

# Avoid Age Bias in the Workplace

*By Ellen Alcorn, Monster Contributing Writer*

As if midlife crises and receding hairlines weren't bad enough, the Baby Boomer population has something else to worry about: Age bias in the workplace. It's the fastest growing category of complaints received by the Equal Employment Opportunities Commission (EEOC). In fiscal year 2008, the EEOC received 24,582 age discrimination claims.

"We have a youth culture in this country, where younger is better than older," says Tom Osborne, senior attorney with the AARP Foundation in Washington, DC. It doesn't matter how good you are at your job or how much experience you've acquired over the years. If you're rounding the corner toward 50, you'd be smart to start looking for signs of age bias.

Osborne says there's a continuum of age discrimination, which looks something like this:

- Every time you apply for a training program, someone younger seems to beat you to it.
- Despite a string of good performance reviews, you keep getting passed up for promotions.
- The CEO starts peppering his speeches with words such as "Dinosaurs" and "Grayheads."
- You get moved from your third floor office with the beautiful view to a little basement cubicle.
- Your boss asks you if you've given any thought to retirement or, even worse, tells you the company would do fine without you.
- In the worst-case scenario, you get fired or laid off.

Fortunately, employees over 40 do have legal recourse!

Congress passed the Age Discrimination in Employment Act of 1967 (ADEA), which makes it illegal to discriminate against an employee or job seeker because of age.

Of course, if you're a 40-plus job seeker and suspect your graying temples have something to do with your inability to find gainful employment, you may very well be right, but it's much harder to prove.

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"Unless you have a contact inside the company, you have no real way of knowing why you didn't get the job," Osborne says.

While you may not always be able to avoid age bias, there are some steps you can take to protect yourself.

### For Job Seekers

- Make sure you keep current with the necessary skills for your field.
- Don't include every single job you've ever had on your resume, and consider leaving out dates. "I figure if that's a piece of information they want, they can call me in for an interview," Osborne says.
- The sad truth is, says Osborne, "In our youth culture, it doesn't hurt to appear younger." That means updating your wardrobe and, if you're overweight, shedding those extra pounds.

### For Employees

- Maintain a good relationship with your supervisor and coworkers so you can comfortably share your concerns if necessary.
- Keep a logbook in which you record everything that might be construed as age bias. Also, save emails, memos and other documents, such as layoff announcements, for possible ammunition in case you find your job is on the line. This will all come in especially handy if you decide a lawsuit is your only option.

For all that, if you're a Boomer who'd rather spend your golden years in the office than on the golf links, take heart. As the workforce ages, the generation coming up behind isn't big enough to fill all the necessary jobs.

"Over the next 10 years or so, there's going to be an acute shortage of skilled workers to fill all the jobs available," says Osborne. "I think at that point employers will have to stop turning away older applicants."

**(End)**