

# Equal Opportunity Update

Taking Pride in Equality and Diversity

Newsletter of the Polk County Board of County Commissioners' Equal Opportunity Office

October, 2008

This newsletter is intended to update, inform, and remind management staff about important EO/employment issues, as well as federal and state legal developments. It serves as a support tool and may be shared with employees (posted in break rooms, etc.) at management's discretion. Questions or comments about this newsletter or other EO matters may be directed to: (863) 534-6075 or (863) 534-5901 or faxed to (863) 534-7626 e-mail: [KandisBuford@Polk-County.net](mailto:KandisBuford@Polk-County.net), [AlejandroVelazquez@Polk-County.net](mailto:AlejandroVelazquez@Polk-County.net) or [JermaineFuller@Polk-County.net](mailto:JermaineFuller@Polk-County.net).

## “How To Manage Your Aging Workforce”

Once Upon a Time, you would only see older workers managing younger workers- NOT anymore! And, this is creating tension in the workplace for some employers. The workforce is aging, as baby boomers move toward retirement. Younger and older employees are now working side by side. The number of workers 40 years of age and older will swell to approximately 50 percent of Polk County's workforce. The chart below provides a current picture of Polk County Demographics as of June 1, 2008.

Population By Age	1990	2000	2007
0 to 14	81,717	98,223	117,374
15 to 24	53,124	59,912	76,758
25 to 54	153,566	187,408	220,221
55 to 64	41,732	49,643	63,452
65+	75,243	88,738	103,253
<b>Total Population</b>	<b>405,382</b>	<b>483,924</b>	<b>581,058</b>

According to a recent Society for Human Resource Management (SHRM) survey, 28% of Human Resource (HR) professionals believe that conflict between workers of different generations had increased in the last five years, and 33% expect it to increase in the next five years. Employers are recognizing the advantages of an older workforce: more experience, maturity, and often a better work ethic. Unfortunately, American businesses, Federal and State Government agencies are also becoming increasingly vulnerable to age discrimination suits as employers become more reliant on younger workers who grew up in the computer age. Ignoring a significant age difference between younger supervisors/managers and older employees may work for a little while, but eventually managers will need to address this growing, though tricky, workplace issue. Still, managers can bridge the age gap without jeopardizing productivity or morale.

**Managing Older Workers** The very first step towards making the younger boss and older employee relationship work is to accept the situation for what it is; don't ignore it or fight it! The younger boss is the boss and wouldn't be the

boss if he or she were not qualified. You may think older workers are harder workers or that they are difficult to train. Get rid of your stereotypes. Your older workers are individuals just like everyone else in your organization.

### US DEPARTMENT OF LABOR

- ✦ **Florida has 1.3 million older workers that are experienced, dependable and qualified.**
- ✦ **Older workers comprise 17 percent of Florida's workforce and offer a tremendous economic value to Florida's business community.**
- ✦ **National labor statistics indicate the most dramatic job gains of any age group in recent years are among individuals age 55 and older.**

A hurdle that must be overcome is overall **RESPECT!!!** Too often in any situation, younger people make older people feel “ooold,” and the older people make the younger people feel like a kid out of his/her sandbox. Younger managers/supervisors don't want older workers to take them under their wing or treat them like a kid in “diapers.” Likewise, the older employees don't want younger employees to do their work for them or treat them like they are senile and can't be trained. Both generations want to be treated with respect. Older employees want respect for their years of experience and want the younger supervisors to know that their brains do still work. If both generations can accept that they each have something unique to bring to the table, then one big hurdle has been overcome. Employers should encourage both generations to learn from each other.

Another key issue that must be overcome for the younger employee and older employee relationship to work is **COMMUNICATION**. All generations do speak the same language, it's just the method, time, and frequency of communication can vary a great deal by generation. For example, a majority of the younger generations tend to use instant messaging and email much more often, whereas the older generations typically like face to face or phone conversations. Don't assume that the older employees know what you expect of them. Everyone works more effectively

when they know what is expected of them. Therefore, you must communicate your expectations clearly and with respect. Likewise, encourage your older employees to communicate with you on a regular basis. Show them how to resolve conflicts in an open and honest fashion, something they may not be accustomed to. This upfront communication also helps avoid conflicts down the road. Older workers need to understand that some conflict is positive and should not be suppressed. Finally, don't always make the older generation conform to you; respect them for the way they are. Their generational differences will reveal unique perspectives and ideas that you might not think of.

**You don't have to "be the boss."** The older workers grew up in a hierarchical society; they know you are the boss. Most of them were bosses at some point too. Get on with leading your department/division and don't waste time posturing. It won't impress them anyway. Likewise, lose the know-it-all attitude. If you want your employees to respect you, then do the same for them. Acting as if you know more than anyone else will not engender respect. Just because you're the boss doesn't mean you have all the answers. Sometimes effective management simply means you know where to go for the answers. Instead of dismissing your older employees' points of views (or in some cases, your younger employees' points of views), tap into their range and breadth of experience or knowledge. They will see you as a listener who values their opinions. You should consider having the older employees coach and encourage the younger employees. Give them the opportunity to do so and your entire division will benefit.

**Be Inclusive.** This is especially true when it comes to technology. Just because some older employees may remember the days before computers, doesn't mean they're exempt from learning new technology. Ensure that all your employees are trained on new software and office equipment. Whenever possible, use job rotation and cross training to strengthen your skill base and enrich employees' jobs. Insist that **ALL** employees participate in training and development. Don't allow employees to "opt out" because they are "too old" or close to retiring.

**BE AWARE** of the Age Discrimination in Employment Act of 1967 (ADEA), which protects individuals 40 years of age or older from employment discrimination based on age. The ADEA's protections apply to both employees and job applicants. Under the ADEA, it is unlawful (and prohibited by BoCC policies, Section 5.02 and 5.05) to discriminate against a person because of his/her age with respect to any term, condition, or privilege of employment, including hiring, firing, promotion, layoff, compensation, benefits, job assignments, or training. It is also unlawful and a violation of BoCC policies to retaliate against an individual for opposing employment practices that discriminate based on age or for filing an age discrimination charge, testifying, or participating in any way in an investigation, proceeding, or

litigation.

**CASE STUDY:** *City of Hollywood v. Hogan, 2008 WL 2261504 (Florida 4<sup>th</sup> DCA, June 4, 2008).* Francis Hogan and Michael Springstun were police sergeants for the city of Hollywood who were denied promotions to lieutenant in favor of younger officers. Both officers received numerous commendations and good performance evaluations. During the next couple of years, about seven employees were promoted to lieutenant, although Springstun and Hogan ranked higher than at least three of the officers promoted. Springstun, 51 at the time of the last vacancy, and Hogan, 50 at the time of the last vacancy, heard from their supervisor, Lieutenant Kordzikowski that Police Chief Scarberry felt "they were all dried up, old, and had nothing to give." The lieutenant also said the chief was anxious for them to retire, and he told them age was the reason they weren't getting promoted. In fact, Springstun's personnel file contained an evaluation that included the statement, "I encourage you to maintain this attitude as you move closer to the retirement phase of your career." And, Hogan had been discouraged from taken the lieutenant's exam by a member of the command staff, who told him, "You're too old for this now," and later said he was "part of the past, not part of the future." The case ultimately went to a jury trial and the jurors found in favor of the officers. The jury awarded each officer \$83,544 in back wages, \$1 million in compensatory damages for mental anguish, loss of dignity, and other injuries, and an additional \$100,000 on their retaliation claim.

### Statistics

In Fiscal Year 2007, EEOC received 19,103 charges of age discrimination. EEOC resolved 16,134 age discrimination charges in FY 2007 and recovered \$66.8 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

**Moral of the Story** Managers should not make assumptions about their employees' intentions, regarding retirement. In fact, it's those assumptions against older workers that the age discrimination laws were meant to eradicate. Don't act on the mindset that as people get older, they become ineffective, less employable and less worthy, or you and the BoCC may wind up in court. Ensure that you, your management team and employees do not make inappropriate comments about older employees' age or suggestions (unsolicited) regarding older employees' retirement plans. Remember, the real issue is not an individual's age, but their performance. Treat everyone equally and fairly and you will notice a surge in participation and enthusiasm.