying developments within labor markets by the Eurostat. In Spain, the employment rate peaked at 39.5% for youth in 2006 and at 65.6% for the total population in 2007, as measured by the EU's Labor Force Survey. After that, both rates decreased during successive years to stand at 16.6% for youth in 2013 and 43.4% for the total population in the same year. This important decrease during the global financial and economic crisis totaled about 20 percentage points (see Table 3).

**Table 3**

Total and Youth Employment Rate, Annual Averages in Spain, Mexico and Colombia (%)

Country	2007	2008	2009	2010	2011
Spain – <25	39.1	36.0	28.0	24.9	21.9
<b>Spain – total</b>	<b>65.6</b>	<b>64.3</b>	<b>59.8</b>	<b>58.6</b>	<b>57.7</b>
Mexico – <25	48.0	49.0	46.0	48.0	47.0
<b>Mexico – total</b>	<b>64.0</b>	<b>64.0</b>	<b>63.0</b>	<b>64.0</b>	<b>64.0</b>
Colombia – youth (15-19)	23.6	23.1	26.0	26.6	28.1
Colombia – youth (20-24)	54.0	54.0	56.0	57.3	59.0
<b>Colombia – total</b>	<b>58.3</b>	<b>58.5</b>	<b>61.3</b>	<b>62.7</b>	<b>63.7</b>

Data source: Eurostat, World Bank, DANE.

As we can see in Table 3, in Mexico the youth employment rate was at its peak in 2004, 2006 and 2008 (49%) and for the total population the rate was at its peak in 2012 (65%). In contrast with Spain, in Mexico the employment rates for youth and for the total population show stabilization and even a small increase in the last years.

In Colombia, the disadvantage still weighs hard on the young. In 2003 the rate of 30.5% of young people aged 15 to 19 were working, but by 2011 that number had decreased to 28.1%. For those between 20-24 years old, things might appear somewhat better. Their rate of employment was 50.9% in 2003 and then the rate improved to 59.0% in 2011. The rate of employment for the whole population in 2007 was 54.0% and 57.3% in 2011 as shown in Table 3. If we compare the rates of youth employment with the one of the total population the difference might not be worrying. But if we compare those numbers with the rate of employment of those between the ages of 25 and 54, which show an average rate of 76.59%, the size of the disadvantage becomes clear.

### *Youth Unemployment and NEET*

Another group of youth has also known a recent increase in its share of participants: the NEET, the youth that is “not in education, employment, or training.” The existence of this group of youth is a direct consequence of discouragement of youth as many of them decide not to continue their efforts of finding a job when the economy is on a downturn. High percentages of school dropouts, few available jobs, a vicious circle of temporary contracts and lack of employment, as well as difficult family circumstances are all factors that influence the mood and the interest of pursuing paid employment, thus contributing to the rise in the NEET share. As Table 4 shows, in Spain the NEET rate has risen by almost four percentage points in four years.

A study commissioned by the European Parliament (EP, 2012) places Spain in a cluster of countries together with Estonia, Ireland and Portugal and characterizes the type of youth that are part of the NEET rate. Before 2009 a higher percentage of NEETs were female; however, after 2009, the NEETs tend to be male, unemployed and have work experience. They are usually skilled or highly skilled. Their discouragement with the labor market is due to the macroeconomic situation and the fact that they are victims of age discrimination.

In Mexico the NEETs are also present. The OECD (2013) indicated in a recent study that Mexico had the third highest percentage of NEETs among all OECD countries. Within this rate, there are almost three times as many females as there are males. In contrast with Spain, in Mexico NEETs have always been females. Since 2004 the percentage of NEETS has been stable, representing 22.8% on average. This percentage has not registered a significant increase after the 2008 crisis as in other countries. This reflects structural problems in Mexico probably related to cultural issues, pregnancies and marriages at a young age (OECD, 2013) (see Table 4).

The “Latinobarómetro” (a very popular public opinion survey in Latin American countries) found in 2010 that 21% of the youth in Latin America are unemployed. Colombia ranked sixth out of 21 countries, with 23% unemployed youth.

For most youth, “not doing anything” is not an option: 61% of the NEET pertain to the lower middle class, which means they are at risk of poverty. Some 68% of them live in homes where the parents have, at most, basic education. For the upper middle class, the percentage drops to 31%, while for the upper class it is only 6%.

This data from the Latinobarómetro on the NEET in Colombia is close to what the equivalent of the Labor Force Survey in Colombia (the “Gran Encuesta Integrada de Hogares”) undertaken by the DANE (the Colombian National Administrative Department of Statistics) for the third trimester

of 2011<sup>17</sup> shows. They report a national youth unemployment rate of 19% for youth aged 14 to 26, which is 1.5 percentage points less than the same period last year.

**Table 4**

NEET Rates, Annual Averages in Spain, Mexico and Colombia (%)

Country	2007	2008	2009	2010	2011
Spain – Females	14.0	15.0	17.1	17.1	17.7
Spain – Males	10.4	13.9	19.5	18.9	19.3
<b>Spain – Total</b>	<b>12.2</b>	<b>14.4</b>	<b>18.3</b>	<b>18.0</b>	<b>18.5</b>
Mexico – Females	37.7	34.4	38.1	35.8	37.8
Mexico – Males	9.1	10.0	10.7	10.9	11.0
<b>Mexico – Total</b>	<b>24.2</b>	<b>22.6</b>	<b>24.8</b>	<b>23.7</b>	<b>24.7</b>
<b>Colombia – Total</b>	-	-	-	<b>21.5</b>	<b>19</b>

Data source: Eurostat, OECD, DANE.

A new and related concept is that of “neither in the labor force nor in education or training” (NLFET),<sup>18</sup> representing the discouraged youth that have chosen to drop out of the labor force. These youth are neither contributing to economic production nor investing in their human capital through education or training. This is yet another specific group that should be protected against age discrimination, as they are very vulnerable to it.

## 4b. Educational Attainment

### *Youth Unemployment and Educational Attainment*

The inactive population of youth has risen in the past years as more youth drop out of the labor force in order to continue their studies. The age when children are enrolled into the compulsory education system is age six in Spain, and they follow an obligatory trajectory up to the age of 16, when they finish their secondary studies. After age 16, they can either opt to follow an initial vocational training trajectory or to go on to two years of high school, which will grant them later access to university tertiary studies. According to the National Statistics Institute in Spain, around 88%-90% of these students were enrolled in public universities in the past three years. Although being employed is not directly related to education, Table 5 clearly shows that higher ISCED<sup>19</sup> (1997 International Standards Classification of Education) education levels result in a higher employment rate. The number of students taking the University Entrance Exams has increased by 2.8% as compared with 2011. Compared with 2007, the pre-crisis level, it has increased by a little over 25%, rising from 222.086 to 278.818. The dramatic increase in the number of attendees at the University Entrance Exams suggests that young people are trying to send a signal about

<sup>17</sup> <http://formularios.dane.gov.co/pad/index.php/catalog/2011>.

<sup>18</sup> ILO (2013), “Global Employment Trends for Youth 2013: A generation at risk,” Geneva.

<sup>19</sup> The 1997 International Standards Classification of Education (ISCED) contains seven categories: no qualifications or pre-primary education, primary education, lower secondary qualifications, upper secondary qualifications, post-secondary non-tertiary qualifications, first stage of tertiary qualifications and second stage of tertiary qualifications.

their employability by acquiring more education, as achieving more education has been seen as a panacea against unemployment.

In Mexico, until 2011 compulsory education started when children were six years old. Compulsory education at that time included primary and secondary school (nine years of studies in total: six years for primary school and three years for secondary school). However, in 2012, Articles 3 and 31 of the Mexican Constitution referring to education were modified. Nowadays, compulsory education in Mexico starts when children are three years old and follows the following sequence: kindergarten (three years), primary school (six years), secondary school (three years) and high school (three years) (Rodríguez Gómez, 2012).

In comparison with Spain, in Mexico it seems that getting more education leads to unemployment. We can observe in Table 5 that since 2005 for ISCED 5-6 the rates are almost twice as much as for youth with ISCED 0-2. For example, in 2005 ISCED 5-6 had a 10.3% unemployment rate and ISCED 0-2 only 4.5%. This trend continued in 2010: ISCED 5-6 had a 12% unemployment rate and ISCED 0-2 only 6.6% (see Table 5). Results of a study from the OECD (2011) reflect that in most countries education seems to be the better weapon against unemployment. About this peculiar relationship in Mexico, between more education and unemployment, it is important to remark that the OECD (2011) states: "The increase in unemployment perceived in OECD countries from 2008 to 2009 was less dependent on educational level in Mexico than in other countries." This implies that other variables could be responsible for this relationship such as type of jobs available or economic crisis.

As reported by the OECD in 2011, in Mexico attainment of secondary and tertiary education has increased twofold over the past five decades. Nevertheless, education levels in Mexico were among the lowest in OECD countries. Other results from that study show that in the case of Mexican youth, 52% of those between 15 and 19 years old take part in the schooling system and only 11% of those between 20 and 29 years old study. Educational performance as measured by the Program for International Student Assessment (PISA) shows that Mexicans improved their score in recent years, going from 400 point in 2003 to 423 points in 2009. However, the average score that students must have is around 501 points. PISA results indicated that in Mexico educational performance was less influenced by socioeconomic background than it was in all other OECD countries (OECD, 2011). The problem is that access to education is still determined by their socioeconomic background and geographic origin. The poor quality and limited educational options for the lower class makes the education system an institution that reproduces social inequalities. It is necessary to invest more and build a better investment framework to change this situation (IADB, 2012).

In 2012, compared with 2011, enrollment in education of young Mexicans registered a small increase: 54% of 15-19 years old took part in the schooling system (vs. 52%) and only 11% of those aged 20 to 29 years old were enrolled in a school (vs. 12%). Those percentages of participation in education were still weak because the average among the OECD country were 83% and 27% respectively (OECD, 2012).

The percentage of young graduates expecting to finish their studies in secondary and tertiary education is not encouraging. In 2012, only 47% of Mexicans expected to finish secondary education, putting Mexico at the last place of the 27 OECD countries in that respect and in the second to last position with 20% for tertiary education (OECD, 2012). However, it is important to acknowledge that only 33% achieved secondary education in 2000 and 49% in 2013 (OECD, 2013). Another interesting fact in terms of education in Mexico is that those between 15 and 29

years old spent only 5.1 years in education, which is less than the 7.1-year average of OECD countries (OECD, 2013).

Education in Mexico has been improving in recent years. However, there is still a large gap compared with other countries from the OECD. As reported by the Inter-American Development Bank (IADB) in Mexico there are five million young people between 17 and 29 years old falling behind in terms of education (IADB, 2012). The educational reforms approved in 2013 are expected to close the gap in Mexican education (Presidencia de la Republica, 2013) but the principle to make education compulsory until high school, approved in 2012, will also bring new challenges to the educational system in Mexico, above all in terms of financing and logistic organization (IADB, 2012).

Education is a pending issue in Colombia. At the last PISA examinations Colombia ranked very low and according to experts this is because of the faulty education received at the university level. Only 10% of universities in Colombia have achieved accreditation of the highest quality according to the National Accreditation Council (Consejo Nacional de Acreditación).

In 2006, 4.7% of the GDP was invested in education. The pupil-to-teacher ratio that year was 30:1. Primary education from ages six to 12 and up to a total of nine years is free and compulsory. Secondary education starts at 11 and lasts for six years. Those who graduate leave with the equivalent of a high school diploma. According to the 2005 census, 50.3% of children aged three to five were enrolled in preschool education; 90.7% of those aged six to 10 were enrolled in primary education; and 79.9% of those aged 11-17 were enrolled in secondary education. The literacy rate in 2008 stood at 93% of the population. The ratio between public and private primary and secondary schools was 3:1. However, for higher education, the ratio is reversed, with the private sector surpassing the public sector with a ratio of 2.4:1. The situation gets more complicated when comparing education level and unemployment rates among youth. According to the data in Table 5, the higher the level of education the higher the percentage of unemployment.

**Table 5**

Youth Unemployment Rate by Level of Education Achieved, Annual Averages in Spain, Mexico and Colombia (%)

Country	2007	2008	2009	2010	2011
Spain ISCED 0-2	20.4	29.7	44.7	49.6	53.2
Spain ISCED 3-4	16.6	19.6	31.1	34.3	41.5
Spain ISCED 5-6	13.6	15.9	26.0	28.9	35.0
Mexico ISCED 0-2	4.5	5.3	6.9	6.6	-
Mexico ISCED 3-4	7.5	7.9	10.6	10.3	-
Mexico ISCED 5-6	9.7	10.0	12.4	12.0	-
Colombia ISCED 0-2	9.4	10.9	11.1	11.5	9.5
Colombia ISCED 3-4	17.6	17.4	18.6	18.0	16.6
Colombia ISCED 5-6	13.2	13.5	14.2	14.5	14.1

Data source: Eurostat, ENOE-INEGI, DANE.

In spite of the overall increase in the number of tertiary graduates, a growing proportion of young people appear to be overqualified for the type of employment they find. More than one in five tertiary graduates are overqualified for their job, and this proportion has increased since 2000 (Key Data on Education in Europe, 2012). The same study shows that tertiary education graduates integrate into the job market two times more quickly than people with at most lower secondary education. At the European Union level, the average duration of the transition to the first significant job was only five months for people with tertiary qualifications, close to 7.4 months for the upper secondary level and up to 9.8 months for people with lower education levels.

Although the number of tertiary education students is on the rise in Spain, there are still many early school dropouts, making Spain the EU country with the highest school dropout rate, with 24.9% in 2012, followed by Malta with 22.6%, and Portugal with 20.8%. Traditionally, Spain has doubled the EU-17 average, having early dropout rates of above 30% in the last decade. Only since 2010 has a decreasing trend began, as shown in Table 6. One reason for the decrease in the school dropout rate is the economic recession. Before the economic crisis, the construction sector as well as other sectors that employ unskilled workers represented a great opportunity to find easy and reasonably paid employment. With the drastic decline in the activity of these sectors, the opportunity cost of studying has fallen also and thus more youth are staying in school and getting an education. This argument is also supported by the fact that the percentage of early leavers from education and training is higher for the males (at about 35%-36%) and lower for the female population (at about 25%-26%) for the same time period. On average in the EU-27 the early school dropout rate is 15.3% for young men and 11.6% for young women, with wide differences among EU countries.

In Mexico, the percentage of early leavers has been going down since 2005. In 2005 early leavers attained 63% and in 2011 a rate of 51% was reported (see Table 6). However, the total rate of young early leavers in 2011 in Mexico is almost twice as much as the rates reported in Spain for the same year: 26.5%. That implies that in Mexico there is a serious problem of retaining students.

**Table 6**

Early Leavers from Education and Training, Annual Averages in Spain, Mexico and Colombia

<b>Country</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Spain</b>	<b>31.0</b>	<b>31.9</b>	<b>31.2</b>	<b>28.4</b>	<b>26.5</b>
Spain – males	36.6	38.0	37.4	33.5	31.0
Spain – females	25.2	25.7	24.7	23.1	21.9
<b>Mexico</b>	<b>59.5</b>	<b>58.0</b>	<b>56.5</b>	<b>54.5</b>	<b>51.0</b>
Mexico – males	60.0	58.0	57.0	56.0	-
Mexico – females	59.0	58.0	56.0	53.0	-
<b>Colombia</b>	-	-	-	-	-

Data source: Eurostat, ENOE-INEGI, OECD.

A problem related to the rate of early school dropouts are the people that are completely out of the education system. The European target set by the indicator measures the Education and Training 2020 strategies to increase the share of children participating in pre-primary education (measured as those between four years old and the age for starting compulsory primary education) to at least 95% in 2020. In Spain this level is at above 99% between 2003 and 2011. Moreover, the school expectancy as calculated by the Eurostat has been above 17 years in the last decade. School expectancy corresponds to the expected years of education over a lifetime and has been calculated adding the single-year enrollment rates for all ages and is accurate under the assumption that current patterns of enrollment will continue in the future.

*There are many reasons for which people with more training and education are relatively protected against unemployment. It is not just about literacy and theoretical knowledge, but it is about acquiring and maintaining employable skills. It is about being flexible, eager to learn and being able to sell one's skills to employers. Higher educated individuals are seen as capable of transforming organizations, of bringing new ideas to the discussion tables and of making use of advanced-level skills, such as analysis, critique and synthesis. The untrained and uneducated individuals are more likely to lack the soft skills important for job seeking.*

#### *Youth Unemployment and Social Exclusion*

The risk for social exclusion in Spain is high, as seen in Table 7. In youth, this risk has been higher for females than for males, although in the year 2012 this trend seems to have been reversed.

As indicated in Table 7, in 2010 in Mexico the risk of social exclusion was more elevated for young people than for the overall population (22.2% vs. 21.5%). As for Spain until 2012, in Mexico the risk for young people was more elevated for females than for males. It is important to note that this risk of social exclusion appears to go down for females but seems to grow for males.

One of the reasons given to explain this is the lack of applicability of programs and careers that educational institutions at the tertiary level offer (Cardonal et al., 2009). They are not what the economy and market need, therefore the professionals coming out of those institutions find themselves without a job and forced somehow to look for something else.

**Table 7**

People at Risk of Poverty or Social Exclusion by Age in Spain, Mexico and Colombia, Annual Averages (%)

<b>Country</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Spain – total	23.3	24.5	24.5	26.7	27.7
<b>Spain – 16-24</b>	<b>23.7</b>	<b>27.9</b>	<b>27.6</b>	<b>32.2</b>	<b>33.5</b>
Mexico – total	22.4	22.2	21.8	21.5	-
<b>Mexico – 16-24</b>	<b>22.2</b>	<b>22.2</b>	<b>22.2</b>	<b>22.2</b>	-
Colombia – total	-	-	-	-	-
<b>Colombia – 16-24</b>	-	-	-	-	-

Data source: Eurostat, ENOE-INEGI, OECD.

Inequalities in the labor market, a lack of provision of services to young people, and the privatization of education all affect young people's well-being and their access to a decent life. Quality employment is a crucial element with regards to the autonomy and well-being of young people in Europe and Latin America and throughout the world. The right to decent work and protection against unemployment are fundamental human rights.

*Being able to find quality work is essential for young people in order to participate fully in society, ensure autonomy and to avoid the pitfalls of poverty and social exclusion.*

#### 4c. Social Consequences of Unemployment

With youth unemployment rates surging worldwide, we are reminded of the long-term consequences of this socioeconomic reality. Unemployment causes severe side effects that extend from the sociological realm and the labor history of the individual to his or her physical and psychological well-being. Departing from the individual level, these effects also have a great influence in society and an impact at the national level.

Perhaps the most important long-term effect of unemployment of youth is the so-called "scarring effect": for unemployed teenagers there appears to be a persistent effect of lost work experience on wages even in their adult careers (Ellwood, 1982). Although this effect has been mentioned in the literature as far as three decades ago, there are many recent studies that provide empirical evidence supporting the previous intuitions. For example, a study of young Nordic employees tracked individuals over a 10-year period to find that unemployment has a negative effect on labor market attachment (Nilsen and Reiso, 2011). Kostas et al. (2013) find empirical evidence in Australia. The mechanism by which this scarring effect occurs is not very well understood, yet there is some evidence that it operates through the expectations of the participants in the labor market and has more of an effect of scaring than of scarring, emphasizing the implicit discouragement and lack of self-confidence of a person that has experienced a long period of unemployment (Knabe and Ratzel, 2011).

Other studies (Hammarström, 1994a) mention the health risks of youth that are unemployed. Risks are both physical and mental, including psychological symptoms such as smoking habits and alcohol abuse as well as increased blood pressure. An increased risk of morbidity and mortality are also associated with unemployment (Bambra and Eikemo, 2009). However, there are also other studies that suggest the relationship between health and unemployment is affected by reversed causality: it is not that the unemployed get sick, but rather that the sick have a higher probability of becoming unemployed (Salm, 2009).

Unemployment doesn't only affect the unemployed; it also affects the people around them. Marcus (2013) argues that the decrease in mental health due to unemployment is almost as high for the life partners of the unemployed as it is for the person directly affected by it. His claim is based on a study of the closing of a plant in Germany and uses data from the German Socioeconomic Panel. Other studies based on the same dataset also find evidence for the children being affected by a parent's unemployment (Siedler, 2011). This effect becomes visible especially in sons' propensity towards extremist right-wing party affiliation in Germany. It seems that parents' labor market outcomes also influence the schooling ambitions of their offspring (Ahmed et al., 2012). Lindo (2011) finds another spillover effect of adult unemployment on the birth weight of infants.



All in all, there is reason to believe that the amplitude of unemployment on public health systems and on health expenditure both publicly and privately financed has been underestimated so far. Future policy measures and studies as well as reports should take also these extended effects into account. Coworkers who are still employed may experience a heavier workload and suffer from anxiety that they too will soon be unemployed (Kivimäki et al., 2003).

Fougère et al. (2009) show that there exists a positive association between crime and youth unemployment rates in France. They especially provide evidence using data from the French Ministry of the Interior over a 10-year period to show that this effect is causal for burglaries, thefts, and drug offenses.

A 2008 study from the World Bank on the “Youth at Risk in Latin America and the Caribbean: Understanding the Causes, Realizing the Potential” explains how young people deserve special attention as the risk of unhealthy behavior increases in this age. Between 12 and 24 years of age most young people are exposed to violent activities, sexual initiation, their first smoking or substance abuse experience and their first work experience. Sexual initiation often leads to teen pregnancy, while teenage males begin their criminal activity. These factors also increase the probability of dropping out of school or, what is sometimes worse, leaving school without learning.

## 5. Conclusion and Discussion

The main contribution of this chapter resides in relating youth unemployment with age discrimination and adultism. We provide explanations for several mechanisms through which the three concepts are related, relating them to educational attainment and experience, precariousness of working contracts for youth, gender considerations and even to the positive discrimination of older people in order to avoid trials for age discrimination. Moreover, one of the effects of the recent economic crisis is the increased competitiveness in the labor market. All these motives combined lead to the exclusion of youth from the labor market.

Our review of relevant laws that protect workers against age discrimination and youth and children against overworking and exploitation uncover similarities in Spain, Mexico and Colombia. While Spain is one of the first European countries to have considered workers equal under the law, in the Latin American countries considered here this concept of equality has only been in vigor since the early 1990s or even 2000.

Another strong point of this research is the comparative analysis of youth unemployment in Spain and in two important countries of Latin America: Colombia and Mexico. The analysis includes a detailed account of youth unemployment and of how the unemployment rate relates to the existence of the so-called NEET youth and to educational attainment, early dropout and risk of poverty.

Data reveals that the trends in youth unemployment differ between Spain and Mexico and Colombia. While in Spain the recession has severely increased this rate, in Latin America the impact has not been as harsh. In Mexico, the youth unemployment rate has increased slightly, while in Colombia it has decreased. The employment rate decreased slightly in Latin America, yet it decreased heavily in Spain. One interesting fact to notice here is that in Latin America, even before the crisis, the employment rate was significantly higher for youth than in Spain. In Mexico and Colombia, despite the aftermath of the global crisis, the rates remain distanced by gender.

Another significant difference is the effect of educational attainment on joblessness. While in Europe education seems to protect against unemployment, in Latin America the reverse occurs and higher educational attainment is positively related to unemployment rates for youth. A possible explanation for this occurrence is the low quality and lack of applicability of tertiary educational offers in Mexico and Colombia.

Apart from the comparative contribution, this study addresses an important literature gap: there is little or close to no literature on age discrimination towards young people and how this might affect them. As argued, previous research extensively discusses age discrimination of elderly workers from the legal, economic, social and psychological points of view, yet the literature on youth labor market exclusion is far less. The wage effects of search discrimination are difficult to detect because older workers are paid more than younger workers because they have more human capital. The same human capital motive can also be applied to discrimination during the recruitment process, making discrimination of youth by age a sensible and discussable topic.

Moreover, apart from the contribution to the literature on ageism, this chapter is groundbreaking in that it is one of the first socioeconomic studies to mention adultism and relate it to youth unemployment. In Latin America the situation has changed with respect to the past and now it is clear that the main problem is not poverty but social inequality. Yet even so, it is evident that the inequity that emerges and that is most frequently measured concerns earnings, gender, territory and ethnicity. There is little debate on inequality among generations, although this is beginning to change. Recognizing this reality, CEPAL (2010) has proposed priority investment in those younger than 29. This initiative can be considered as evidence of the existence of this discrimination form called “adultism” in Latin America and this would make a very interesting topic for future research. On this topic, Rodriguez (2013) notes that the problem in Latin America is not the discrimination of youth in general, as from a sociological perspective society is not discriminating all youth, but mainly those who are poor and excluded.

The present chapter also has limitations. One limitation of this study is the lack of comparability with other important Latin American countries. Extending the analysis to include Argentina and Brazil would certainly bring new insights and a more complete view of the situation of age discrimination in Latin America. For example, in Argentina, the ratio of youth unemployment to total unemployment stood at 3.0 in the early years of the past decade, but it reached 3.3 in 2007 and increased to 3.6 in 2011. Similarly, values of 3.0 or higher seem to have become common in Brazil in recent years (ILO, 2013) and these values tell a different story than the one in Colombia and Mexico, which have values close to 2. Another important limitation is the data. Although data is available for Spain for more recent periods than 2011, for comparability, the data shown in this study only covers four years: 2007 to 2011.

This study can be further enriched by introducing other common factors for exclusion and discrimination such as discrimination by race, ethnicity and gender. These aspects have only been briefly mentioned here as they are not the focus of this study. However, research from the World Bank (2008) shows that youth in Latin America is not homogeneous and identifies four distinct groups to be studied and that need specifically tailored policy measures. About 25%-32% of the youth population is at risk and beyond, 8%-28% find themselves engaging in negative behavior and are at risk of suffering consequences, 10%-20% is at risk of engaging in negative behavior without suffering the consequences, and only 20%-55% of youth are considered not to be at risk.

Another way to improve this research is by implying a quantitative methodology: for example, the Blinder Oaxaca decomposition, a common method used to estimate the level of

discrimination. This method can be used to understand the mean outcome differences between groups. An important point to consider for further quantitative analysis is the fact that the choice between the unemployment rate and ratio should be made wisely. The problem of data availability and consistent cross-national statistics are likely to influence final results.

Perhaps more literature on labor economics and financial crises should be taken into account. It is important to take into account research such as the one done by Pissarides (2013), which states that "...the ones who have really borne the brunt of recession are the young workers." Age discrimination of youth needs to be understood considering the social, economic and cultural context of the country of reference and also macroeconomic conditions. All in all, we encourage scholars to investigate the problem of age discrimination and adultism, as it will become a hot topic for research in years to come. Public policy as well as organizations' management will have to find a way to have five different generations of people working together smoothly and efficiently by 2020. Even without the challenges of youth unemployment and a problematic labor market, the demographic problems such as the increasing working-life of adults and decreasing fertility rates are interesting questions that demand further research. Offering equal employment opportunities to a diverse population predicted to be active in the labor market in future years will represent a challenge for company management, law makers and public organisms alike.

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