



Combating ageism in the workplace

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Many of us who work in the human resources/industrial relations sphere are eagerly observing the Employment (Prevention of Discrimination) Bill, 2020 making its rotations through the Lower House and Senate; this bill was passed in the Lower House on July 29, 2020.

Discrimination at work consists of direct or indirect unfair or prejudicial distinction between different categories of people based on characteristics such as: race; age; sex; political opinion; social or marital status, sexual orientation, religion, culture, physical features and medical condition or disability, etc. This direct or indirect action results in disadvantage, restriction, or detriment due to requirements that the individual cannot and is unable to comply with. Although all the characteristics mentioned are of equal importance, I want to focus our attention to Age discrimination.

Age discrimination is the adverse treatment of an employee based on their age — typically over age 40 — rather than on their individual merit. What does ageism look like? A 28-year-old certified accountant might be told that she is “too young” to be a financial controller. A job candidate in his 50's could be told that the company is looking for a recent college graduate “who is energetic and no mediocre habits,” while an employee in her 60's might be advised not to attend an industry conference, apparently to allow her to “rest easy this month.” Although ageism can certainly cut both ways, most complaints and studies have focused on the experience of the 50+ crowd.

Most managers and human resources professionals would tell you that there is no ageism in their company, but reality does not prove to be this uncomplicated. It is possible that congenial actions might seem like ageism to older employees and for age discrimination to go completely unnoticed.

Here are a few examples of what age discrimination might look like:

- Not hiring an individual because an employer wants a younger-looking person for the role.
- If a person receives a negative performance review because they were too old or inflexible to taking on new projects.

- Learning opportunities are automatically offered to younger employees.
- Firing an individual because management wants to hire and retain younger less expensive workers.
- Being overlooked or passed over for challenging assignments.
- Turning an individual down for promotion because they are “too old” for the position or they want “new blood” in a position.
- Being left out of client meetings or company activities.
- When company layoffs are announced, most of the persons laid-off may be older, while younger workers with less seniority and less on-the-job experience are kept on.
- Before termination, supervisors or management may make age-related remarks about an individual such as the person being “over-the-hill,” “getting down”, or “an old man or woman.”

Age discrimination extends not only beyond those already engaged by the organization, but also potential employees. There are a few circumstances when it is lawful for an employer to treat people differently if it is a legal requirement that the employee must be of a particular age. When deciding if this applies, it is necessary to consider the nature of the work and the context in which it is carried out. Jobs may change over time and companies should review whether the requirement continues to apply, particularly when recruiting for certain positions.

A few ways businesses can avoid age-based discriminatory hiring practices are:

- removing the age and date of birth fields from job applications,
- reviewing their applications to ensure that they are not asking for unnecessary information about dates. Asking for age-related information on an application could project an air of discrimination, which could be a liability and dissuade older candidates from applying.

In its 18th Annual Global CEO Survey ‘A marketplace without boundaries? Responding to disruption’, PriceWaterhouseCoopers revealed that 64 percent of CEOs surveyed had adopted strategies promoting diversity and inclusiveness. However, only 8 percent included age as a factor in their diversity strategy. This means that many businesses may be incapable of suitably managing an age-diverse workplace. Here are some ways businesses can effectively manage and create a positive working environment free of age discrimination in the workplace:

- **Flexibility:**

Older individuals may need more flexibility in the workplace due to age-related illnesses, family obligations and physical ability. Providing flexibility to older employees allows them to participate in the workplace without feeling like they are a burden to the company they work for.

- **Foster Multi-Generational Team building:**

Building age-diverse teams in the workplace allows employees to learn from one another. Older employees can impart knowledge gained through experience to younger employees while younger employees can teach them how to use new technology and techniques. Both parties benefit from the chance to challenge and motivate one another. That is why businesses should look for opportunities for inter-generational teams to collaborate on projects whenever possible.

- **Put Policies in Place and Enforce them:**

It is not enough to assume that your employees will understand not to discriminate based on age. You need clearly defined policies in place. It is always best practice to continually inform everyone in your organization about the policies especially new employees. This policy should stress that your company will not tolerate unfair treatment based on age. Although it is a great start, simply creating a policy is not enough. Senior leaders, managers, and human resource departments must enforce the policy, even if it includes formal discipline.

While researching for this article, I came across an editorial written by Patti Temple Rocks, 'The Most Insidious Form of Age Discrimination At Work', for Forbes Magazine in July of 2020 and of note is this extract from one of the interviews she conducted "It was almost like my seniority and experience was a negative to my boss, so he stopped including me in meetings about the agency's future strategy. But what he did not know was that I had a coffee date almost every morning with young employees who wanted to pick my brain." She further said, "He was terminated during a restructuring. Those young people are still calling him for advice."

To conclude, older employees bring with them years of experience, tried and true ideas and problem-solving approaches that can be of great benefit to a business. However, multi-generational workplaces also come with unique challenges, which if mismanaged, can lead to unsatisfied employees and hampered business efficiency. This means getting it right depends on smart management and an open-minded leadership approach. Fairness at work and good job performance go hand in hand. Tackling discrimination helps to attract, motivate, and retain staff and enhances a businesses' reputation as an employer. Eliminating age discrimination in the workplace helps everyone to have an equal opportunity to work and develop their skills regardless of age.

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