

Essay

Boomers and Age Discrimination—My View

Cathy Ventrell-Monsees*

Senior Counsel to Chair Jenny R. Yang, Equal Employment Opportunity Commission (EEOC)

Baby boomers have transformed every aspect of society—consumerism, health, housing, media, nutrition, politics, and the workplace. Will the force of their numbers as older workers and their zeal to change society and its systems to fit their demands transform the workplace to reduce age discrimination? If the history of the power of boomers is a predictor, the answer should be YES, but with a big caveat: only in jobs or industries where older workers dominate, or where education or customer interactions are highly valued. The answer could be a resounding YES, if boomers challenged ageism with the same tenacity as they are fighting aging. That is my challenge to boomers.

Let's be clear about this age wave. Workers ages 55+ will make up about 25 percent of the labor force by 2022, more than double what it was in 1992. My focus is on the 55+ workforce because that is when age discrimination most frequently occurs, even though the federal law, Age Discrimination in Employment Act of 1967 (ADEA), defines the older worker as age 40 and older.

What effect has the increase in older workers had on the prevalence of age discrimination in the workplace? In 2001, the leading edge of the baby boomers turned 55. From 2001 to 2008, when ADEA charges peaked, there was a 41-percent

increase in the number of ADEA charges filed with the Equal Employment Opportunity Commission (EEOC). This is a striking statistic, although drawing inferences or conclusions from the number of ADEA charges filed with the EEOC is fraught with unknown factors, such as the effect of the economy or other developments that can cause heightened awareness of age discrimination.

Another measure of the prevalence of ageism is the perception that age discrimination is widespread. In a 2013 AARP study, nearly two-thirds of older workers reported seeing or experiencing age discrimination in the workplace. Of those, 92 percent said such discrimination was very or somewhat common.

Ageist attitudes are prevalent throughout society as well as the workplace, and are generally laughed off rather than challenged. Ageist comments in the workplace rarely receive the same condemnation as

For more information about the Future of Work@50+ project, please visit www.aarp.org/futureofwork.



**Public Policy
Institute**

** This article presents the author's personal views and does not represent the views of the Equal Employment Opportunity Commission.*

racist or sexist comments. Yet, ageist stereotyping denigrates and devalues individuals and can end one's career.

It's as if we have a tale of two worlds. One is where older workers are staying in the workforce well into their seventies; are better educated, more productive, and healthier than previous generations; and where more employers recognize their value. And the other world is where ageist attitudes prevail to limit the opportunities and cut short the working lives of boomers.

Boomers themselves could shape which world view prevails, by challenging ageist stereotypes in the workplace and in society. Boomers expect and value individuality, competitiveness, and fairness. Age is truly relative, personal, and individualized. Boomers should own their age with pride and optimism.

In jobs and industries where boomers dominate, the sheer force of their numbers combined with their power to transform norms should eventually transform and lessen negative ageist stereotypes. In industries where education or customer interaction is highly valued, boomers should be similarly valued. Research documents that it generally takes two generations for stereotypes to change, meaning that the youngest boomers may reap the benefit of any changes, whereas the oldest boomers have likely missed out.

In other industries where the number of boomers is low compared with other generations, and where innovation is most prized, boomers may have little impact in minimizing or changing ageist attitudes and the prevalence of age discrimination. The tech industry, which faces a wide range of diversity issues and challenges, generally shuts out older women and kicks out older men. Although there are some older workers in the tech industry, 42 percent of those workers see age as a liability to their career, a rate more than double that in other industries.

In light of the aging of the workforce and the persistence of age discrimination in the workplace in the 21st century, can the ADEA adequately address these challenges? The short answer is no. The ADEA has never been viewed by the courts or employers as equal to or as effective as Title VII of the Civil Rights Act in preventing or remedying discrimination. While the ADEA has eliminated more blatant discriminatory practices in the workplace, the Supreme Court has severely weakened its effectiveness. Congress should strengthen the ADEA to be on par with Title VII's

scope, protections, and remedies. But the likelihood of congressional action is low unless the political climate or makeup of Congress is dramatically altered.

While I am optimistic that the power of the boomers will reduce some ageism in the workplace, I believe a more forceful movement is needed to change work and retirement systems and structures, and ultimately perceptions about aging workers. I hope and expect boomers, as the protest generation, to do much more to challenge ageism in the workplace and in society.

The paradox is that while age defines the Baby Boomer Generation, age should not be used to define any individual, including boomers. Let's start with the basic principle that individuals must be judged based on ability and performance, not age—without exception. Hiring and performance management should objectively value a worker's skills, interests, and qualifications without any assumptions related to age. Retirement systems should be revised so they are not used to push or incentivize individuals out of the workforce.

In the 21st century, it is time for a new age.

The views expressed by the author are meant to encourage debate and discussion; they do not necessarily represent official policies of AARP.

Essay 13, June 2015

© AARP PUBLIC POLICY INSTITUTE
601 E Street, NW
Washington DC 20049

Follow us on Twitter @AARPolicy
on facebook.com/AARPolicy
www.aarp.org/ppi

For more reports from the Public Policy
Institute, visit <http://www.aarp.org/ppi/>.



Real Possibilities

**Public Policy
Institute**