
The Dutch system for youth minimum wages: expressing concern about age discrimination and the rights of young people

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Abstract

The present article examines the Dutch system of youth minimum wages, the system which provides for lower wages for those younger than 21. One of the main reasons behind this policy is to promote employment of young people entering the labour market. There is a lot of economic literature which analyses the effects of minimum wages on youth employment. However, the topic of youth minimum wages has not been addressed from the perspective of the rights of young individuals; the literature has paid little attention to the discriminatory character of the system of youth minimum wages. This paper argues that the system of Dutch youth minimum wages clearly disregards the rights of young people and leads to discriminatory outcomes. The paper calls to further investigate the effectiveness of this policy by taking into consideration its discriminatory character and the effects on the rights of young people.

Keyword: Youth minimum wages; Discrimination; Fair wages; Rights of young people; Unemployment.

1. Introduction.

The Netherlands introduced a legal minimum wage in 1968, which at that time was applicable to the employees aged 24 years and older. In 1970, the age limit was changed to 23. The statutory youth minimum wage (*minimumjeugdloon*) was introduced in 1974 by a special Decree¹ and was set at a percentage of the adult minimum wage. This percentage was dependent on the employee's age.² The main idea behind this policy was that the lower youth minimum wages could assist in tackling high youth unemployment under the age of 23.³

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¹ Besluit houdende invoering van een minimumjeugdloonregeling 1973.

² van Ours J., *The Minimum Wage in the Netherlands*, 2018, <https://www.ifo.de/DocDL/dice-report-2018-4-van-ours-january.pdf>, accessed 22 September 2021.

³ Sociaal- economische raad, *Wettelijk minimumjeugdloon*, 2016, <https://www.ser.nl/-/media/ser/downloads/adviezen/2016/minimumjeugdloon.pdf>, accessed 9 December 2021.

In the late 1970s and early 1980s, youth unemployment was a serious issue in the Netherlands and the Government decided to decrease youth minimum wage differentials in 1981 and 1983. For instance, the percentage for a 20-year-old worker was reduced from 77.5% to 70% of an adult minimum wage in 1981, and to 61.5 % in 1983.⁴ During the last few years, the age threshold for an adult minimum wage was lowered. In 2017, the adult minimum wage started applying to workers aged 22 and older. From 2019, the adult minimum wage also applies to workers who have reached 21 years of age. Nowadays, in the Netherlands, young people at the age of 15 receive 30% of the full adult minimum wage; at the age of 18, they are entitled to receive 50%. Only when they reach the age of 21, they get the full adult minimum wage.⁵

The Dutch youth minimum wages are one of the lowest compared to other countries.⁶ In most of the countries the derived percentage applicable to young people of 18 years old is minimum 70%.⁷ For example, in the United Kingdom in 2021 the national minimum wage for adults over the age of 25 is 8.91 British pounds an hour, while young people aged 18 to 20 have a minimum wage of 6.56 pounds which constitutes around 74% of an adult minimum wage.⁸ In Luxembourg, if you are 18 years old or more you are entitled to get a minimum of 2.201,93 EUR per month (*salaire social minimum*), or 20% more if you are a skilled worker. For those younger than 18, the minimum wage is 20 or 25% lower than the minimum wage.⁹

According to the Dutch government, the rationale for the low minimum youth wages is two-fold. First, such wages give incentives to the young people to finish their education so that they do not leave the school too early. Second, this measure allows to promote employment of young individuals who enter the labour market.¹⁰ Indeed, one can assume that employers would be more eager to hire younger people, knowing they do not have to pay high wages.

But why should a worker receive a lower salary only because he/she is younger? Why not consider qualifications, skills, experience rather than age? Young people are entitled to receive a fair salary; it is their right. According to Equinet, the European Network of Equality Bodies, the system of youth minimum wages discriminates against young employees.¹¹ In one of their articles, Equinet raises the problem of ageism experienced by young people. They point out that discrimination based on age is a common practice in Europe, giving examples of youth minimum wages that discriminate against young employees. The authors

⁴ van Soest A., *Youth Minimum Wage Rates: The Dutch Experience*, in *International Journal of Manpower*, 15, 2/3, 1994, 100.

⁵ Ondernemen met personeel, *Minimum jeugdloon, hoe werkt het?*, 2020, <https://www.ondernemenmetpersoneel.nl/orienteren/personeelskosten/minimum-jeugdloon-hoe-werkt-het>, accessed 22 September 2021.

⁶ International Labour conference, *Minimum wage systems*, International Labour Office, 2014, 87.

⁷ Sociaal- economische raad, nt. (3), 8

⁸ Statista, *National minimum wage amounts in the United Kingdom from 1999 to 2021, by wage category*, 2021, <https://www.statista.com/statistics/280483/national-minimum-wage-in-the-uk/>, accessed 17 October 2021.

⁹ The Luxembourg government, *Social minimum wage and indexation of salaries*, 2021, <https://guichet.public.lu/fr/entreprises/ressources-humaines/remuneration/paiement-remunerations/salaire.html>, accessed 26 October 2021.

¹⁰ Ministerie van sociale zaken en werkgelegenheid, *Beleidsdoorlichting Arbeidsverbodingen en -voorwaarden*, Ministerie van sociale zaken en werkgelegenheid, 2008, 23.

¹¹ Equinet, *Equality has no age limit: young people deserve better!*, 2021, <https://equineteurope.org/2021/equality-has-no-age-limit-young-people-deserve-better/>, accessed 30 September 2021.

further argue in favour of providing protection against such discriminatory practices, since discrimination at the young age may lead to serious negative consequences for self-esteem and well-being. Experiencing discrimination at the young age also leads to a higher likelihood of experiencing discriminatory practices later in life.¹²

Surprisingly, there is a lack of literature regarding the discriminatory character of the system of youth minimum wages and how it affects the rights of young people. One would find mainly economics related scholarship with the primary focus on the effects of the minimum wages on youth (un)employment. This literature is predominantly focussed around questions such as whether youth minimum wage leads to employment growth. In doing so, it does not take into consideration to what extent, for example, the system is in line with the international labour standards, such as the principle of equal pay for equal work.

Based on the example of the Netherlands, this paper analyses the system of the youth minimum wages from a legal perspective. First, the debate addressing various opinions in favour and against the system of youth minimum wages in the Netherlands is reviewed. Next, this article highlights the discriminatory character of the system of youth minimum wages and shows that the system creates an impetus for companies to discriminate against employees based on their age. Further, through the analysis of the international labour standards the article aims to demonstrate that the system of the youth minimum wages disregards the rights of young people, such as the right to be treated equally, the right to fair wages. The article aims to raise a concern about the adverse effects of the Dutch system of the youth minimum wages on the rights of young people. It calls to revisit the system of Dutch youth minimum wages based on the international labour standards and anti-discriminatory principles.

2. In favour or against youth minimum wages in the Netherlands.

Those who are in favour of the system of youth minimum wages believe that its abolishment will lead to higher youth unemployment. The CPB Netherlands Bureau for Economic Policy Analysis remains opposed to a substantial increase in the youth minimum wages. According to CPB economist Daniël van Vuuren, there is a consensus among economists that such a significant increase in the minimum wage leads to a reduction in employment.¹³ Policy secretary of the Confederation of Netherlands Industry and Employers Alfred van Delft also thinks that abolishment of the system of youth minimum wages would generate increase in youth unemployment. Additionally, the OECD report on the Netherlands stated that the low youth minimum wage stimulates an early labour market entry which then leads to a high youth employment.¹⁴

Some research indeed points to the fact that young people are to a great extent influenced by the application of the minimum wages. Research demonstrates that minimum wages decrease employment opportunities for less-skilled employees¹⁵ and lead to unemployment

¹² Equinet, *ibid*

¹³ Meijer F., *Het jeugdloon is pure leeftijdsdiscriminatie*, 2016, <https://www.groene.nl/artikel/het-jeugdloon-is-pure-leeftijdsdiscriminatie>, accessed 30 September 2021.

¹⁴ European Commission, *Dutch minimum and youth minimum wage*, European Commission, 2014, 4.

¹⁵ Neumark D. et al, *Revisiting the Minimum Wage-Employment Debate: Throwing Out the Baby with the Bathwater?*, IZA Discussion paper, Nr. 7166, 2013.

among young unskilled individuals.¹⁶ However, overall research findings on the topic are contradictory since different studies state that lowering the minimum wage did not lead to more growth in employment for low wage workers, and that the minimum wage had no influence on employment.¹⁷ For example, some relatively recent studies concentrating on the US reveal very small effects of the minimum wage on employment.¹⁸ The studies which did not find adverse effects of the minimum wages on employment argue that negative empirical outcomes discovered in other studies are due to “methodological flaws”.¹⁹

Generally, it is difficult to receive direct evidence that higher youth minimum wage rates lead to youth unemployment because of the lack of possibilities to obtain solid evaluations. Some studies were conducted in New Zealand where eligibility for the adult minimum wage was lowered from 20 to 18 in 2001, which led to a 69% raise in the minimum wage for 18- and 19-year-olds. However, no significant changes with regards to employment were detected.²⁰ Similarly, a study was conducted analysing the impact of a 10% minimum wage increase on Australian workers aged 15–21 which did not reveal any effect of the changes in youth rates on youth employment in the short term.²¹ In the Netherlands, the influence of the 2019 increase in the youth minimum wages of workers between 18 and 22 years old was analysed, and no significant effects on employment or participation in education was detected.²²

In the trade unions circles, one can find mostly the views opposing the imposition of youth minimum wages. Dutch trade union FNV under the name “Young and United” was organising campaigns in order to demonstrate that youth minimum wages are unfair. According to Ron Meyer, a politician and trade union activist, the Dutch system of youth minimum wages is a form of discrimination. The FNV and some political parties, such as SP, PvdA, Groen links, 50 plus advocate for the imposition of the youth minimum wage from the age of 18. As pointed out by the executive board member of the trade union FNV Bas van Weegberg, if you are an adult you must have the right to receive the salary adults are entitled to get.²³ Indeed, at the age of 18 you become an adult and you have certain rights, such as the right to vote, buy or rent an apartment, and the right to start your own company, yet in the Netherlands you do not have a right for an adult minimum wage. However, this opinion of the FNV can also be disputed. If we introduce the adult minimum wage starting from the age of 18 and keep the lower youth minimum wages for those between 15 and 17

¹⁶ Kalenovski C. M., *The effects of minimum wages on youth employment and income*, 2016, <https://wol.iza.org/articles/effects-of-minimum-wages-on-youth-employment-and-income/long>, accessed 20 October 2021.

¹⁷ Ghellab Y., *Minimum Wages and Youth Unemployment*, International Labour Office, 1998, 9.

¹⁸ Allegretto S. et al, *Credible research designs for minimum wage studies: A response to Neumark, Salas, and Wascher*, in *ILR Review*, 70, 3, 2017, 559.

¹⁹ Kalenovski C.M., nt. (16)

²⁰ Dickens R., *How are minimum wages set?*, 2015, <https://wol.iza.org/articles/how-are-minimum-wages-set/long>, accessed 30 October 2021.

²¹ Olssen A., *The short run effects of age based youth minimum wages in Australia: a regression discontinuity approach*, Paper presented at New Zealand Association of Economists Annual Conference, Wellington, 29 June-1 July 2011.

²² Zwetsloot J. et al, *Verkenning effecten tweede verbodiging van wettelijk minimum(jeugd)loon per 1 juli 2019*, 2020, <https://www.seo.nl/publicaties/verkenning-effecten-aanpassing-minimumjeugdloon/>, accessed 9 December 2021.

²³ FNV, *FNV Young & United: Schaf minimumjeugdloon voor iedereen vanaf 18 jaar af*, 2019, <https://www.fnv.nl/nieuwsbericht/algemeen-nieuws/2019/11/schaf-minimumjeugdloon-voor-iedereen-vanaf-18-af>, accessed 29 September 2021.

years old this would still be a discriminatory measure. The European Trade Union Confederation (ETUC) in one of its publications also advocated for fair wages for young people and the abolition of the system of lower minimum wages for young people.²⁴

Some econometric analysis conducted by Kabátek states that Dutch youth minimum wage policy may not be advantageous for young people since each year workers earning minimum wage become costlier and the employees are under the risk of being dismissed and replaced by younger less expensive workers.²⁵ In one of his articles “Too old at 21, you’re fired!” the author gives an example of a person who lost his job at the age of 21 and was told he was getting older. The author then explains that such situations happen as a result of the design of the system of Dutch minimum wages.²⁶

The main idea behind the system of youth minimum wages is that it stimulates youth employment. There are no doubts that youth unemployment is a serious problem, however, as the International Labour Conference mentioned in the resolution “The youth unemployment crisis: A call for action”, adopted in 2012, various other measures can be implemented at national level to promote youth employment.²⁷ Besides this, findings on the relationship between minimum wages and employment are inconclusive since no solid proof exists that lower youth minimum wages actually improve the employment situation of youth. So, why don't we shift the focus to the visible and real effects of the youth minimum wages: its discriminatory character, the fact that it is not in line with important principles, such as equal pay for equal work, and the rights young people are entitled to have, such as the right to fair wages, and the right to be treated equally.

3. The Dutch system of youth minimum wages and age discrimination.

When looking at the Dutch system of youth minimum wages we indeed notice the signs of discrimination. Let's consider the following simple example: two young individuals, 18 and 21 years old, start working in a Dutch supermarket. Their job does not require prior experience and neither of them has worked before. Based on the system of Dutch youth minimum wages a 21-year-old individual will be entitled to receive a salary two times more than his younger colleague. This can be considered as a discrimination since only the age is the reason for such a difference in the salary, not employee's experience or qualifications. Still, such policy of youth minimum wages is legal because the European²⁸ and Dutch law²⁹ allow to justify age discrimination in case there is a legitimate aim and the means to achieve the aim are appropriate and necessary. The policymakers would say that this test is satisfied stating the reasons behind the minimum wage policy: to promote employment of young people and make sure they continue their education. However, there are doubts if this

²⁴ ETUC, *Young people and the youth pay gap*,

<https://www.etuc.org/en/young-people-and-youth-pay-gap>, accessed 18 October 2021.

²⁵ Kabátek J., *Happy Birthday, You're Fired! The Effects of Age-Dependent Minimum Wage on Youth Employment Flows in the Netherlands*, IZA Discussion Paper, Nr. 9528, 2015, 23.

²⁶ Kabátek J., *TOO OLD AT 21, YOU'RE FIRED!*, 2016,

<https://pursuit.unimelb.edu.au/articles/happy-birthday-you-re-fired>, accessed 19 October 2021.

²⁷ International Labour conference, *Minimum wage systems*, International Labour Office, 2014, 90.

²⁸ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation [2000] OJ L 303/16.

²⁹ Wet gelijke behandeling op grond van leeftijd bij de arbeid 2004.

discriminatory policy would pass the necessity test. It is suggested that it would be possible to achieve the objective of promoting the employment of young people with less rigid means, such as improving access to quality education and skills development programmes, promoting youth entrepreneurship.³⁰

Not only is the system itself discriminatory but it further facilitates discriminatory practices. This point can be supported by the cases handled by the Dutch equality body, the Netherlands Institute of Human Rights (NIHR). One of the examples of the cases NIHR was dealing with related to a young candidate who was considered “too old” for the job. This situation occurred when a salesperson (25 years old) was applying for a job with a clothes company “Esprit”. A woman registered the content of the voicemail message saying that she was rejected for the position because she was “too old”. It turned out that the company was looking for someone younger than 23 years old in order to reduce wage costs.³¹ The NIHR ruled in favour of the rejected candidate stating that in this case, Esprit” made a distinction based on age.³² Reaching this conclusion, the NIHR stated that the exceptions to the prohibition of age discrimination connected with labour participation of certain age groups are not applicable in this case. Further, the distinction based on age generally cannot be justified solely on the basis of budgetary considerations. The company also believed that the personnel should be a good reflection of the customer group and society in order to better reach the target group. Still, the NIHR was of the opinion that the company ignored the qualities of a candidate that are independent of age. The Dutch equality body, therefore, considered that there were no good reasons for the distinction made.³³

Similar discriminatory practices occur in the supermarket branch. Some years ago, a large supermarket chain Albert Heijn was accused of discrimination based on age by placing job advertisements, looking for young individuals of 16-17 years old. The Dutch equality body concluded that the supermarket has made illegal distinctions on the basis of age during the recruitment procedures by including a preference for students or pupils in certain vacancies.

The signs of discrimination are visible not only during the recruitment stage. In another case the cashier working in Albert Heijn was denied a permanent contract because once she would have reached a certain age group, she would become more expensive to the company as she would be entitled to get an adult minimum wage. Another complaint was also received against the Dutch supermarket chain Deka. A 26-year-old employee, who did not receive a permanent contract, read in an email that she was too old and that she could be replaced by two cheap workers.³⁴

These cases show that the policy of youth minimum wage creates the conditions for age discrimination. In some branches the employers may be encouraged to hire very young workers or to replace their existing employees with younger less expensive ones. However,

³⁰ Youth employment decade, *The ILO has announced 6 proposals to improve youth employment*, 2019, <http://www.youthemploymentdecade.org/en/repot/the-ilo-has-announced-6-proposals-to-improve-youth-employment/>, accessed 25 October 2021.

³¹ At the time the case was decided the adult minimum wage was applicable for everyone who reached the age of 23 and older.

³² College voor de Rechten van de Mens, *25-jarige vrouw te oud als verkoopster voor Esprit*, 2013, <https://mensenrechten.nl/en/node/520>, accessed 18 April 2021.

³³ NIHR, opinion 2013-39, 28 March 2013.

³⁴ Xpert HR, *Scholieren 16-17 jaar gevraagd: is dit leeftijdsdiscriminatie?*, 2017, <https://www.xperthractueel.nl/strategisch-personeelsbeleid/scholieren-16-17-jaar-gevraagd-is-leeftijdsdiscriminatie/>, accessed 26 Septemebr 2021.

it is considered discrimination if the age is the reason for not hiring someone or not extending someone's contract. Freedom from discrimination is regarded as a fundamental human right³⁵ and is important to be guaranteed, especially in the world of work. Thus, it is essential that the governments design policies which provide for equal opportunities and equal treatment for the employees.

4. Youth minimum wages and international labour standards.

In the world of work, one of the most important aspects is to guarantee the protection and the basic rights of workers. Over the decades, the International Labour Organization (ILO) has been designing various instruments containing important principles and standards by which the governments can be guided when developing their policies.³⁶ The ILO instruments regarding minimum wage do not explicitly prohibit the imposition of different rates on the basis of age. Still, the Committee of Experts stated in the General Survey of 1992 in paragraph 169 that “the general principles laid down in other instruments have to be observed, and particularly those contained in the Preamble of the Constitution of the ILO which specifically refers to the application of the principle of equal remuneration for work of equal value.” The same document in paragraph 171 refers to the Minimum Age Recommendation, 1973 (No. 146) which states that “special attention should be given to the provision of fair remuneration to young people, bearing in mind the principle of equal pay for equal work”. The recommendation added that “the quantity and quality of work carried out should be the decisive factor in determining the wage paid”. Next, in 2014 the Committee of Experts stated in the General Survey of the reports on the Minimum Wage Fixing Convention, 1970 (No. 131), and the Minimum Wage Fixing Recommendation, 1970 (No. 135) that instead of using the criterion of age, it might be better to take into consideration the qualifications and experience of the employees.³⁷

Further, it is important to mention that the concept of decent work has become a principal area of engagement for important global actors, such as the UN and the EU. According to the ILO, decent work is “productive work for women and men in conditions of freedom, equity, security and human dignity”. The work is regarded as decent when, amongst other things, a worker earns a fair income, when the work guarantees equal treatment.³⁸ The Decent Work Agenda was developed in 1999 by the ILO around four pillars: employment creation, rights at work, social protection and social dialogue, which later became integral elements of the new 2030 Agenda for Sustainable Development. The 8th Sustainable Development Goal of the Agenda focuses on achieving decent work for all, and equal pay for equal work by 2030.³⁹

³⁵ ILO, *International Labour Standards on Equality of opportunity and treatment*, 2013, <https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/equality-of-opportunity-and-treatment/lang--en/index.htm>, accessed 23 October 2021.

³⁶ ILO, *Labour law: Its role, trends and potential*, Labour Education, 2006, 6.

³⁷ International Labour conference, *Minimum wage systems*, International Labour Office, 2014, 87.

³⁸ European Commission, *Employment and decent work*, https://ec.europa.eu/international-partnerships/topics/employment-and-decent-work_en, accessed 6 October 2021.

³⁹ European Commission, *Decent work and economic growth*,

The ILO Agenda has obtained international support at the highest political, regional and global levels. During 2005 United Nations World Summit the world leaders stated:

We [...] resolve to make the goals of full and productive employment and decent work for all, including for women and young people, a central objective of our relevant national and international policies as well as our national development strategies [...]. We also resolve to ensure full respect for the fundamental principles and rights at work.⁴⁰

Decent work became a part of the European development and social agenda. The first European Consensus on Development mentioned that “the EU will contribute to [...] promoting employment and decent work for all”.⁴¹ Next, the European Commission Communication calls on Member States, EU institutions, social partners, and other stakeholders to cooperate together to promote decent work for all in the world.⁴²

As a part of the social policy agenda, the EU is striving to guarantee decent working conditions and fair pay. The European Pillar of Social Rights, proclaimed by the European Parliament, the Council and the Commission in November 2017, introduces a number of principles that give guidance for guaranteeing fair working conditions. Principle No 6 of the Pillar affirms the right of workers for fair wages that provide for a decent standard of living. The Principle further states that “adequate minimum wages should be ensured, in a way that provides for the satisfaction of the needs of the workers and his/her family in the light of national economic and social conditions, whilst safeguarding access to employment and incentives to seek work”.⁴³

The implementation of Principle 6 manifests in the proposal for a Directive on adequate minimum wages in the European Union adopted by the Commission in October 2020 (draft Directive).⁴⁴ This is the first time the EU Commission has introduced the legislative proposal which aims to coordinate national minimum wage policies at the EU level.⁴⁵ The Explanatory memorandum to the draft Directive states that “better working and living conditions, including through adequate minimum wages, benefit both workers and businesses in the Union”. Overall, the draft Directive aims to guarantee that the employees in the European Union get adequate minimum wages allowing them to have a decent living.⁴⁶

https://ec.europa.eu/international-partnerships/sdg/decent-work-and-economic-growth_en, accessed 6 October 2021.

⁴⁰ International Labour Organization, *ILO Declaration on Social Justice for a Fair Globalization*, International Labour Conference, 2008, 2.

⁴¹ European Commission, nt. (38).

⁴² Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions - Promoting decent work for all - The EU contribution to the implementation of the decent work agenda in the world COM(2006) 249 final.

⁴³ European Commission, *The European Pillar of Social Rights in 20 principles*, 2019,

https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles_en, accessed 23 November 2021.

⁴⁴ European Commission, *Proposal for a Directive of the European Parliament and of the Council on adequate minimum wages in the European Union*, Brussels, 28 October 2020, COM(2020) 682 final.

⁴⁵ Schulten T., Müller T., *A paradigm shift towards Social Europe? The proposed Directive on adequate minimum wages in the European Union*, in *Italian Labour Law e-Journal*, 1, 2021, 1.

⁴⁶ European Commission, nt. (44), Explanatory memorandum.

As an example, according to Article 6 of the draft Directive (“Variations and deductions”), the EU Member States can permit the reductions of the rates of the minimum wage for specific groups only when they are “non-discriminatory, proportionate, limited in time if relevant, and objectively and reasonably justified by a legitimate aim”. This provision encourages a review of the national rules which create variation in the measures of minimum wage for certain workers, such as young people.⁴⁷

In summary, the Dutch system of youth minimum wages is not in line with international labour standards which underline the importance of guaranteeing equality at work, the right to fair wages and decent working conditions. The Dutch system of youth minimum wages, on the contrary, facilitates discriminatory practices, and does not provide for equality and fair income for young individuals and by this disregards the rights the young people are entitled to enjoy.

5. Conclusion.

When analysing the writings on youth minimum wages, one will discover abundant scholarship on the effects of minimum wages on youth employment. But one would hardly find any article concerned about the discriminatory character of such systems or their congruence with the right to fair wages and the principle of equal pay for equal work.

One of the reasons for maintaining the Dutch system of youth minimum wages is that it is assumed that lower wages are good in terms of employment of young people. However, we do not know this for sure, since research findings on this matter are contradictory. But what we know for sure is that the Dutch system of youth minimum wages is a discrimination since it provides for different wages simply based on age but not other characteristics. Further, as demonstrated in this article, this system gives incentives to the employers to substitute young workers with even younger and less expensive workforce which leads to discriminatory practices. What we also know is that this system is not in line with the international labour standards, which promote the principle of equal pay for equal work and the concept of decent work, guaranteeing equality at work and the right to fair wages. Many countries have already annulled or partially restricted the provisions for lower minimum wages for young individuals, and in some instances the reason behind these measures was to tackle discrimination.⁴⁸ It is time for the Dutch policymakers to think about the effectiveness of the system of youth minimum wages, taking into account its discriminatory character and the harm it causes to the rights of young people.

⁴⁷ Menegatti E., *Much ado about little: The Commission proposal for a Directive on adequate wages*, in *Italian Labour Law e-Journal*, 1, 2021, 21.

⁴⁸ International Labour conference, *Minimum wage systems*, International Labour Office, 2014, 87.

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- International Labour Organization, *ILO Declaration on Social Justice for a Fair Globalization*, International Labour Conference, 2008, 2;
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