

# Boletín de la Asociación Internacional de Derecho Cooperativo

International Association of Cooperative Law Journal

**No. 60/2022**

DOI: <http://dx.doi.org/10.18543/baidc602022>

---

## ARTICLES / ARTÍCULOS

### **Workers' cooperatives as an instrument for the inclusion of people of mature age into the labour market**

Las cooperativas de trabajo como instrumento para la inclusión laboral de personas de edad madura

Patricia Prieto Padín

doi: <http://dx.doi.org/10.18543/baidc.2274>

Submission date: 30.11.2021 • Approval date: 12.04.2022 • E-published: July 2022

## **Derechos de autoría (©)**

El *Boletín de la Asociación Internacional de Derecho Cooperativo* es una revista de acceso abierto lo que significa que es de libre acceso en su integridad inmediatamente después de la publicación de cada número. Se permite su lectura, la búsqueda, descarga, distribución y reutilización legal en cualquier tipo de soporte sólo para fines no comerciales y según lo previsto por la ley; sin la previa autorización de la Editorial (Universidad de Deusto) o el autor, siempre que la obra original sea debidamente citada (número, año, páginas y DOI si procede) y cualquier cambio en el original esté claramente indicado.

## **Copyright (©)**

The *International Association of Cooperative Law Journal* is an Open Access journal which means that it is free for full and immediate access, reading, search, download, distribution, and lawful reuse in any medium only for non-commercial purposes, without prior permission from the Publisher or the author; provided the original work is properly cited and any changes to the original are clearly indicated.

# Workers' cooperatives as an instrument for the inclusion of people of mature age into the labour market<sup>1</sup>

(Las cooperativas de trabajo como instrumento para la inclusión laboral de personas de edad madura)

Patricia Prieto Padín<sup>2</sup>  
Universidad de Burgos (España)

doi: <http://dx.doi.org/10.18543/baidc.2274>

Submission date: 30.11.2021

Approval date: 12.04.2022

E-published: July 2022

---

**Summary:** 1. The vulnerability of older workers and the cooperative movement as an effective tool for inclusion. 2. Working in cooperatives: the ultimate assurance of employment for older workers. 2.1. Older unemployed people joining workers' cooperatives. 2.2. The conversion of business organisations into cooperatives: a sustainable alternative with an impact on older workers. 3. The protection of older workers within the dynamic of cooperative work. 3.1. Internal approach: caring for older workers within the cooperative structure. 3.2. External approach: caring for the elderly through cooperative work in the silver economy. 4. Bibliography.

**Sumario:** 1. La vulnerabilidad de los trabajadores mayores y el movimiento cooperativo como herramienta eficaz de inclusión. 2. El trabajo en las cooperativas: la última garantía de empleo para los trabajadores mayores. 2.1. La incorporación de personas mayores desempleadas a las cooperativas de trabajo. 2.2. La conversión de organizaciones empresariales en cooperativas: una alternativa sostenible con impacto en los trabajadores mayores. 3. La protección de los trabajadores mayores dentro de la dinámica del trabajo cooperativo. 3.1. Enfoque interno: la atención a los trabajadores mayores dentro de la estructura cooperativa. 3.2. Enfoque externo: el cuidado de los mayores a través del trabajo cooperativo en la economía plateada. 4. Bibliografía.

**Abstract:** The cooperative model can be especially appropriate to promote labour market inclusion for older workers. Under an overall reflection of this group at risk of social exclusion, this study analyses the possibilities of

---

<sup>1</sup> Este trabajo forma parte de los estudios realizados como miembro investigador del grupo de investigación de la Universidad de Deusto y reconocido por el Gobierno Vasco «Cooperativismo, fiscalidad, fomento, relaciones laborales y protección social» (IT1089-16).

<sup>2</sup> Email: [pprieto@ubu.es](mailto:pprieto@ubu.es)

worker's cooperatives in four main areas: 1) As a suitable channel for labour reincorporation of older unemployed people. 2) As an useful instrument in companies' reconversion that could disappear due to various circumstances. 3) As enterprises concerned with the protection of older workers within the dynamics of cooperative work. 4) As entities sensitive to the care of older people within the *silver economy*.

The result of this analysis is to ascertain the state of affairs and propose good practices from different sources that allow us to affirm that worker's cooperatives are able to offer to older workers a wide range of possibilities to maintain their employment or undertake a business or productive activity.

**Keywords:** active ageing, employment policies, older workers, *silver economy*, workers' cooperatives.

**Resumen:** El modelo cooperativo puede ser especialmente idóneo para promover la inclusión y permanencia en el mercado laboral de los trabajadores mayores. Bajo una reflexión global de este colectivo en riesgo de exclusión social, este estudio analiza las posibilidades de las cooperativas de trabajo asociado en cuatro grandes áreas: 1) Como canal adecuado para la reincorporación laboral de los trabajadores mayores en situación de desempleo. 2) Como instrumento útil en la reconversión de empresas que pueden desaparecer por diversas circunstancias. 3) Como empresas preocupadas por la protección de los trabajadores mayores dentro de la dinámica del trabajo cooperativo. 4) Como entidades sensibles a la atención de las personas mayores dentro de la economía plateada.

El resultado de este análisis es conocer el estado de la cuestión y proponer buenas prácticas de diversa índole a fin de poder afirmar que las cooperativas de trabajo son capaces de ofrecer a los trabajadores mayores un amplio abanico de posibilidades para mantener su empleo o emprender un negocio o actividad productiva.

**Palabras clave:** envejecimiento activo, políticas de empleo, trabajadores mayores, economía plateada, cooperativas de trabajadores.

## 1. The vulnerability of older workers and the cooperative movement as an effective tool for inclusion

Having more birthdays is a privilege and a gift of life that should always be a reason for joy, but in many spheres of society it seems to have become a kind of sin or punishment. Professionals from different scientific disciplines (Psychology, Sociology, Gerontology...) have identified these problems and use the term "ageism" to refer to agebased discrimination stemming from stereotypes associated with ageing or old age. These stereotypes are totally unfounded and affect people beyond a certain age.

Focusing on the field of employment, the terms "elderly workers", "older workers", "mature workforce", "mature-age employees", and "senior professionals" have become widely accepted. They generally serve to identify people aged from 45 to 64 years old (González-Posada Martínez, 2017, 138), although the "older adult" grouping sometimes starts at 50 or 55 years of age. Numerous policy measures have been put in place to promote employment for this age range, designed by the various actors with powers to do so. They have sought to optimise the functioning of the labour market and improve the conditions of workers and of society as a whole in the face of the challenges posed by migration forecasts, decreasing birth rates, lower mortality rates, and increasing life expectancy with good quality of life (VVAA, Mercader Uguina, J.R., Dir., 2009 and Barceló Fernández, J., 2014, in particular 7 and following).

A different issue is whether the heterogeneous set of actions aimed at people in this age group may have given rise to some issues derived from the lack of political sensitivity. This may have translated into a failure to engage in sufficient dialogue (continuous dialogue is a requirement that has not always been fulfilled) in order to suitably address the existing difficulties. Another problematic aspect is that measures have not always resulted from overall systematic consideration and diagnosis of the characteristics of this large population segment and their needs. Instead, actions have often been adopted on an ad hoc basis in specific situations and have not been fully effective. In the context of the current crisis, the needs of this population group have become more complex, and have experienced fluctuations and setbacks" (Consejo Económico y Social, 2014, 176).

What is true, however, is that people of mature age have been regularly included in the Active Inclusion strategies that have been implemented, because they are considered to be members of a group who wants to work and can work, but, due to various circumstances, are cur-

rently or potentially at risk of social exclusion, compared with the total workforce or with the younger generations (a comprehensive study of this age group was conducted by Martínez Barroso, M. R., 2018).

Several important developments have occurred over the years that have caused this population group to be especially vulnerable in the labour market. The employment rates for this segment and the perception of them are far from reflecting the high levels of intellectual and productive capital that this continuously increasing sector of the population has to offer (Barabaschi, B., 2017, 103-108).

In general, mature people face more difficulty in competing in the labour market. There is a negative discourse regarding this population group, which is alarmingly fed by a series of prejudices, stereotypes, and myths capable of dissuading employers from hiring or keeping people belonging to this cohort on staff. These are socially-constructed false beliefs resulting from a biased, short-term vision focused on a limited number of variables that distort reality (one where the urgent is always prioritised over the important). These beliefs are still firmly established in many organisations, where the assumption is that productivity decreases after a certain age, and that there is an increase in costs associated with this factor and greater difficulty in retraining the mature workforce. They even take for granted that training this age group has a lower return in the long term than the equivalent process among the youngest employees; while failing to notice that the degree of commitment of older workers is much higher and, therefore, they are more likely to remain in the company (Martín Caravanna, J. and Roca Chillida, J.M., 2019, 4). In this sense, specialisation, high competitiveness, the digital gap, and outdated skills are some of the elements that penalise older people, leading them to long-term unemployment (for an overview, see Fundación Sociedad y Empresa Responsable, 2021).

All the above factors are ultimately responsible for a situation where, despite their increasingly longer working lives, even when there is a stable labour market with permanent contracts and wide social coverage (which can give rise to lower unemployment rates), the members of this population group are the first to lose their Jobs in times of crisis and business restructuring processes (with multiplier effects due to the Covid-19 pandemic). Two major roads lead to this situation:

- A) When an organisation decides to apply criteria for redundancies and other similar measures that have an impact on employment, due to the strong repercussions this has on older workers (a subjective, direct criterion), or seniority (an objective but indirect criterion in relation to age) (some detailed studies can be found in

Serrano Arguello, N., 2017, 267 and following; Sánchez-Urán Azaña, Y., 2019, 135-149 or .Prieto Padín, P., 2021, 121-136). Situated on this critical frontier, the challenge for those who lose their job prematurely lies in moving quickly from a stable market to a precarious one, as they experience great difficulties in finding a new job, especially if their qualifications are low (a significant and current dataset can be found in Anghel, B. and Lacuesta, A., 2020, 1-19). Furthermore, such a barrier is far from being temporary or a way station, as might happen with younger people; on the contrary, it often entails their being permanently excluded from the labour market<sup>3</sup>, unless they engage in work in the informal economy as a means of survival in the most disadvantaged contexts (Amber, D. and Domingo, J., 2017, 27-41).

- B) As an alternative, the traditional recourse to “voluntarily” ending one’s working life before reaching the ordinary retirement age. While this option may appear to be linked to the preferences and personal circumstances of each individual and subject to various requirements, it has consistently been incentivised by companies through various financial enhancements that have promoted pre-retirement and early retirement schemes over the years.

This way of shortening a worker’s working trajectory emerged as a temporary scheme within a generalised restructuring policy that affected various sectors at a given point in the past. However, it soon became structural and was used to facilitate the exit of these workers from the labour market in situations that were in no way related to corporate restructuring. Authorised doctrine anticipated at the time that this situation would have numerous counterproductive effects, not only for the workers concerned (who see that their age for effective termination is moved back) (De La Torre García, A., 1993, 307 and following, and Isaksson, K. and Johansson, G., 2008, 283 and following), but also for businesses and public finances (particularly for the Social Security System), which bear a particularly burdensome impact (Martínez Barroso, M. R., 2010, 99-127).

<sup>3</sup> The number of unemployed people over 45 registered at the end of 2020 in Spain was 1,370,600, which accounts nearly for more than half (48.78%) of the total people unemployed in the country. Regarding long-term unemployment data, that is, information regarding the unemployed who have been seeking work for longer than 365 days, the general number of long-term unemployed at the end of 2020 stood at 45,09%, whereas among those over 45 years of age, that percentage rose to 59,58%. This sharp increase in long-term unemployment can be partly explained by the fact that the health crisis has altered, if not paralyzed, the flows in and out of the labor market, prolonging the unemployment situation, as found in Servicio Público de Empleo Estatal, 2021, 13.

Ultimately, the scenario described above has been the breeding ground for age discrimination of mature workers, which is aggravated by coinciding with other exclusion factors such as those related to gender (being a woman), education (not having either professional training or university education), the sector (coming from industries such as construction), origin (being an immigrant), and even the role performed (managers and/or former self-employed workers) (Servicio Público de Empleo Estatal, 2019, 10). In overall terms, all the factors mentioned have been key triggers that demand the urgent implementation of an inverse strategy focused on promoting active ageing.

Numerous European and international regulatory instruments, and also some national and sub-national ones highlight the need to protect mature workers as a specific at-risk group. The actions carried out in recent years notably include promoting their entry into the labour market through financial support and tax incentives, benefits and/or reductions in contributions to the Social Security system; and also fomenting that this age group remain in employment through schemes such as gradually increasing the ordinary retirement age (until 67 years of age in 2027); penalising premature redundancies; incentivising flexible retirement schemes (Ortiz González-Conde, F.M., 2019, 1-23); and reducing the Social Security burden borne by companies, for example, through incentives to hire older people within a certain age range. However, the issue has not yet been rigorously approached, since the system discourages people from extending their working life once the required contribution period has been covered. It also penalises those who continue to work while receiving their pension (with the exception of those who are self-employed) (Organisation for Economic Cooperation and Development, 2018, 33), which means that they are pushed into de facto early retirement.

Even though all the members of the working fabric can contribute to this purpose through diversity management policies related to the retention of experience, intergenerational cooperation and lifelong learning, this paper will highlight that the social economy can become a flagship model for improving and further establishing the participation of people in this age group in the labour market (Torres García Y., y Hernández Aguilar, O., 2019, 166-179), especially through the cooperative work model and, within it, through associated workers' cooperatives. These cooperatives apply a viable and sustainable business model that members identify with and highly value, as it guarantees their employment and professional life. This type of project prioritises values (mutual support, responsibility, democracy, equality, equity, and solidarity) that translate into cooperative principles, capable of contrib-

uting to the construction of a fairer society, which in turn has a positive impact on citizens' lives (Cuevas Gallegos, J., 2011).

This is illustrated by the conviction expressed by the regional representatives of the International Cooperative Alliance for the American continent that important impact actions with a systemic vision can be generated through cooperativism; at the core of these actions are mutuality and solidarity, which are put into practice to provide strategic programmes for expanding their opportunities of enjoying sustainable, healthy, autonomous, and productive ageing processes (Cooperativas de las Américas, 2010).

The task of the cooperative movement in helping to focus on the employment and integration of the mature population has been discussed in several documents that are of particular interest here. As part of a non-exhaustive list, it is worth mentioning Recommendation No. 169 of the International Labour Organisation (ILO), on employment policy (supplementary provisions), adopted in 1984. Section III, entitled "Employment of Youth and Disadvantaged Groups and Persons", noted that aged workers are a category that frequently has difficulties in finding lasting employment and recommended that national governments provide job opportunities, especially through schemes to promote self-employment and workers' cooperatives (section 16). In addition to the above, the 2019 ILO Centenary Declaration for the Future of Work advocated the need to direct efforts towards, among other issues: "supporting measures that help older workers to expand their choices, optimizing their opportunities to work in good-quality, productive and healthy conditions until their retirement, and to enable active ageing (...); supporting the role of the private sector as a principal source of economic growth and job creation by promoting an enabling environment for entrepreneurship and sustainable enterprises, in particular micro, small and medium-sized enterprises, as well as cooperatives and the social and solidarity economy, in order to generate decent work, productive employment and improved living standards for all" (Editorial, 2019, 48-53).

Less eloquent was Spanish Law 27/1999, of 16 July, on Cooperatives, as it only reflected how collective self-employment can be an option for the social integration of especially sensitive groups in the labour market, but failed to mention any specific group or category of people. This was also the case for regulations on cooperatives from the different autonomous regions in Spain. Law 5/2011, of 29 May, on the Social Economy, alluded to groups that have difficulty in finding a job, such as women, young people and the long-term unemployed, and urged the public authorities to promote the involvement of social economy organisations in active employment policies [Arti-



cle 8.2g)]. However, it was unfortunately silent about mature people, which together with the lack of specific provisions described above, could lead to a bleak scenario. In contrast, there are some data that suggest there are reasons to be optimistic. These include the provisions contained in Royal Legislative Decree 3/2015, of 23 October, which approved the revised text of the Employment Act. Its purpose was to develop programmes and measures conducive to full employment, decent employment and the reduction and due protection of the unemployed; in addition, it specifically referred to the population over 45, stated that they were covered by the general objective of the employment policy [Article 2.d)] and considered them to be among the priority groups for the purposes of this law [Article 30.1]. Additionally, while the 2015-2016 Programme for the promotion and support of the Social Economy did not specifically allude to this population group (therefore excluding them from much-needed protection), the programme that superseded it, namely, the 2017-2020 Spanish Social Economy Strategy, did. It provided a specific subsidy for the integration of unemployed worker members over 45 years of age into cooperatives.

Some important issues that account for the prominence given to associated workers' cooperatives are worth discussing at this stage. The starting point can be traced back to Article 4 c) of Law 5/2011, of 29 May, on Social Economy, which attributed to these organisations the role of the "promotion of solidarity, both internally and towards society, which facilitates the commitment to local development, equal opportunities for men and women, social cohesion, the entry of people at risk of social exclusion into the labour market, the generation of decent, stable employment, the personal, family and work life balance, and sustainability". From this perspective, the tasks of these cooperatives can be established on an a priori basis as follows:

1. Promoting an entrepreneurial culture and supporting entrepreneurship and selfemployment initiatives for vulnerable groups.
2. Providing an inclusive labour market for all ages, without assuming that ageing constitutes a handicap or a disease, but only a phase in the lives of people and workers in which they can be make many valuable contributions.
3. Consistently with task 2) above, helping eliminate any traces of, and difficulties posed by, social exclusion, by taking social initiative as a characteristic principle that must particularly govern companies owned by workers. Of note here are the legal efforts made by certain autonomous regions in Spain to support, promote and develop cooperatives that meet their specific

- characteristics. Special attention has been given to these in order to achieve the well-being and full social and labour integration of their members, by providing services and engaging in lines of business related to care, education, prevention, integration, and entry into the labour market (Rodríguez González, A., 2015, 241). This effort has been reinforced by different associations external to the cooperative movement, which have been created to defend the older workers, such as "+ 45 Activos. Asociación contra el edadismo" (<https://mas45activos.org/>).
4. Driving a different, participatory, and equitable management model, which allows consensual decisions to be made with the purpose of ensuring business viability and job maintenance. In this regard, cooperatives offer a great capacity for self-regulation, since members decide on working conditions, organisational and operational aspects. At the same time, each member's abilities are taken into account regarding the sharing of risks, responsibilities and surpluses, making room for a complete and enriching innovative multidisciplinary team. Besides, having reserve funds available provides some cash flow to withstand periods of crisis and guarantee their financial strength vis-à-vis third parties. These cooperatives are also in a position to offer stable, decent jobs because they pay attention to the fact that their working members, in their capacity as co-owners, enjoy an indefinite employment relationship, equivalent to a stable job.
  5. Different collaboration mechanisms can be applied in order to reinforce the presence of these cooperatives in a scenario of uncertainty, including arrangements derived from cooperation between organisations, the creation of cooperative networks (Cuñat Giménez, R. J., 2015, 26-48), and other forms of financial participation. This would entail establishing purchasing centres or pooled hiring, which would be unattainable in isolation (Gadea, E., 2010, 151-262).

## 2. Working in cooperatives: the ultimate assurance of employment for older

In an analysis aimed at finding solutions to deal with the 2007 global crisis, the ILO argued that strengthening the cooperative movement was an innovative contribution to decent work (International Labour Organization, 2009, 36). Three years later, the United Nations declared 2012 as the International Year of Cooperatives. The UN high-

lighted that “through their distinctive focus on values, cooperatives have proven themselves a resilient and viable business model that can prosper even during difficult times. This success has helped prevent many families and communities from sliding into poverty”. The driving role of the cooperative movement has also been recognised by the President of the European Economic and Social Committee. When addressing the challenge of business crises, a 2021 Opinion recommended that Member States sustainable business development and socially responsible restructuring as essential conditions if further enterprise closures and failures are to be avoided, in order to preserve and create employment, and organise social welfare by boosting competitiveness and local development<sup>4</sup>.

Two strategies stand out in this scenario. One is better known and involves promoting cooperative organisations (either newly created or strengthening existing ones) through grants and other financial instruments; the other entails facilitating the transfer of businesses to employees when they are threatened with closure, thus transforming them into cooperative enterprises in which to maintain business and employment.

### *2.1. Older unemployed people joining workers' cooperatives*

When undertaking any entrepreneurial initiative, and obviously, when seeking to find employment, mature people find that (in addition to their age) other environmental circumstances hinder or postpone their employability, especially their exclusion from the labour market. When members of this age group become unemployed after periods of employed or self-employed work, even long-term out-of-work people, self-employment and entrepreneurship are two useful avenues to remain in employment (Oelckers, F., 2015, 143-153) and, in many cases, the last feasible options.

Although this initiative derived from a situation of need (this is illustrated by the data in Benito Hernández, S. and Ramos Rodrigo, J., 2009, 9 and following) can be achieved individually, it is often more likely to succeed and grow over time if it is undertaken collectively. This is particularly true of cooperatives, as they are organised for the Benefit of their members and closely linked to their communities, as well as having a specific responsibility to ensure their economic and social development.

---

<sup>4</sup> Opinion of the European Economic and Social Committee on “Cooperatives and restructuring” (own-initiative opinion) [Official Journal of the European Union of 29 June 2012].

Those who have to face the dilemma described above are eligible for some benefits for starting their own cooperative or joining an already existing one. These include:

- A) The benefits derived from the instruments designed by the national legislator for which mature persons are eligible on equal terms with other potential beneficiaries (leaving aside specific incentives and advantages designed to contribute to active ageing). Fundamentally, this takes shape in allowing those who come from a situation of unemployment to capitalise their benefits accrued through contributions under Article 10 of Law 5/2011, of 29 March. In these cases, the interested party is required to provide evidence of their eligibility. Particularly, of having involuntarily lost their job, be it due to an individual dismissal, as part of a business restructuring process, or due to cessation of business, provided that scheme contributions have been made for a certain period of time. The applicant will also be required to pay the single benefit amount towards the capital stock, thus formalising their stable status as a working member of a newly created or an already existing cooperative (effective control will be gained within a 12-month period, as and when appropriate). An additional requirement is not having had a prior contractual relationship with these organisations for more than 24 months (Royal Decree 1413/2005). This conditioning factor reveals a specific problem: "the paradox that employees with years of experience who have lost their jobs are in a worse situation than those who had been working in the same company for less time than them, but also than those who had never been employed by it" (Vargas Vasserot, C., 2015, 134).

It is also worth remembering that Article 12 of Law 5/2011 regulates the single payment of the benefit for cessation of activity to carry out a professional activity as a working member of an associated workers' cooperative or enterprise.

The short duration of unemployment benefits (up to two years) may seriously limit the importance of this factor, especially for developing newly created large-scale business initiatives; but in any case, this measure could be effective on a small scale.

- B) The regional support for social economy companies, in particular, for cooperatives with programmes focused on the employment of older people (in some cases specifically aged 45 and above). The amount of this support can be increased de-

pending on different variables. For example, in Andalusia this funding is provided when individuals are employed by a company qualified as being innovative and/or employment-creating (I & E), or when the subject in question has been unemployed for a long period of time or has poor training, in which case financial support for the company may increase by 10%<sup>5</sup>. These schemes fulfil the essential purpose of providing institutional and social support for initiatives that otherwise would not be viable, as they would encounter significant barriers associated both with the benefit recipients and with organisations that would be excluded from the ordinary competitive market if they lacked this financial backing.

Just as the shortfall involved in the single payment benefit was pointed out earlier, it is important to note that these incentives or subsidies may be misused, sometimes to take advantage of the benefits provided by special schemes, failing to share their aims. False cooperatives are certainly worrying (a summary of their characteristics and the responses from the public institutions in Spain can be found in Fajardo García, G., 2019). Based on a traditional collaboration mechanism in different sectors, some organisations contract part of the business of a main company to break into the market only to offer workers poorer working conditions and benefit from a more advantageous treatment regarding Social Security contributions (López Cumbre, L., 2018). The misuse of public funds that takes place on certain occasions should lead to prosecuting deviant behaviours, not to withdrawing support for those who abide by the law.

- C) The leading role of the so-called entrepreneurs' cooperatives (or businesspromoting or business-developing cooperatives) should not be disregarded. These organisations are more clearly aimed at promoting individual rather than collective entrepreneurship; however, the earlier ones, based on the business and employment model of cooperatives in France or Belgium, operate as innovative tools to support the creation of social economy companies through the education, training, tutoring and support of their members, by taking a democratic initiative either self-managed or owned by the entrepreneurial members (Fajardo García, G. and Alzola Berriozabalgoiti, I., 2018, 29 and following).

---

<sup>5</sup> *Programa integral de empleo para personas mayores de 45 años en Andalucía* (Official Journal of the Government of Andalusia, 16 May 2011, number 94; amended by Official Journal of the Government of Andalusia, 17 June 2011, number 118).

## 2.2. *The conversion of business organisations into cooperatives: a sustainable alternative with an impact on older workers*

The crisis, with its multiple expressions of delocalisation, globalisation and automation, and coupled with any other phenomena that can be added as primary or secondary drivers, has found a traditional way out of job losses by transferring the business from the former employer to its employees.

This option has become implemented to such an extent that redundancy regulations contain several indexes that lead to this solution: on the one hand, the selection of workers affected by the redundancy proceedings; and on the other, the preparation of an external relocation plan if more than fifty workers are terminated.

The first index seeks to prevent older people from being made redundant, by penalising the company if they choose to terminate these workers. It is not only the fact that collective bargaining agreements can designate new groups that are prioritised for job retention, including older people; but also, that there are two financially substantial obligations which could encourage solutions other than the termination of employment contracts. The first obligation is the duty to pay the fees incurred in producing a special bargaining agreement regarding the number of dismissed workers who are fifty-five or older under the terms provided in the Spanish General Social Security Act. The second requirement involves making a financial contribution to the Public Treasury scheme when the restructuring measures include workers aged 50 or over. This contribution can be calculated taking into account the amount of unemployment benefits and subsidies of workers aged 50 or over affected by the redundancy procedures (including the Social Security contributions made by the Spanish Public Employment Service). Other factors considered are also the percentage of workers to be made redundant who are in that age range in relation to the total number of workers dismissed, the percentage of profits to the company's income, and the total number of workers employed by the organisation (Additional Provision 16. Law 27/2011, of 1 August, and Royal Decree 1484/2012, of 29 October).

The cooperative option provides a three-fold solution to an unsatisfactory situation: firstly, by turning the sole purpose of seeking business interest (prioritising the costbenefit analysis) into others involving objective factors (productivity, qualification and versatility of workers) or subjective-social factors (future employability, personal situation and demands derived from equality); secondly, by reconciling the legitimate desire to rejuvenate the workforce or satisfy the particular wishes of

those affected (in particular, if there are prospects of an advantageous early retirement) with a social interest in not increasing the non-working population group by adding those who are still available to make a highly profitable contribution to the world of work; and supporting those disadvantaged people beyond a certain age who would have difficulties in finding employment.

In the second solution, penalties are replaced by incentives, along the lines of the argument held in this paper. External relocation plans are called upon to allow a quick and adequate transition between jobs, avoiding exclusion from the labour market. For this purpose, Article 9 of Decree 1453/2012 establishes the obligation to ensure that any relocation actions (linking workers to job opportunities, providing career guidance and professional training, and giving advice on actively searching for work) are specifically and intensively directed to older workers. Continuous support for at least six months is prescribed to this end.

Notwithstanding the fact that some shortcomings may undermine the role of the social plan in practice, notably including the lack of vigilance by the Employment Authority and the Labour and Social Security Audit Authority, and the weak judicial control over the accompanying social measures) (Terradillos Ormaetxea, E., 2021, 314 and following), it is still important to take advantage of its potential for leading to a transfer of undertakings. This has been highlighted by an interesting European project aimed at disseminating information on the possibility of transferring companies to workers<sup>6</sup>. It addresses three core aspects regarding a proposed transfer from an employer who proposed redundancies to potential working members of the enterprise. The proposal may be made during the consultation period or as a result of it. These major aspects are:

- A) Identifying those people within the organisation who are able to lead it in a new direction in their capacity as workers. The organisational climate is important, but it is no less important to choose someone who everyone trusts and has the skills necessary to create and manage teams to head the cooperative project.
- B) Internally addressing factors that guarantee business viability, the real and potential business volume, the tangible and intangible assets affected, the number of workers involved, etc. In the midst of a precarious situation with few prospects, it is essential to take a realistic approach, with balanced debit and

---

<sup>6</sup> *Saving Jobs! Recycling companies: Creating cooperatives* [<http://savingjobs.coceta.coop/>]

credit. As far as possible, with the change in business capital it should ideally be feasible to design a suitable plan that anticipates changes over time.

- C) Carrying out the transfer in one of two different ways. One would involve transferring the business assets and rights or of any of its production units to a newly created organisation incorporated by the workers, that is, a transfer of undertakings (indirect transfer or incorporating a new company). The other option would entail transferring the business to the workers through the acquisition of the majority of the shares (direct transfer or through the control of the company). This can take a different legal form better adapted to the new situation at the same time as the transfer or at a later stage. In both cases, associated workers' cooperatives are a valid option for the workers to remain in the company by leading it.

In view of all these factors and many more, including public initiatives that should not be ignored (some good examples of which can be found in the Basque Country), turning those who were previously employees into owners is clearly a "natural" solution to the crisis. It is also ultimately a "logical" solution for the most affected group, such as older workers.

### 3. The protection of older workers within the dynamic of cooperative work

The culture of Corporate Social Responsibility encourages people to voluntarily assume some ethical behaviours (related to social, labour, and environmental concerns, among others) derived from the relationships they maintain with their stakeholders. This is far from being new for cooperatives. This "added responsibility" (Castro, M., 2005, 29-51) is intrinsic to their nature and it is part of their reason for being or their DNA, according to those who know them best (Mozas Moral, A. and Puentes Poyatos, R., 2010, 93).

Some of the most outstanding actions that are already in operation or have the potential to protect older workers are brought to life within cooperatives. They can be expressed either internally or externally, and *mutatis mutandis*, as required by the so called Corporate Responsibility Report or Sustainability Report. This is a self-assessment document that allows measuring the extent of CSR of the organisation (more information in Server Izquierdo, R.J. and Villalonga Grañana, I., 2005, 191-204).



### 3.1. *Internal approach: caring for older workers within the cooperative structure*

Diversity management provides a wealth of advantages in any area of the enterprise. When included in equal treatment and non-discrimination programmes, inclusion policies are a favourable breeding ground for optimising productivity and improving competitiveness and working conditions, while also generating social cohesion.

Attending to the age variable, including a perspective that seeks to meet the needs and interests of older workers, is a clear example of good fruitful practice. Among other reasons, this promotes a sense of belonging among those who are employed in the cooperative, either as working members or employees, improving their development potential in line with active ageing ideas (Serrano Argüeso, M. y Ereñaga De Jesús, N., 2019, 176-197).

Ageing management measures can be implemented as an ideal solution to strengthen the seven cooperative principles: 1) Voluntary and open membership; 2) Democratic member control; 3) Members' economic participation; 4) Autonomy and independence; 5) Education, training, and information; 6) Cooperation among cooperatives and 7) Concern for the community. Keeping these principles in sight, it is worth highlighting several fields of action:

- A firm commitment to analyse the generational situation within the organisation and to provide transparent information considering age. The data or indicators related to each of the subjects included in the diagnosis prior to the Equality Plan can easily be disaggregated by worker age groups, similarly to how it is done for the gender variable.
- An adequate implementation of measures aimed at avoiding bias in all decisions regarding the employment or working conditions of the workers or working members. This should take place both regarding access to work and other decisions that affect conditions, including the loss of employment. One of the examples highlighted by the doctrine is focused precisely on a commitment to ensure that a certain percentage of the total workforce is made up of formerly unemployed elderly workers (Arrieta Idiákez, F.J., 2018, 253).
- A constant search for opportunities for lifelong training and professional retraining to improve the skills of mature people on the same conditions as for the rest of the employees (López Rodríguez, J., 2021, 115-135 and Martínez Barroso, M. R. y Megino

- Fernández, D., 2021, 38 and following). This involves designing training programmes that meet the specific needs of the group discussed here. The aim can be optimising their performance to enable them to grow in their current role and provide added value to the organisation (*upskilling*); or professionally retraining them in a new area in order to allow them to fill a new position (*reskilling*). Within the various aspects related to lifelong learning, due to its transversal nature, the updating of technological and digital skills is particularly important<sup>7</sup>; and within the process, so-called *reverse mentoring* (or learning from younger talent) seems to be a particularly suitable resource.
- Effective promoting a good work environment and ensuring occupational health and safety (for further details, see Igartúa Miró, M.T., 2016, 1-30), by adapting the duties related to the jobs held by older workers. This greatly affects the three key factors in any employment setting: time, place, and manner, through initiatives that entail transition or mobility towards occupations that do not require great physical capacities (the analysis carried out by Martín López, S., 2006, 11.123).
  - The recognition of senior talent, by making visible and taking advantage of all the contributions that older workers can make due to their seniority or experience. This can be carried out through several different routes, all taking as a starting point the common principle of fostering the relationship between different generations by means of mentoring projects or by creating intergenerational work groups to complete tasks (Martín Caravanna, J. and Roca Chillida, J.M., 2019, 17).
  - Turning organisational people planning into a capital issue to optimise the potential in the processes involving workers joining, remaining in, and leaving the organisation. When new workers join, by applying an open-door policy; in processes entailing employees staying in the organisation, through a commitment to remain for a certain period of time; when workers leave, by regulating both the transfer of their shares and their deregistration process.
  - The open-door principle means that, in contrast to the freedom to employ workers, meeting the requirements set out in the articles of association is enough to be a member, without creating any obstacles for any employee to become a member. In these

---

<sup>7</sup> However, this should not lead to the employer's abstract assumption that older workers have a lower capacity to adapt to technological change, Judgment of the Supreme Court of 31 March 2016 (Appeal 272/2015).

two situations, room must be made for older people's concerns in the organisation's dynamics and actions.

- In order to develop a relationship, a minimum period exists for members to remain in the cooperative; or rather, they must commit not to leave it voluntarily for a certain period of time after their admission (5 years under Spanish regulations, whereas regional regulations range from 6 years in Castilla La Mancha to 10 years in Galicia and Navarre) (Further information on this matter can be found in Arrieta Ildiákez, F.J., 2019, 35 and following). The underlying aim of this measure is to avoid one of the greatest threats caused by voluntary withdrawal, given by the loss of subsidies derived from having a worker become a member; however, it could and should be adapted for older people, applying greater flexibility depending on the circumstances of the case.
- The natural way for an elderly member to terminate their relationship with the cooperative is to transfer their shares to a third party. This can take place through an *inter vivos* transfer to another member or to someone who commits to become a member within three months. The criterion set in Article 50 of the Spanish regulation has led to some interesting situations arising from regional regulations or the articles of association of some specific cooperatives. Newspaper headlines highlighted the case that a transfer to a first-degree relative determined that "the parent must necessarily take early retirement at 60"<sup>8</sup>. The provision contained in the cooperative's articles of association is in stark contrast to the provisions contained in the regulations of other autonomous regions in which the transfer of shares from the member to their family members is perfectly acceptable, since both hold the status of members as long as they respect the minimum legal requirements for participation in the capital stock (Article 48 of the Navarre Cooperatives Act).
- In order to maintain the viability of the cooperative, some compulsory terminations may need to be made for economic, technical, organisational or production-related causes, or resulting from force majeure situations<sup>9</sup>. In these cases, special considera-

<sup>8</sup> News item from social stories in *El Diario Vasco*, 2014, *Cinco años llamando a la puerta de Fagor*, at <https://www.diariovasco.com/v/20140216/alto-deba/cinco-anos-llamando-puerta-20140216.html?ref=https%3A%2F%2Fwww.diariovasco.com%2Fv%2F20140216%2Falto-deba%2Fcinco-anos-llamando-puerta-20140216.html>

<sup>9</sup> These should be the last resort, "and a mere adverse financial situation, identified as a reduction in ordinary revenue or sales, or simply organisational, technical or

tion should also be given to older people. They should be able to express their disagreement with such a decision, and to be reinstated in the event that false grounds for termination are proven. The latter has been recognised by Law 12/2015, of July 9, on Cooperatives of Catalonia. In addition, consultations must be made as to other types of decisions to ensure that the General Assembly or the Governing Council does not select the oldest workers because they are a population group that is more likely to go into long-term unemployment or exclusion from the labor market; the commitment to being hired as an employee at a later stage; or the implementation of effective mechanisms for their relocation in another cooperative entity making use of the existing networks. Additionally, when members exit the cooperative for reasons not attributable to them, "attempts are made to turn them into collaborators or co-operators of the cooperative or they may become inactive people, excess members and even investors of the cooperative" (Arrieta Ildiákez, F.J., 2019, 15-16). Many of these variants are sadly topical in light of the procedures for total and/or partial suspension of employment as an extraordinary measure intended to alleviate the effects of Covid-19 (Article 4 of Law 3/2021, of 12 April).

- Finally, there is another set of benefits of cooperative work, most significantly delegation and teamwork, transparency and internal communication, work-family balance, diversity of the workforce, a transparent and coherent remuneration policy, equal opportunities, profit and capital sharing and, among others, a balanced intergenerational environment where the veneration of youth and the use of the benefits that active ageing provides are in harmony.

### 3.2. *External approach: caring for the elderly through cooperative work in the silver economy*

It has been aptly stated that the social economy in Spain plays the role of "a strategic agent (...) because it provides an economic and social response to situations that are not normally addressed by either the public or the private sectors, thus promoting the economic devel-

---

production reasons are not enough, since this would be an attack on the special nature of the cooperative, which is characterised by cooperative principles and values" (Arrieta Ildiákez, F.J., 2019, 52-53).

opment of the country, and becoming a means to achieve stability and pluralism in economic markets" (Confederación Empresarial Española de la Economía Social, 2009). Under this premise, there is no doubt that the cooperative movement provides a very suitable model to launch many of the initiatives linked to the elderly segment within the growing field of employment known as *silver economy*.

There are at least three objective facts that indicate that paying attention to situations derived from population ageing and dependency (closely interrelated but not equivalent concepts) is essential and represents an opportunity for economic and ethical development. First, the estimate that reflects a quantitatively ageing population pyramid. According to the National Statistics Institute data (Instituto Nacional de Estadística, 2014), the percentage of the population over 65 years of age, which in 2014 stood at 18.2%, will become 24.9% in 2029 and 38.7% in 2064; that is, in less than a decade, one in four Spanish people will be over 65 years of age. Secondly, the figures that place Spain at the bottom of the European Union in terms of per capita dependency spending, which clearly point to a situation marked by restrictions, cuts and/or delays that affect the quality of services (some recent assessments that reveal these shortcomings can be found in Davey, V., 2021 or in Montserrat Codorniu, J., 2014). And thirdly, the undoubted fact that the diverse elderly market segment, in the words of the European Commission, "will grow through a broad range of novel concepts and areas of interest, from connected health to smart transport. It will rewrite the rules about market drivers in existing sectors as well as create wholly new industries, at the intersection of demographic and technological change, with major export potential" (European Commission, 2018).

The flexibility and creativity of cooperative work have led these organisations to operate in all business sectors, both traditional and new. These features make cooperatives especially conducive to improving the quality of life of older people, either through the start of a new cooperative activity or as a diversification strategy for an existing cooperative (A large list of initiatives, many of which focus on older people, can be found in Confederación Empresarial Española de la Economía Social, 2021). It is precisely the seventh cooperative principle (Concern for or commitment to the community) that drives many cooperative enterprises to develop products and services that meet the needs and demands of the elderly and their environment, within the broad paradigm of social welfare (Jorge, J., Albarrán, C. and Salinas, F., 2013, 5-34). This information has been taken into account by the legislator, as the public authorities have been entrusted with promoting the social economy in their policies linked to the dependency sector [Article 8.2

i) of Law 5/2011], an area that has been expanding over the years as a consequence of population ageing and the need for long-term care. Legal provisions have also considered the philosophy of taking joint responsibility with people, as cooperatives have been placed as potential beneficiaries of a reserved award in the bidding procedures of some social, cultural and health service contracts (additional provision 48th of Law 9/2017, of 8 November, on Public Sector Contracts) (detailed study was conducted by Arnáez Arce, V.M., 2020, 1-12. Also interesting, Merino, S., 2019, 139-176).

Regarding meaningful experiences, it is worth highlighting the workers' cooperatives specialised in the sector of domestic or care work, since they have become a sustainable alternative to other types of companies used to organise this line of work (employment agencies). However, more importantly, they provide a means of leaving precarious and informal work relationships, a problem that has an obvious impact on women (as they carry out most of the care work) and, furthermore, is characteristic of the working life of many migrants (This has been forcefully discussed in International Labour Organization, 2014 and International Labour Organization, 2014).

Another paradigmatic example is found in the senior cohousing projects. They care carried out by housing cooperatives and are aimed to ensure that their members can enjoy a full life in an environment adapted to the new needs that appear with age, at the architectural level and also in terms of domestic, social, recreational, cultural, and even medical assistance. Within this context, care services may well be provided to the cohousing cooperative by a workers' cooperative under a service agreement, thus contributing to achieve the purposes of this type of alternative models of self-managed living (Confederación Española de Cooperativas de Consumidores y Usuarios, 2018, 23).

Finally, it is worth mentioning some important cooperative initiatives in the Basque Country, such as the *ConsolidaKoop* project, an advanced mentoring service specialised in business anchoring which supports social economy organisations engaged in the new sector of the silver economy. It promotes entrepreneurial projects of new cooperatives and supports those already established that seek redirection. Thanks to promotional actions such as the one mentioned above, it is possible to disseminate the tasks carried out by a large community of cooperatives (Silver Economy Tadea<sup>10</sup>) that operate in various busi-

---

<sup>10</sup> More than 60 elderly-focused businesses have benefited from this mentoring initiative in its first four years of operation <https://silvereconomytaldea.com/>

ness sectors (well-being/leisure, health and care, services/proximity, and housing) with the common objective of meeting the needs of this increasingly numerous and diverse population group.

#### 4. Bibliography

- AMBER, D. and DOMINGO, J., 2017, "Desempleo y precariedad laboral en mayores de 45 años desde la voz de los expertos: una luz al final del túnel", In *Sociología, Problemas e Prácticas*, 84, at <https://journals.openedition.org/spp/2849>
- ANGHEL, B. and LACUESTA, A., 2020, *Boletín Económico 1/2020. Envejecimiento, productividad y situación laboral*, Madrid: Banco de España.
- ARNÁEZ ARCE, V.M., 2020, "El fomento del cooperativismo a través de la contratación pública sostenible". In *REVESCO. Revista de Estudios Cooperativos*, 133.
- ARRIETA IDIAKEZ, F.J., 2019, *La baja como causa de finalización de la relación societaria entre la persona socia y la sociedad cooperativa*, Madrid: Dykinson.
- ARRIETA IDIAKEZ, F.J., 2018, "Medidas laborales tendentes a garantizar el derecho a la igualdad de trato y no discriminación por razón de edad". In *VVAA., El envejecimiento de la población trabajadora Balance crítico de la situación y propuestas de mejora*, Bilbao: Observatorio Vasco sobre Acoso y Discriminación.
- BARABASCHI, B., 2017, "Active aging and age management to favor intergenerational relations in workplaces". In *Proceedings of the II International Meeting of Industrial Sociology, Sociology of Organisations and Work (ISSOW)*, at [http://www.apsiot.pt/images/publicacoessiot/24\\_2eisiot.pdf](http://www.apsiot.pt/images/publicacoessiot/24_2eisiot.pdf)
- BARCELÓ FERNÁNDEZ, J., 2014, "La edad de jubilación como política de empleo y como posible medida discriminatoria", In *Revista General de Derecho del Trabajo y de la Seguridad Social*, 39.
- BENITO HERNÁNDEZ, S. and RAMOS RODRIGO, J., 2009, "La creación de puestos de trabajo para el desarrollo profesional de las personas mayores de cuarenta años: el microemprendimiento". In *REVESCO. Revista de estudios cooperativos*, 98.
- CANALDA CRIADO, S. 2019. «El fomento del empleo decente y sostenible en cooperativas y sociedades laborales». *REVESCO. Revista de Estudios Cooperativos* 132, n.º septiembre: 77-96. <https://doi.org/10.5209/reve.65485>
- CONFEDERACIÓN EMPRESARIAL ESPAÑOLA DE LA ECONOMÍA SOCIAL, 2021, *Iniciativas y actuaciones de las empresas de economía social ante la Covid-19*, CEPES, <https://www.cepes.es/web/covid-19/iniciativas-empresas-entidades>
- CONFEDERACIÓN EMPRESARIAL ESPAÑOLA DE LA ECONOMÍA SOCIAL, 2009, *Informe de la Economía Social Española 2008- 2009*, at <https://www.cepes.es/publicaciones/40>

- CONFEDERACIÓN ESPAÑOLA DE COOPERATIVAS DE CONSUMIDORES Y USUARIOS, 2018, *Cohousing senior y cooperativismo de consumo*, Madrid: Confederación Española de Cooperativas de Consumidores y Usuarios, at <https://hispacoop.es/guia-de-cohousing-senior-y-cooperativismo-de-consumo/>
- CONSEJO ECONÓMICO Y SOCIAL, 2014, *Informe CES 02/2014 sobre la situación socio-laboral de las personas de 45 a 64 años de edad*, Madrid: Consejo Económico y Social.
- COOPERATIVAS DE LAS AMÉRICAS, 2010, *Los roles del cooperativismo ante el envejecimiento de la población mundial*, at [https://www.aciamericas.coop/IMG/pdf/vida\\_en\\_plenitud.pdf](https://www.aciamericas.coop/IMG/pdf/vida_en_plenitud.pdf)
- CUEVAS GALLEGOS, J., 2011, *Las cooperativas de trabajo asociado: otra forma de creación de empleo*, Granada: Comares, 2011.
- CUÑAT GIMÉNEZ, R. J., 2015, "Las redes como factor clave para la consolidación de nuevas cooperativas de trabajo asociado", *REVESCO. Revista de Estudios Cooperativos*, 119.
- DAVEY, V., 2021, "Situación en España de la evaluación de sistemas de atención a personas mayores en situación de dependencia". In *Informes Envejecimiento en red*, 28, at <http://envejecimiento.csic.es/documentos/documentos/enred-situacion-sad.pdf>
- DE CASTRO, M., 2005, "La responsabilidad social de la empresa, o un nuevo concepto de empresa". In *CIRIEC-España. Revista de Economía Pública, Social y Cooperativa*, 53.
- DE LA TORRE GARCÍA, A., 1993, "Jubilaciones anticipadas y recursos humanos: la relevancia de una aproximación psicosocial". In *Psicothema*. 1.
- EDITORIAL, 2019, "La OIT y el reconocimiento a las cooperativas y a la economía social en su Declaración por el Futuro del Trabajo". In *Revista Idelcoop*, 228, at [https://www.idelcoop.org.ar/sites/www.idelcoop.org.ar/files/revista/articulos/pdf/48\\_-\\_oit.pdf](https://www.idelcoop.org.ar/sites/www.idelcoop.org.ar/files/revista/articulos/pdf/48_-_oit.pdf)
- EUROPEAN COMMISSION, 2018, *The Silver Economy*, Executive summary, at [http://publications.europa.eu/resource/ellar/2dca9276-3ec5-11e8-b5fe-01aa75ed71a1.0002.01/DOC\\_1](http://publications.europa.eu/resource/ellar/2dca9276-3ec5-11e8-b5fe-01aa75ed71a1.0002.01/DOC_1)
- FAJARDO GARCÍA, G., 2019, "Falsas cooperativas de trabajadores y medidas adoptadas por los poderes públicos en España para combatir las". In *CIRIEC Working Paper*, 30, <http://www.ciriec.uliege.be/wp-content/uploads/2020/01/WP2019-30.pdf>
- FAJARDO GARCÍA, G. and ALZOLA BERRIOZABALGOITI, I., 2018, "Las cooperativas de emprendedores y su contribución al emprendimiento en economía social". In *CIRIEC-España. Revista Jurídica*, 33, at <http://ciriecvestigajuridica.es/wp-content/uploads/comen33-06.pdf>
- FUNDACIÓN SOCIEDAD Y EMPRESA RESPONSABLE, 2021, *Libro Blanco del Talento Senior*, Madrid: Fundación SERES, at <https://www.fundacionseres.org/Repositorio%20Archivos/Informes/Libro%20blanco%20Talento%20Senior%20SERES%20Adecco.pdf>
- GADEA, E., 2010, "Crisis e intercooperación: las cooperativas de segundo o ulterior grado como instrumento de colaboración empresarial", *Boletín de la Asociación Internacional de Derecho Cooperativo*, 44.



- GONZÁLEZ-POSADA MARTÍNEZ, E., 2017, "La continuidad de la vida laboral de los trabajadores de mayor edad: una difícil singladura". In VVAA (Escudero Prieto, A., Dir. and Alonso Bravo, M. Coord.) *Los nuevos perfiles del Estado social. La promoción del empleo de los trabajadores jóvenes y maduros*, Madrid: Reus.
- GUTIÉRREZ COLOMINAS, D. 2021. «Trabajo decente y sociedades cooperativas de trabajo asociado: Propuestas de implementación en la Ley 27/1999». *REVESCO. Revista de Estudios Cooperativos* 139, n.º septiembre: e77442. <https://doi.org/10.5209/reve.77442>.
- IGARTÚA MIRÓ, M.T., 2016, "Cambio demográfico: envejecimiento de la población, prolongación de la vida activa y Seguridad y Salud en el trabajo". In *Revista Internacional y Comparada de Relaciones Laborales y Derecho del Empleo*, 4 (1).
- ILO, 2014, *Cooperatives and the world of work No .2. Cooperating out of isolation: Domestic workers' cooperatives*, at [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---coop/documents/publication/wcms\\_307218.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---coop/documents/publication/wcms_307218.pdf)
- ILO, 2014, *Cooperatives and the world of work No. 1. Leveraging the cooperative advantage for women's empowerment and gender equality*, at [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---coop/documents/publication/wcms\\_307217.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---coop/documents/publication/wcms_307217.pdf)
- INSTITUTO NACIONAL DE ESTADÍSTICA, 2014, *Proyección de la Población de España 2014–2064*, at <https://www.ine.es/prensa/np870.pdf>
- INTERNATIONAL LABOUR ORGANIZATION, 2009, *Resilience of the cooperative business model in times of crisis*, Geneva: ILO, p. 36, at [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/documents/publication/wcms\\_108416.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/documents/publication/wcms_108416.pdf)
- ISAKSSON, K. and JOHANSSON, G., 2008, "Early retirement: positive or negative for well being?". In *Revista de Psicología del Trabajo y de las organizaciones*, 3.
- JORGE, J., ALBARRÁN, C. and SALINAS, F., 2013, "La Economía Social ante el nuevo paradigma de Bienestar social", *CIRIEC-España, Revista de Economía Pública, Social y Cooperativa*, 79.
- LARRAZABAL BASÁÑEZ, S. 2019. "The synergy between employment policies and cooperatives with regard to new forms of work. An overview based on Spanish constitutional law". *International Association of Cooperative Law Journal*, no. 54 (July), 55-73. <https://doi.org/10.18543/baidc-54-2019pp55-73>.
- LÓPEZ CUMBRE, L., 2018, "Subcontratación mediante cooperativas de trabajo asociado". In *Análisis Gómez-Acebo & Pombo*, [https://www.ga-p.com/wp-content/uploads/2018/07/An%C3%A1lisis\\_GA\\_P\\_Subcontrataci%C3%B3nmediante.pdf](https://www.ga-p.com/wp-content/uploads/2018/07/An%C3%A1lisis_GA_P_Subcontrataci%C3%B3nmediante.pdf)
- LÓPEZ RODRÍGUEZ, J., 2021, "La promoción del trabajo decente a través del principio cooperativo de educación, formación e información". In *Boletín de la Asociación Internacional de Derecho Cooperativo*, 58. doi: <https://doi.org/10.18543/baidc-58-2021pp115-135>.

- MARTÍN CARAVANNA, J. and ROCA CHILLIDA, J.M., 2019, *Carrera y talento senior, Informe de transparencia y buen gobierno sobre la gestión del talento sénior en las empresas del IBEX 35*, Madrid: Fundación Compromiso y Transparencia.
- MARTÍN LÓPEZ, S., 2006, "Las empresas de participación ante el reto de la gestión del cambio demográfico". In *REVESCO. Revista de Estudios Cooperativos*, 88.
- MARTÍNEZ BARROSO, M. R., 2018, *Influencia de la edad en las relaciones laborales: acceso al empleo y protección social*, Pamplona: Thomson Reuters Aranzadi.
- MARTÍNEZ BARROSO, M. R., 2010, "El impacto de las jubilaciones anticipadas en el sistema de pensiones". In *Temas Laborales*, 103.
- MARTÍNEZ BARROSO, M. R. y MEGINO FERNÁNDEZ, D., *La formación en un mercado laboral tecnificado*, Valencia: Tirant Lo Blanch.
- MERINO, S., 2016, "Posibilidades del cooperativismo en un nuevo modelo de servicios públicos sociosanitarios y su concreción en el País Vasco", In *CIRIEC-España. Revista de economía pública, social y cooperativa*, 87.
- MONTERRAT CODORNIU, J., 2014, *El impacto de la crisis en el Sistema de Atención a la Dependencia ¿Hacia un cambio de modelo?*, Fundación FOESSA, en [http://www.foessa2014.es/informe/uploaded/documentos\\_trabajo/23102014144847\\_4790.pdf](http://www.foessa2014.es/informe/uploaded/documentos_trabajo/23102014144847_4790.pdf).
- MOZAS MORAL, A. and PUENTES POYATOS, R., 2010, "La responsabilidad social corporativa y su paralelismo con las sociedades cooperativas". In *REVESCO. Revista de estudios cooperativos*, 103.
- OELCKERS, F., 2015, "Emprendimiento en la Tercera Edad: A review of the current situation". In *Journal of Technology Management & Innovation*, 10 (3).
- ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT, 2018, *OECD Economic Studies. España, Noviembre 2018*, France, OCDE, at <https://www.oecd.org/economy/surveys/Spain-2018-OECD-economic-survey-visiongeneral.pdf>
- ORTIZ GONZÁLEZ-CONDE, F.M., 2019, "La jubilación parcial, flexible y activa como fórmulas para el envejecimiento activo". In *Revista Derecho Social y Empresa*, 10.
- PRIETO PADÍN, P., 2021, Marco jurídico de la selección de trabajadores afectados en los procesos de reestructuración empresarial: avances y carencias en la regulación del Estatuto de los Trabajadores. In *VVAA. Reestructuraciones empresariales. Comunicaciones del XXXI Congreso Anual de la Asociación Española de Derecho del Trabajo y de la Seguridad Social. A Coruña, 27 y 28 de mayo de 2021*, Madrid: Ministerio de Trabajo y Economía Social. Subdirección General de Informes Recursos y Publicaciones.
- RODRÍGUEZ GONZÁLEZ, A., 2015, "Un apunte sobre la regulación estatal de las cooperativas de iniciativa social". In *VVAA. (Fajardo García, G., Coord.), Empresas gestionadas por sus trabajadores. Problemática jurídica y social*, Valencia: Centro Internacional de Investigación e Información sobre la Economía Pública, Social y Cooperativa (CIRIEC-España).

- SÁNCHEZ-URÁN AZAÑA, Y., 2019, "Discriminación por razón de edad de mayores de 55 años: la edad como criterio de selección de trabajadores afectados en un despido colectivo". In VVAA (Alonso Olea, M.; Montoya Melgar, A. and Sempere Navarro, A.V., Dirs.), *Jurisprudencia Constitucional sobre trabajo y Seguridad Social, Volume XXXVI: (2015-2018)*, Pamplona: Aranzadi Thomson Reuters.
- SERRANO ARGUELLO, N., 2027, "La discriminación por razón de edad: un instrumento consentido para expulsar del mundo laboral a los trabajadores de más edad". In VVAA (Escudero Prieto, A., Dir. and Alonso Bravo, M. Coord.) *Los nuevos perfiles del Estado social. La promoción del empleo de los trabajadores jóvenes y maduros*, Madrid, Reus.
- SERRANO ARGÜESO, M. y EREÑAGA DE JESÚS, N., 2019, "Prácticas empresariales de innovación social en la gestión de la edad y su aplicación en el ámbito del cooperativismo". In *REVESCO. Revista de Estudios Cooperativos*, 130.
- SERVER IZQUIERDO, R.J. and VILLALONGA GRAÑANA, I., 2005, "Cooperativismo y Responsabilidad Social". In *GizaEkoA. Revista Vasca de Economía Social*, 1, at <https://core.ac.uk/download/pdf/230788461.pdf>
- SERVICIO PÚBLICO DE EMPLEO ESTATAL, 2021, *Informe del mercado de trabajo de los mayores de 45 años. Datos 2020*. <https://sepe.es/HomeSepe/que-es-el-sepe/comunicacion-institucional/publicaciones/publicaciones-oficiales/listado-pub-mercado-trabajo/informe-mercadotrabajo-estatal-mayores45.html>
- SERVICIO PÚBLICO DE EMPLEO ESTATAL, 2019, *Plan Reincorpora-T 2019-2021. Plan Trienal para prevenir y reducir el paro de larga duración*, Madrid: Servicio Público de Empleo Estatal, at [https://www.sepe.es/ca/SiteSepe/contenidos/personas/encontrar\\_empleo/reincorporate/PLAN-REINCORPORA-TWEB.pdf](https://www.sepe.es/ca/SiteSepe/contenidos/personas/encontrar_empleo/reincorporate/PLAN-REINCORPORA-TWEB.pdf)
- TERRADILLOS ORMAETXEA, E., 2021, "Las medidas de acompañamiento social en los procesos de reestructuraciones de empresas". In VVAA, *Reestructuraciones empresariales. XXXI Congreso Anual de la Asociación Española de Derecho del Trabajo y de la Seguridad Social*, Madrid: Ministerio de Trabajo y Economía Social.
- TORRES GARCÍA Y., y HERNÁNDEZ AGUILAR, O., 2019, "La cooperativa como espacio de realización del derecho de participación de los adultos mayores". In *Cooperativismo y Desarrollo: COODES*, 7(2).
- VARGAS VASSEROT, C., 2015, "Barreras para la transmisión de empresas a sus trabajadores. Mejor tarde que nunca", In VVAA. (Fajardo García, G., Coord.) *Empresas gestionadas por sus trabajadores. Problemática jurídica*, Valencia: Centro Internacional de Investigación e Información sobre la Economía Pública, Social y Cooperativa (CIRIEC-España).
- VVAA (MERCADER UGUINA, J.R., Dir.), 2009, *Trabajadores maduros. Un análisis multidisciplinar de la repercusión en el ámbito social*, Madrid: Lex Nova.