

In A Culture Of Inclusiveness, Don't Overlook Age

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Age is the one protected class where everyone – eventually – is included. Yet as the #MeToo movement stays in the spotlight and implicit (and explicit) racial bias continues to capture headlines, it's easy for age discrimination issues to fly under the radar. But if you think age discrimination isn't a big concern in today's workplace, think again. The following examples illustrate how hiring is becoming the new battleground for age discrimination claims:

- The U.S. Equal Employment Opportunity Commission and a major restaurant operator [reached a \\$2.85 million settlement in May](#) of an age discrimination class action lawsuit that alleged managers asked older job applicants their age, made age-related comments during job interviews, and hired older workers at a significantly lower rate than applicants who were under age 40. This settlement follows an EEOC age discrimination lawsuit against another restaurant chain that led to a [\\$12 million settlement in 2017](#) for workers who alleged they were passed over for front-of-the-house restaurant jobs in favor of younger applicants.
- Facebook and companies that use the popular social media site to advertise job openings are facing scrutiny for allegedly targeting career ads based on Facebook users' age, among other criteria. At least one lawsuit on behalf of a proposed class of workers in California, filed in December and amended this week, challenges targeted advertising for allegedly focusing on younger Facebook users and screening out older job seekers.
- A major accounting firm is defending itself against [allegations](#) that its on-campus recruitment program to hire new college graduates for entry-level positions is discriminatory against older workers. The company has denied that its practices are discriminatory.

Although these are recent, high-profile matters involving allegations of age discrimination, the issue of age discrimination is neither new nor limited to just a few cases. The Age Discrimination in Employment Act has been around for 50 years. It even has its own hashtag, courtesy of the EEOC ([#AbilityNotAge](#)), and its own [web page](#). According to EEOC statistics, around 20,000 discrimination charges per year include [allegations of age discrimination](#). When considering workplace culture, employers should be aware that age-discrimination issues are not to be overlooked.

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