



Analysis of mandatory retirement and social security law from the perspective of employment and other essential functions in society

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ABSTRACT

Retirement is of the categories, which contains widely range in studies and involves scientific and legislative societies of each country to itself. In numerous discussions with pension matters; discussion about mandatory retirement age, because of its closeness with employment; more than other retirement issues is important and it more worthy to pay attention. Also, the mandatory retirement age increase or decrease due to its different effects on different domains (such as job or income and social security organization losses) is quite a challenging and reviewable matter. Accordingly, we have tried to engage to the subject of compulsory retirement age and factors affecting its determination and to provide a good model for legislation in this field.

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Introduction

Compiling labor and social security laws is a time consuming process that is gained under the influence of work and beneficiaries and political rules is obtained. These laws, although it may there are many problems in society and improve the working environment; there are some considerations and may lead to lack of proper studies and comprehensive in its formulation; it is not bug-free. In preparation, planning and legislation affecting mandatory retirement and Social Security Law and its importance it seems that many of the structures will affect the community; many of the requirements and desired objectives should be prepared. Understanding the requirements and their evaluation according to current legislation on mandatory retirement and social security are among the issues that will be addressed in this study. In the present circumstances, the main concern of the government is the public employment and the way the country is affected by the laws and with increasing unemployment rates, it requires more attention. One of the laws which directly impact on employment is social security retirement (in which compulsory retirement age of 65 years for men and for women 60 years has been determined) and it seems that the present condition of society; which is irrational (to benefit social security organization). According to this law, and even after thirty years of experience, employer can not offer individual retirement to social security the only criterion, the age profile of the person. Therefore, in some organizations which are under social security law, the number of employees can be seen that despite advanced age and lack of adequate power still retains its physical presence employment and to make the hurt. On this basis; the view point of this study is comparative and identification of effective requirements and social security law on compulsory retirement given the rate prepared and approved in the current law have negative effects on employment law (in which the worker even if his efficiency is not much, again can legally continue to work). It can be noted that reductions in

employment levels (and in one hand efficiency reduction) is among the disadvantages (possible) and with its correction, and considering various conditions, it will be taken effective steps in order to reduce problems and will be compliance with development plans.

Definition of retirement:

Retirement is defined based on two properties:

- 1 - Lack of participation in labor force
- 2 - Receive income from retired wages or Social Security or other retirement plans (Patrick j Purcell; 2000; p27)

Decision to retirement:

Retirement is a choice which affects economic conditions and the rest of the national economy. . The number of retired persons in each year, will change the extent of work force and that directly effect on goods production and services. (ibid. p19)

A new approach to retirement:

In the traditional view of retirement, a worker's state was displaced from full employment to complete withdrawal from the labor force. Phased retirement is another view in retirement which is known in two ways:

- 1 - The hiring of retirees after retirement
- 2 - Employing retirees as consultants,

In this view, there are other ways, including allowing employees to reduce working days per week or hours per day (a few months before full retirement) (ibid., page 27)

There are no rules defined for the phased retirement. Nevertheless, an analyst (Wilma K.Schopp) had pointed out that the phased retirement is a condition in which the older person is actively working part-time or reduced time to his works. The same person may receive part or all of their retirement benefits. (Ibid, page 25)

The relationship between technical advances and retirement:

In modern economies, retire before reaching the legal age of retirement is a common phenomenon. For example, in 1996 the average labor force participation in OECD countries in the

Gender men aged 55 to 64 years versus 6/63% respectively, while the average age of 25 to 54 years participated in the 93/1% respectively.

The average participation in American men aged 55 to 64 years from 86/7% in 1948 to 62/6% in 96 years has decreased.

Previous attempts have been made primarily on early retirement on health issues (health) and pension plans have on the motivation and incentives. But according to a recent analysis of dislocation and exhaustion of technological advances has been paid. Technical advances are changing continuously the production. Their new products, new machines and new methods of production are introduced, and also introduced new professional workers and leave the old. Thus, new technologies always create human capital obsolete, while the demand for new types of human capital also provides (Avenier Ahituv & Joseph Zeira; 2001; p1)

Generally there are two technical developments affecting retirement:

1 - Effect of analytical or erosion (Erosion Effect): technical advances are faster in areas with older workers are retiring earlier analysis of this effect is called negative.

2 - Effect Wage (Wage Effect): In the course of that wage increases and high technical progress on labor stock (older workers) has a positive effect that this effect is called Wage (ibid. page 2)

Effects of early retirement:

Incremental changes in the labor market improve and develop the information society and globalization of labor markets has led to an increase in output. Unemployment and early retirement in the most advanced societies today are close to each other (past). Today, people in less developed countries to reach the mandatory retirement age remained at work or leave their job due to retirement annuities, but due to the comfort or other reasons before the official retirement, resignation, they personally work (Laura Saurama; 2001; p1)

Full citizenship (Full Citizenship) seems to be a combination of elements united social, political, economic, and ... Is. The welfare state (welfare state) to ensure the livelihood of citizens against unemployment, disability, aging and other risk factors that may reduce the community's full membership. Full membership is a concept that refers to the combination of social, political, economic and ... In the community. This is due to the belief that improving the rights of citizens is provided by Marshall. Marshall also aims to introduce political and social rights that all citizens of civilized society and has introduced key. Marshall's opinion of health and social rights of citizens. (Marshall T; 1950; p6)

Pixel problem is that the welfare state can look at the participation and economic security but can hardly missed the linkage (compound) to compensate for the social. (Pixley; 1993; p45)

Gallic view on (Goul Andersens) social integration (Social Integration) is defined through social networks, while the margin loss (marginalization) social (Social marginalization) the loss of these networks. Go to the margins of politics (Political Marginalization) for loss of political participation and the political integrity, political participation is appropriate. The concept of poverty is not just economic loss but also to the border as is lack of material resources. (Goul Anderson. J; 1996; p15)

The study of Saurama has done in some Scandinavian countries have tried to premature retirement associated with

social marginalization, political, economic and examined the relationship between these three together. The results (summary) It showed that social cohesion in the countries studied (Sweden, Norway, Finland, Denmark) at the population level is less than the retirees. Seems to be a political marginalization in relation to early retirement in most countries is Norway and Sweden. In general, early retirement, job market is strong relation with the marginalization of other fields that seem (marginalization), the effect is reversible.

Records:

The results of Kieran in 2001 on the issue of early retirement in Canada has done indicates that the early retirement have more interest in females. Other results of this study also revealed that the employees with higher education and professional training are lower than those of formal education are more interested in early retirement (Kieran, 2001, P9)

In a survey by Dahl (Dahl) and colleagues on retirement behavior Norwegians took steps to transition from work to disability pension, disability, or unemployment benefits, etc. were determined. The Group also recognize the factors affecting this transition, these were the important factor in exposure to financial stimuli are unemployment and disability (Bratberg & Holmas & Thogersen, 2000, P3) or in other words, may accelerate the withdrawal of older workers (Ahituv & Zeira, 2001, P27) Erse (Gali) in 1999 also had similar results with the above study (Gali, 1999, P249) Prakchy and Welch (Peracchi & Welch) in the 1994 analysis to the reduced labor force participation for older men focused, and have concluded that the pressure on the cortex (in terms of technological advances) is likely they will have to exit the labor force if (Peracchi & Welch, 1994, P210) Also Bartel and Sicherman studies the relationship between technological advances and balance of work in different parts of the evaluation and comparison are placed in the inverse relationship between these two variables confirmed is located (Bartel & Sicherman, 1993, P162)

Laura Saurama results of research on pensions in Northern Europe to the relationship between premature rupture of political, social, and economic, with the premature retirement, and this is confirmed (Saurama, 2001, P4)

Occupation

Variable in the world, competitive and globalized economy of today and of all the management tools necessary to run more than any other time. Now the authorities concerned, to discuss investment and employment security is important issues. Parliament will also follow employment policies of these concerns is clear, unemployment is the most important issues of our society. Unemployment in our country has more reasons than some other countries. One reason is increasing faster than the population at a specific time period. That is why every year in terms of managing large numbers of confusion Division (Disturbance Division of Army) are added.

Government to prevent this phenomenon over the past few years has taken various measures such as fractions of employment in the parliament, the deputy director of employment for each of the ministers and ...will. The employment of their role in the development of comprehensive community-driven development, and most experts consider it and measure of development based on development indicators (Labour and Society Journal, 2002, p 26)

The most important factor in the development of human resources in each country and each community's population can be considered as a national wealth of each country. The

phenomenon of unemployment and the adverse employment in community, economic and social consequences are always consequences. Its economic consequences, including loss of production resources and its social consequences may be loss of confidence, accustomed to unemployment and other areas of the incidence of corruption in society.

How can that job opportunities and generating sufficient income for the population of developing (increase) has created perhaps the most important issue that developing countries are grappling with it. Even countries that were able to have satisfactory economic growth, found that employment does not grow quickly enough and unemployment is still increasing. Emergence of new social problems and unbalanced distribution of the proceeds of economic growth, the need to address the employment issue is raised before the building, so that developing countries, the issue of job creation as one of the main goals in development plans that included its importance in our country in economic, social and cultural development of the program has found. And employment as the main concern of the authorities and special attention is placed. Unemployment in the country happened in the last decade due to imbalances between supply and demand for labor is. The labor supply due to excessive population growth in recent decades has increased considerably. The demand for labor as a function of economic growth, human resources, technology used and the relative prices of labor and capital commensurate with the labor supply is not increased.

The concept of employment:

Occupation generally means use of a production factor by a company or institution and more commonly means of employment that is engaged in work and referred to employment and employment employed for wages and profit. These definitions according to Labor Department includes those who work in farm and family unpaid (Mojtabavi Naini, 72, p 38)

Job:

Work or business according to career guidance and professional viewpoint is a permanent activity that leads to the production of goods and services and for its implementation it considered a person, and the third feature that works with the following: 1) is permanent 2) leads to the production of goods or services, 3) is intended to pay for it. Ghadiri, Mahdavi, 2001 Proceedings)

According to another definition, work consists of whatever intellectual and physical activity that is legally permissible and is done in order to get money (Cash or non-cash). (Natasha, proceedings) work has three distinct but related dimensions:

- 1) Many people are hopeless due to lack of job opportunities. This group includes individuals who are unemployment and those want longer work hours or more severe.
- 2) A portion of the labor force in urban and rural areas are faced with lack adequate income to meet basic needs of themselves or their affiliates.
- 3) A significant amount of labor without usage or not use enough, constitute a potential source which must be used (Lotfi, Proceedings).

Active population:

Age people in work or seeking work who are employed in the community say the active population.

Employed population:

Those who are currently working.

Employment rate:

This rate represents the percentage of employees and is obtained from the following equation:

Employment rate = (number of employees the force / economically active population) 100

Employment directly or indirectly with various indicators of economic, social, will relate some of which include: employment and immigration, employment and poverty, employment and social corruption, employment and population, employment and income distribution, employment and training. (Jihad Monthly magazine, p 49)

Unemployed:

Unemployed refers to someone who is not employed in the past seven days (prior to the census officer referral) and is the state of searching for work. Also, those who seven days prior to the census or seasonal nature of their work have been unemployed, if they are looking for another job are considered unemployed. (Notashi, sets of articles)

In other words, part of the workforce who is seeking jobs but is not having a job is said to be unemployed. (Roobahan, 2002)

Characteristics from the perspective of an unemployed person (ILO) are:

- 1 - Is without work (work loss)
- 2 - Is fully prepared for work
- 3 - Is constantly looking for a job (job seekers) (Ralph Homesman, 1993, p 76)

Unemployment (unemployed):

If the job is incomplete intensified so that labor demand and supply balance was upset unemployment is caused

Unemployment and unemployment problem affect many people in third world today and also involve other countries in the industrialized world.

In fact, unemployment is a phenomenon that once a society is formed, but this phenomenon occurs with social changes and gradually spread.

We classified the causes of unemployment; one of the major economic factor on which they eat it seems that other factors are a function of this factor. On the other hand we are not used to full capacity and industrial site in the third world countries do. It should be noted that the shortage of skilled manpower and specialized role in the low utilization of production capacity is in charge.

Among the social factors affecting the level of youth unemployment can change their expectations and demands, family expectations and pointed to the position and social status occupations (Ghadiri, Mahdavi, National Conference on Employment Creation and factories)

Unemployment rate:

Unemployment rate represents the percentage of unemployed people who want to work. The percentage of the workforce is not engaged in any job.

Unemployment rate is calculated from the following equation:

Unemployment rate = (number of individuals unemployed / labor force) 100 = (Population unemployed / economically active population) 100

Natural rate of unemployment:

Following a stable unemployment rate, this depends on two factors:

- A) The unemployment rate for the service
- B) The rate of unemployed seek new job

Human resources into three categories: employed, unemployed, or outside the labor force are classified.

People outside the labor force such as students, students and housewives are neither employed nor unemployed is referred to as the (Notashi, the labor market of Iran)

Types of unemployment:

Voluntary unemployment: when a person does not accept work in the market or their hopes of finding a better job leaves

Non-policy unemployment: unemployment is a person able to work and seeking work but can not find work.

Hidden Unemployment: The unemployment rate is about time that the total potential person is not used and there is a low working

Seasonal Unemployment: The unemployment rate due to reduced economic activities there is regular and seasonal

Temporary unemployment, temporary unemployment following short-term unemployment because of their inability to adapt quickly found jobs in the labor market caused

Structural unemployment: This type of unemployment following prolonged unemployment and inability to adapt their existing jobs.

Structural unemployment is usually caused due to following factors:

A) The rapid shift in demand, which usually occurs due to changing technology

B) The geographical distribution of economic centers, in some regions of the country may be more economic growth and even recession in some areas acted is encountered.

C) The employment of non-economic standards fixed

D) Special skills

E) Details of low labor market

Periodic unemployment: The unemployment rate normally occurs during the economic downturn. (Mir Sepasi, 79)

Full employment:

Beveridge 1997 defines full employment as such full employment refers to the situation where job opportunities of unemployed persons is empty and where jobs, fair wages were typically at the level and are determined so that their acceptance by unemployed persons can be reasonably expected. Even in these conditions, unemployment is inevitable because some workers their jobs to find new jobs and better conditions for their release and to adapt better conditions for workers with new jobs or take. (Beveridge 1997, p13)

According to other sources, we can say that full employment:

1) To the situation say that of all the resources and factors of production fully used in the production and supply are not unemployed. (Roozbahan, 2003)

2) full employment is a situation in a given area in which for all job seekers to jobs with wages and other words such a situation in which full employment for all those who are able and willing to work jobs have productive (Mojtabavi Naeeni, 72, pp. 38)

Partial employment (Under Employment):

When workers receive their full wage while they do not use the full-time workers seeking full-time work or vice versa when they are only able to find part-time work when there are insufficient employment (Ahmad KHOY, 1991 p. 117)

Unemployment in developing countries and industrialized countries:

The emergence and increase of unemployment in industrial countries and developing countries differ from each other while some factors are common in both groups:

Some of the advanced countries of the West (industrial) include:

The use of robots and industrial automation and artificial there is no need for human development and information technology products and services in many sectors

Reduce the number of suppliers due to the expansion of chain stores

Economic expansion in the services sector with its automation

Cyclical unemployment caused by the recession (of the three-stage boom, recession and recovery)

Free enterprise and market economy (unemployment during slack)

Rejection of many jobs by job seekers because of their low income

The existence and expansion of social security systems

The capital of the world's industrialized countries the main use of the facilities and attractions for those countries for their industrialization provides

Increased information and knowledge workers with the increasing prosperity of citizens and non-recognition of the hard and harmful jobs or jobs that do not have proper titles (Charles K. Bearn, 1994; pp :573-580)

Some of the causes of unemployment in developing countries:

High population growth and increasing labor supply and demand (especially in the active workforce) and the lack of jobs

State economy and bureaucracy involved in all affairs of society without government spent

The lack of an entrepreneurial class in these countries

False and dual economic structure

Lack of participation and involvement of people in the system

Lack of financial resources and money and human capital investment and job creation

Existence of structural unemployment resulting from economic and organizational structure of these countries

Structural unemployment is unemployment due to the existence of hidden

Periods of market downturn

Despite the poverty, inequality and ... In the community

Lack of capital investment in manufacturing and ...

Root causes of unemployment in Iran

Massive unemployment, which is now rooted in our country is facing economic problems and has numerous factors, some of them include:

Single-product economy dependent on oil

Low savings and investment rates

The lack of a proper relationship between education and labor market needs

Low economic growth rate

Institutional and structural inadequacies

Adjustment process and reduce the demand for manpower in the public sector

International competition and global market growth disorders

Low rate of aggregate demand for labor in the private sector, governmental and public

Surplus labor force, especially due to rapid population growth in the first decade

Inadequate security, economic security, particularly capital

Lack of coordination between employment opportunities and individual expectations

Obstacles in the way of foreign investment

Low power and competitiveness of exports due to low quality products and high costs (Notashi, labor market survey of Iran)

Dynamic analysis of employment in Iran:

Production inputs as unemployment, the loss of any opportunity for exploitation it is produced. Accumulation of lost opportunities in each country over time lead to the relative weakness of its economy compared to other countries (Razavi, 2003, p 18)

Unemployment situation in the country from reaching the working age population growth resulting from 3/9 percent of the population in the decade 1355-1365 is therefore no analysis of this market structure is endogenous population will have little credibility. Simulations show that the population growth rate of total population in the period 1995-2005, while average 1/55 of the year. Average annual growth rate of working age population 2/7 percent will be (same source)

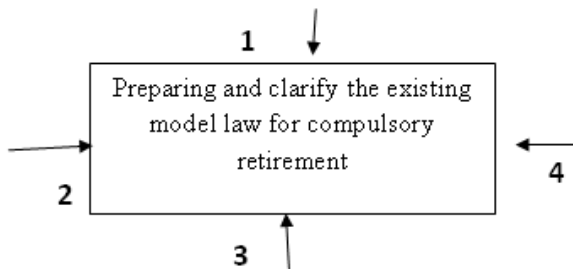
_ Collapse table of comparative characteristics of pensions in different countries

Discussion:

1 - Preparing and clarify the existing model law for compulsory retirement

Given the issues raised with regard to differences in each of the three factors considered in view of the existing model of policymaking, legislation on mandatory retirement, there is a general attitude (taking into account the views consider the set of three) of the 42 factors that platforms can be raised in the current mandatory retirement has been considered (in order of priority the existing model) to be drawn under the existing model:

- 1 - no-disadvantage social security organization
- 2 - Lack of income, social security organization
- 3 - The various services provided by social organizations
- 4 - The pension paid by Social Security Organization



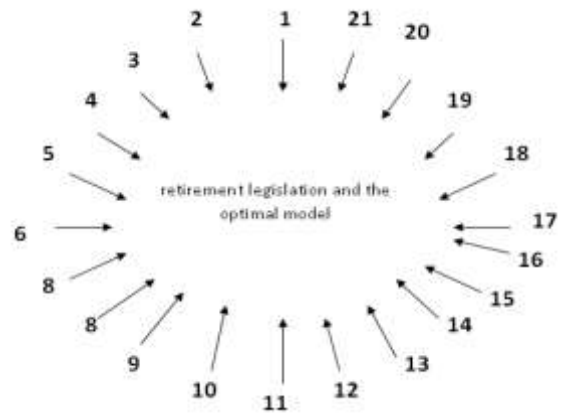
The model is formulated and forced retirement, Social Security Act

2 - Defining the optimal model legislation in preparation and Mandatory Retirement

With regard to the issues raised with regard to differences in each of the three factors in the model view to setting appropriate policies, legislation on mandatory retirement, there is a general attitude (taking into account the views of the three communities considered) the factors to be considered 42 factors (optimal model order of priority) should definitely be seen in the case of mandatory retirement legislation and the optimal model, it can be drawn:

- 1 - Due to climatic conditions
- 2 - according to organizational requirements
- 3 - Achieving the right organizational structure and administrative
- 4 - Creating job opportunities for young jobseekers
- 5 - Average age of population
- 6 - The percentage of life expectancy
- 7 - Increasing employment and reducing unemployment
- 8 - no-disadvantage social security organization
- 9 - Number of young people in the country.

- 10 - The pension paid by Social Security Organization
- 11 - young for employers to use
- 12 - Reducing the problems and tensions
- 13 - optimum use of human resources
- 14 - correction and adjustment of its manpower by employers
- 15 - undermine the effects of system
- 16 - welfare and health of workers after retirement
- 17 - Number of older people and aging
- 18 - Reduction of psychological stress among individuals
- 19 - Reduction of social problems
- 20 - The incidence of strikes and riots
- 21 - Reduction of social delinquency



The optimal model of regulation and the adoption of mandatory retirement and Social Security Law

3 - Implementation of the two models (current and desired)

In a general overview and compulsory social security pension in the current situation and desirable in the situation we find and very desirable to have the same distance very reasonable and our system will not be effective in achieving desired goals. Implementation of existing models and show desirable in the present model to finite elements (four elements) and is the only factor to consider is the social security organization and will serve the objectives of this organization. It is interesting that even in this study the characteristics of the respondents saw a 21-fold as a desirable model, only two of these four factors (the model) should be considered in the optimal model (ie, loss, loss of social security organization and The pensions paid by social security organizations), even in the eighth to the next priority.

Conclusions:

Based on the measures in this study (this thesis makes the research process) and relying on the information obtained and analyzed and conclusions made from the information processing research proposals can be presented in the following two general categories:

1 - specific proposals in this research:

The results of this study were addressed in detail in the previous section; the specific results of this thesis can be summarized in the following terms:

A) As for as desired model and existed one never become compatible and have huge gap, in social security law, all these factors are considered and these factors are defined in this research.

B) The results based on the priority factors to consider in preparing and developing an optimal model of mandatory retirement and social security; to this we can not reach all areas and regions of our country, Iran (However, the expansion of the climate has also benefited from) a certain age and certain

versions of the complex unit for all of these areas was approved. The results show that dry to wet weather conditions, cold and temperate to tropical and ... (As based on findings of medical and psychological effects on different body and physical strength and physical condition, and even human aging is later or earlier) should be a different factor in determining the age of mandatory retirement and social security in different regions, which take there.

The research results and priority of factors in desired stage show that it is false to consider a predetermined retiring age in all posts and organizational conditions in different organizations. In other hand, all those who replied to study questions, believe that hard conditions in some of the posts and disability workers in the post or posts that some of the hard and harmful effects of hard work and premature aging are on the way in developing the law Mandatory retirement also be considered. Perhaps those early senility caused by heavy and difficult and they provide is efficient, but the employer does not allow them to retire.

D) Another suggestion on this basis is the difference of our country experiences and developed countries one as for as conditions and epidemiological conditions. This means that in falsely labeled many of the arguments in the case justify the compulsory retirement age (or vice versa, in opposition to lowering the age) is considered mandatory age in developed countries (at present) and increase.

Meanwhile the studies on chapter 2 resulted in this fact that if developed countries were faced with our country situations in population arena, never predetermined mandatory retirement age and its determination, supposedly on that level of ours (60 for women and 65 for men) in our country is described description for those countries which are faced with manpower shortages and have faced negative population growth. As for as desired determined condition in this research which are population and its increase is one of the most important matters so it is mandatory to make decrease retirement age to lower than current one.

E) also as for as life expediency which is of influent factors in retirement age, and because of this fact lower level in Iran than other countries, so there is a distinction between mandatory retirement age in countries with developed countries, which unfortunately is almost the same in the present law should be considered more.

2- Suggestions on complementary research in this research:

The results of this research, what is the inappropriateness of the current mandatory retirement and the need for revision is fast and definitive. It must declare bankruptcy. Thus it is worth mentioning that in a comprehensive research to pay on this fact and via economy evaluation to clear the secret of social security and its benefits or damages. Although in this case, as for as the efficiency of organization wealth which is the result of insurance payments of correct management, it should be studied specially and be calculated in any evaluations.

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The minimum insurance premium payment Background, men and women	The minimum insurance premium payment Background, men and women	Age pension a premature	Compulsory age pension age for men and women	Country name
80.63	30 and	61	65 and 65	Swedish
78.66		60	65 and 65	Finland
78.70	25 and 20		65 and 60	England
78.90	25 and 25	63 with 25 years experience and 60 with 15 years experience	65 and 65	Germany
80.59	20 and 20		60 و 60	France
79.11			65	Netherlands
72.88		25 years insurance Background without restrictions	55 men and 50 women	Turkey
80.34	25 and 25		65 و 65	Canada
80.62			65 men and 62.5 women	Australia
70.51		55 for jobs such as mining	65	Philippines
72.88	15 and 12	50 men and 45 women with 10 years of insurance Background	60 and 55	China
77.23		55 with 10 years of insurance Background	60	South Korea
75.88		55 with 120 months Background insurance premiums paid	60 men and 55 women	Arabia
82.02	25 and 20	Between 60 to 64	65	Japan
77.36		45 year	50 with 15 years experience	Kuwait
78	25 and 20		65 and 65	America
71.57	12 and 12		65 and 60	Egypt
63.75	12 and 10		62 and 60	Pakistan
77.96				Denmark
70.56	10 and 10		65 and 60	Iran