## Breakfast Bites "-

#### MIND THE (GENERATION) GAP: EFFECTIVE COMMUNICATION IN THE WORKPLACE

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How do expectations and priorities differ across generations?

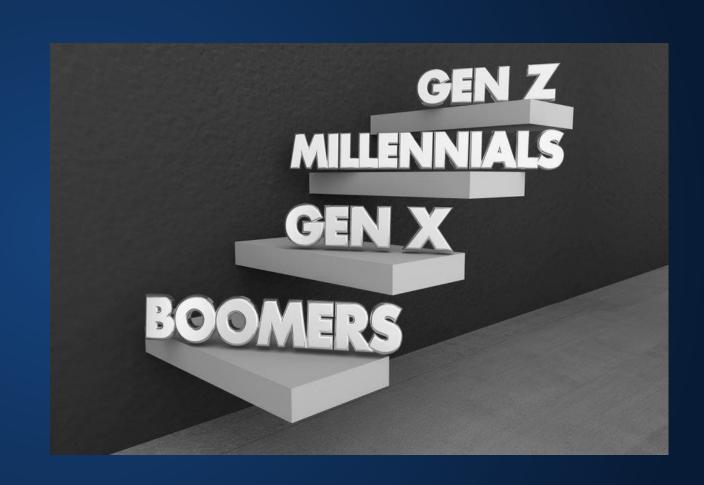
Understanding the legal protections against age discrimination.

Generational reactions to post-pandemic changes in the workplace.

- Silent Generation
- Baby Boomers
- Generation X
- Xennial
- Millennials
- Generation Z
- Generation Alpha



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  - Largely retired
- Baby Boomers
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  - Oldest members born 2010
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- Silent Generation
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- Baby Boomers: 58 76 years old
- Generation X: 41 57 years old
- Xennial: 37 45 years old
- Millennials: 22 40 years old
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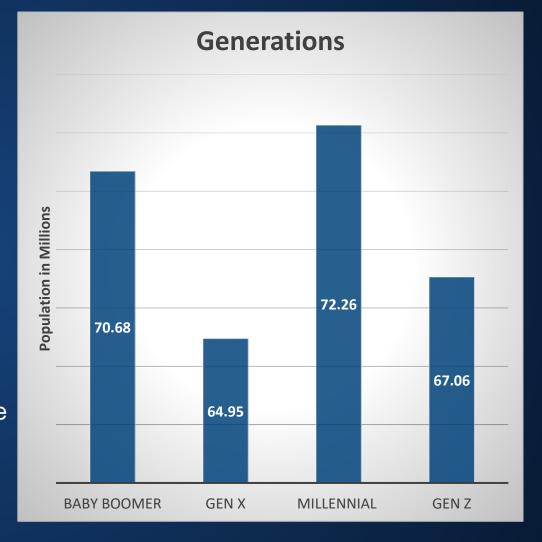
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#### **WORKING GENERATIONS**

- Baby Boomers (Boomers)
  - 71.6 million Boomers in the United States
  - Around 60% of Boomers remain in the workforce
- Generation X (Gen X)
  - 65.2 million Gen X in the United States
- Millennials
  - 72.1 million Millennials in the United States
- Generation Z (Gen Z)
  - 67 million Gen Z in the United States
  - Around 72% of Gen Z is currently in the workforce

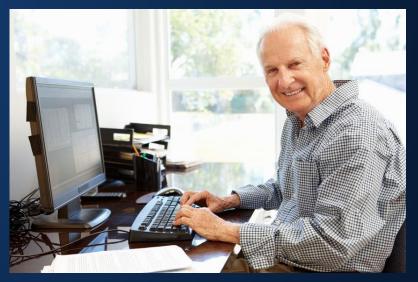


# GENERATIONAL CONTEXT UNDERSTANDING PERSPECTIVES

# TIMELINE FOR THE MEDIAN MEMBER: BABY BOOMER, BORN IN 1955

- Age 8: John F. Kennedy Assassinated
- Age 9: Civil Rights Act of 1964 passed
- Age 13: Martin Luther King Jr. Assassinated
- Teens/Early Adulthood
  - Age 14: Moon landing
  - Age 19: Richard Nixon Resigns
  - Age 20: End of the Vietnam War
- Adulthood
  - Age 34: Fall of the Berlin Wall
  - Age 45: Over half of U.S. households own a computer
  - Age 46: September 11<sup>th</sup> Attacks
  - Age 65: Start of COVID-19 Pandemic





# TIMELINE FOR THE MEDIAN MEMBER: GENERATION X, BORN IN 1972

- Age 2: Richard Nixon Resigns
- Age 3: End of the Vietnam War
- Age 7: Iranian Hostage Crisis
- Teens/Early Adulthood
  - Age 14: Space Shuttle Challenger Disaster
  - Age 17: Fall of the Berlin Wall
  - Age 19: Public launch of the World Wide Web
- Adulthood
  - Age 27: Columbine High School shooting
  - Age 28: Over half of U.S. households own a computer
  - Age 29: September 11<sup>th</sup> Attacks
  - Age 48: Start of COVID-19 Pandemic



# TIMELINE FOR THE MEDIAN MEMBER: MILLENNIAL, BORN IN 1988

- Age 3: Public launch of the World Wide Web
- Age 11: Columbine High School shooting
- Age 12: Over half of U.S. households own a computer
- Age 13: September 11<sup>th</sup> Attacks
- Teens/Early Adulthood
  - Age 17: Hurricane Katrina
  - Age 19: First iPhone released
  - Age 20: Great Recession of 2008
- Adulthood
  - Age 23: Osama bin Laden killed
  - Age 27: Supreme Court strikes down same-sex marriage bans
  - Age 32: Start of COVID-19 Pandemic





# TIMELINE FOR THE MEDIAN MEMBER: GENERATION Z, BORN IN 2004

- Age 1: Hurricane Katrina
- Age 4: Great Recession of 2008
- Age 7: Osama bin Laden killed
- Age 8: Facebook reaches 1 billion users worldwide
- Age 11: Supreme Court strikes down samesex marriage bans
- Teens/Early Adulthood:
  - Age 13: #MeToo Movement
  - Age 16: Start of COVID-19 Pandemic





#### **EXPERIENCES SHAPING PRIORITIES**

	Baby Boomers	Gen X	Millennials
Parenting Experience	Moms stayed home	Latch-key and daycare kids	Blended/merged families
Education	Birthright	The way to advancement	Incredible expense
Money	Buy now, pay later	Cautious and conservative	Earn to spend
Technology	Acquired skill	Assimilated	Integral



#### **FOCUS ON WORKPLACE PRIORITIES**

	<b>Baby Boomers</b>	Gen X	Millennials
Work Ethic	Driven	Balanced	Ambitious
Preferred Work Environment	Flat or democratic structure	Functional, flexible, and positive	Collaborative, creative, diverse
Work is	Exciting adventure	Difficult challenge	Means to an end
Interaction style	Team player	Entreprenurial	Participative
Motivated by	Being valued	Freedom and flexibility	Working with talented colleagues



# IN THE WORKPLACE DIFFERENCES IN PRACTICE

#### GEN Z AND MILLENNIALS AT WORK

- Gen Z and millennials now make up nearly half (46%) of the full-time workforce in the U.S.
- 2018 Gallup polling addressed a crucial question in the workplace:

What does each generation look for most in an employer?



#### GEN Z AND MILLENNIALS AT WORK

#### What Employees Look for In Their Employer, by Generation

Young Millennials & Gen Z: 1989-2001	Older Millennials: 1980-1988	Gen X: 1965-1979	Baby Boomers: 1946-1964
The organization cares about employees' wellbeing.	1. The organization cares about employees' wellbeing.	1. The organization's leadership is ethical.	1. The organization's leadership is ethical.
2. The organization's leadership is ethical.	2. The organization's leadership is ethical.	2. The organization cares about employees' wellbeing.	2. The organization cares about employees' wellbeing.
3. The organization is diverse and inclusive of all people.	3. The organization's leadership is open and transparent.	3. The organization's financial stability.	3. The organization's financial stability.



# LEGAL PROTECTIONS PROHIBITIONS ON AGE DISCRIMINATION

#### FEDERAL LAW: 29 USC §621

- The Age Discrimination in Employment Act (ADEA) is a federal law which forbids age discrimination against people who are age 40 or older.
- ADEA prohibits discrimination based on age in any aspect of employment, which includes:
  - Hiring

- Promotions

- Firing

- Pay
- Job duties and assignments
- ADEA prohibits harassment in the workplace based on an individual's age.





#### **APPLICATION AND CHARGING**

- ADEA is applicable to all employers with 20 or more employees.
- Individuals have 180 days from the date of alleged discrimination to file a charge, unless state law permits longer.
  - Charges are filed through submission of a signed statement to the Equal Employment Opportunity Commission.



#### **EMPLOYER DUTIES UNDER ADEA**

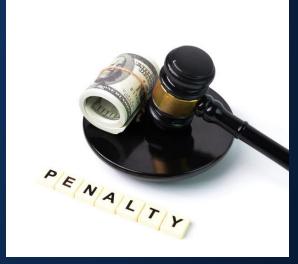
- Employer may be liable for harassment by "non-employees over whom it has control ...if it knew, or should have known about the harassment and failed to take prompt and appropriate corrective action."
  - A harassing individual may be a supervisor, colleague, or even a nonemployee such as a client, customer, or consultant.
- Meritor Sav. Bank, FSB v. Vinson, 477 U.S. 57 (1986).
  - Federal employment discrimination laws protect an employee's "right to work in an environment free from discriminatory intimidation, ridicule, and insult" on the basis of age.
  - Age-related harassment that results in a hostile work environment is a form of discrimination prohibited by the ADEA.



#### **EMPLOYER DUTIES UNDER ADEA**

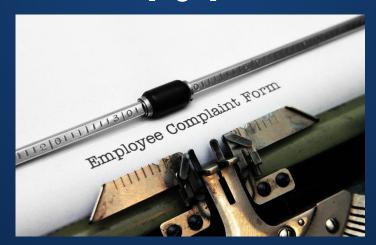
- When an employer knows (or should reasonably know) that an employee is experiencing age-based harassment, the employer has a responsibility to act promptly to prevent further harassment.
  - Kilgore v. Thompson & Brock Management, Inc., 93
     F.3d 752 (11th Cir. 1996) ("[T]he remedial action
     must be reasonably likely to prevent the misconduct
     from recurring.")
- If the employer fails to take action or doesn't take appropriate preventative action, the employee may have cause for a complaint under the ADEA.





#### **EMPLOYER DUTIES UNDER ADEA**

- Where a pattern of general harassment is established, courts may find that even a single age-related instance may cast the entire course of conduct as prohibited age-related discrimination.
  - Chavez v. New Mexico, 397 F.3d 826 (10th Cir. 2005) ("[C]onduct that appears [age]-neutral in isolation may in fact be [age]-based, but may appear so only when viewed in the context of other [age]-based behavior.")



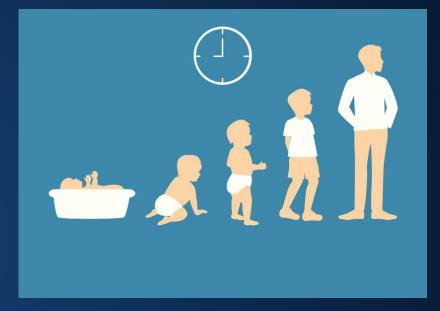
#### MICHIGAN LAW: ELLIOTT-LARSEN PROTECTIONS

- MCL 37.2101 et seq.
- The Elliott-Larsen Civil Rights Act (ELCRA) prohibits discrimination on the basis of age.
  - Prohibition on "discriminatory practices, policies, and customs in the exercise of... rights based upon religion, race, color, national origin, age, sex, height, weight, familial status, or marital status..."



#### MICHIGAN LAW: ELLIOTT-LARSEN PROTECTIONS

- No minimum or maximum age listed.
  - This means that employers are also prohibited from discriminating against individuals on the basis of their youth.
- ELCRA applies to businesses with 1 or more employees.
- ELCRA creates a direct cause of action.
  - Employees aren't required to pursue administrative remedies prior to pursuing civil claims for discrimination.
  - Agency option: Michigan Department of Civil Rights or EEOC
- Employees may bring claims under ELCRA within three years of the occurrence of an incident.





# POST-PANDEMIC EMPLOYEES OF ALL AGES

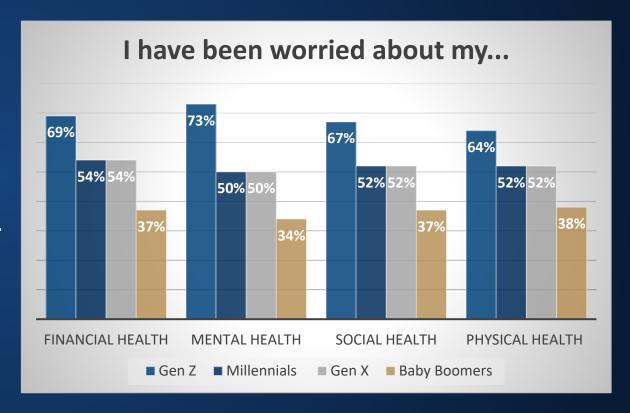
#### **COVID-19 REACTIONS BY GENERATION**

- Younger generations have responded to COVID-19 changes in the economy with more anxiety because younger generations have "more of the future ahead of them" to worry about. (Tim Elmore, CEO of Growing Leaders)
  - Baby Boomers express concerns about retirement plans.
  - Gen X was never optimistic, and that's unchanged.
  - Millennials have financial worries about their next stages, including buying a house.
  - Gen Z feels like their adult lives have been postponed or they're being punished by COVID-19.



#### **FOCUS ON WELL-BEING**

- Overall, Gen Z is the most worried about their future across a variety of categories.
- Top concerns post-pandemic vary across generations.
  - Mental health is Gen Z's first priority.
  - Financial health is the most concerning topic for both Gen X and Millennials.
  - Baby Boomers are most concerned about physical health.



#### **EMERGING DATA: UNEXPECTED ALIGNMENT**

- Preliminary research indicates that post-pandemic, we may see an unexpected alignment between generations:
  - "Millennials and Gen X are more interested in a hybrid home-office work environment postpandemic to balance family obligations."
  - Meanwhile, "Boomers and Gen Z want to be spending more time in the office to benefit from in-person connections and collaboration."
- This shift may mean that as more Baby Boomers exit the workforce, Gen Z may be the primary employees who prefer to be in-office.





#### SHIFTING EMPLOYEE NEEDS

- Think about your workforce and their priorities.
  - Who are your employees?
  - What are their priorities in the workplace?
- Don't be afraid to ask employees what they prioritize.
  - Regional differences may mean that your workforce doesn't follow broad trends.
  - The best way to understand how COVID-19 has impacted your employees is to ask for feedback.
- Identifying employee needs will help align your priorities with what employees really want.





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# QUESTIONS



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## THANK YOU



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