

Managing ‘Difference’: Age Diversity and Discrimination in the Workplace

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Abstract

This article explores how human resource (HR) managers discuss, classify and justify age diversity as both a concept and practice within the UK. The findings from 33 in-depth interviews with HR managers reveal difficulty in translating age diversity as an abstract managerial concept into workforce policy and practice. Whilst the managers sought to emphasise the role of culture in promoting diversity, there was a lack of evidence that this related to workforce equality or activities that proactively challenge discrimination. Moreover, there was confusion over classifying older workers as ‘diverse’, and risking possible discriminatory practices which marginalised both the older workers and other employees. The conclusions discuss how the ambiguous concept of ‘difference’ which lies at the basis of understanding both diversity and discrimination caused tension when implementing older worker strategies, and how policy makers must provide clear measures concerning the intent, objectives and definitions surrounding age equality. It is argued that a move towards an action model of discrimination management may help to create a framework where diversity and discrimination can be mutually addressed.

Introduction

With businesses competing at a global level and demographic trends changing the landscape of the labour market, the diversity approach to managing workplace equality has been heralded as the answer to the political and moral challenges in marrying external competition with internal workplace equality. Nowhere has this been more influential than within the employment of older workers, where business case approaches to diversity have provided a strong rationale for encouraging increased job participation of the 'older worker' at both a macro-political level and within organisational policy.

Yet how age diversity is understood and discussed by those responsible for its implementation has yet to be explored. This article seeks to examine how human resource (HR) managers seek to negotiate the contradictions in promoting age diversity against the backdrop of a range of social and organizational forms of age-differentiation. After assessing the current position of age diversity as an emerging theoretical and managerial concept, this paper goes on to consider how the evolution towards the legislative introduction of the Employment Equality (Age) regulations has had substantive effects on how age as an equality issue has been framed and understood in political social spheres. However, with little known about the processes through which age diversity is conceptualised by those responsible for implementing practices at an organisational level, it is difficult to assess the effectiveness of promoting age equality through the diversity paradigm. From this emerges an analysis of the diversity narratives of 33 human resource managers, attempting to engage with the inherent tensions faced when transferring diversity from theory to workfloor practice.

From Equal Opportunities to Diversity: The Evolution of Equality Mangement

By the mid 1990's the limitations of the Equal Opportunities (EO) approach to managing inequality and discrimination were well noted. Although EO aimed to generate a level playing field of chance through the eradication of discrimination (Rennie, 1993), inherent in this approach is the misinterpretation that equal opportunity leads to, or is meant to lead to equal *outcomes* (Liff, 1999) since the impetus remained on providing everyone with the equal 'chance'. Therefore, it was difficult to explicitly prove the relationship between the presence of EO policies and its ability to proactively tackle inequality. Research shows that whilst companies promote their commitment to EO, informal managerial or cultural norms may mean managers resort to informal and potential discriminatory forms of recruitment (Collinson et al, 1990; Liff and Dale, 1994). Likewise, Hoque and Noon (2004:481) suggest that many companies are prone to what they term 'empty shell' policies where formal policies are simply an insurance against litigation and do not translate into recruitment or monitoring practices within the organisation (see also Jewson and Mason, 1994). With litigation being the only economic incentive for EO, it remains weak in terms of providing any commercial impetus for the companies

Emerging from the US and initially discussed by Ross and Schneider (1992), the 'Diversity approach provided both a business and economic incentive to drive equality within organisations. Diversity complemented the growth of practices such as

Total Quality Management and Human Resource Management where organisational success was aligned with people management. Managers not only had a legal or ethical reason for promoting equality and diversity, but also an economic incentive. Theoretically, diversity offered a number of other tenets that were attractive to both policy makers and practitioners. For example, in allowing difference between individuals to be celebrated, rather than deemed problematic (Thompson, 1998; Humphries and Grice, 1995), it took an individualistic approach where everyone was classified as 'diverse', either through recognised equality issues such as gender or race, but also personality and work style (Kandola and Fullerton, 1998:8). However, whilst this acknowledgement of heterogeneity was commendable, research suggested that in practice diversity often concentrated on particular groups of subsets, such as of age, gender or ethnicity (Mcgrath et al, 1995). Similarly, a review of 'diversity' academic texts by Litvin (1997) revealed only six main forms of diversity were focused upon as organisational priorities, limiting the potential inclusiveness of the diversity approach.

A number of other critiques of the diversity approach have also highlighted the inherent limitations with the diversity paradigm. Due to its focus on celebration of difference, rather than focusing on unequal practice, Prasad et al (1995:5) criticises its 'upbeat naivety' in failing to acknowledge the 'darker' side of inequality where discrimination is used as a tool to exert power and control over others. Others have questioned whether diversity leads to workplace equality, or whether only *certain* approaches may result in business benefits. Ely and Thomas (2001) show how, out of three approaches to diversity: the integration and learning approach, the access and legitimacy approach (employing a diverse workforce to access a market) and the discrimination and fairness approach (equal opportunities), only the first had any form of sustainable benefit, since it was able to link diversity to work processes by using diversity both as a tool to understand how people work and learn in the workplace, and as a tool for organisational change or adaptation within the market.

Such limitations may be stacked against the potential for age diversity to change the marginalised status of the older worker. Research suggests that companies who do promote the employment of older workers often limit their recruitment to customer-facing or low skill level jobs (Metcalf and Thompson, 1990; Warr and Pennington, 1993). This makes it unlikely that older employees are placed within a position where they can influence and infiltrate strategic change within the company. However, there are suggestions that an EO approach is also inappropriate in tackling age discrimination. Although the relationship between EO policy and age inequality has yet to be fully investigated, one study (McVittie et al, 2003) showed that managers were still able to assert equality of opportunity within their organisation by dismissing indicators of unequal practice, such as the low number of older workers in their workplace, as factors outwith their control. This suggests that there is a large gap between the purported and actualised management of organisational age inequality which needs to be further explored.

Legislating Age Under the 'Diversity Dream'

Unlike other forms of inequality, such as race and gender, age discrimination as a policy issue has only begun to emerge over the past 20 years. On revealing the consequences of future top-heavy ageing demographics, a domestic government u-turn in policy at the end of the 1980's saw schemes originally designed to facilitate early exit reframed as discriminatory. Yet early attempts to reverse the cultural norm of early retirement appeared unsuccessful and unconvincing as figures continued to show a continued decrease in labour market participation after the age of 50 (Campbell, 1999; OECD, 2004). These trends were mirrored in other European countries, resulting in two significant European agreements to commit the UK to increasing participation, both passed in 2000 with targets to be achieved within a decade. Initially, the Stockholm target set the objective that European countries should seek to employ 50% of older workers by 2010. This was followed three years later by the Barcelona target which aims to delay early retirement by 5 years (European Commission, 2003), reinforced through the introduction of schemes such as New Deal 50, the creation of 'Age Positive' and a strategy paper released in 2005 by the Department for Work and Pensions ('Opportunity Age':17) which proposed to achieve an 80% overall employment rate. This called for the inclusion of over a million older workers, and outlined its intention to measure this growth effectively through setting and assessing clear objectives and indicators.

The impetus for the inclusion of older workers has also been increased through the Employment, Occupation and Training framework directive (Employment Council Directive 2000/78/EC, 2000). This stated that "Discrimination based on religion or belief, disability, age or sexual orientation may undermine the achievement of the objectives of the EC Treaty, in particular the attainment of a high level of employment and social protection, raising the standard of living and the quality of life, economic and social cohesion and solidarity, and the free movement of persons" (recital 11, EC Directive 2000/78/EC) echoing the principles of social justice outlined within the 1989 Social Charter. However, in permitting a 3 year delay in the introduction of age discrimination legislation, the EU acknowledged the complexity of implementing a law which would successfully legislate against age discrimination whilst not contradicting current legislation employing age markers. Another challenge is to ensure that central tenets of discrimination law can be successfully applied to age. One example is the 'comparator element' of the directive, which is used as a basis for assessing whether discrimination has taken place: "direct discrimination shall be taken to occur when one person is treated less favourably than another is, has been or would be treated in a comparable situation, on the (grounds of age)" (EC Directive, Article 2.1.2[a]). This requires using a hypothetical or real comparable individual to show that the complainant was treated differently on account of age. However, unlike other forms of discrimination, where the 'comparisonee' is relatively easy to distinguish (white, male or able-bodied, for example), it is difficult to assess who to use when applying this hypothesis to age. Moreover, since the law recognises that many characteristics closely associated with age can be legitimately justified, such as experience, it is difficult to hypothesise that a direct comparison can be made since age may be conducive to years of experience.

Although age was conspicuously absent from the diversity agenda until the turn of the millennium (Stein et al, 2000), the diversity approach has been of integral importance to the political promotion of organisational age equality, most explicitly seen in the business case argument where older workers are celebrated as providing a mirror-image of the potential market. This is by no means exclusive to age: the promotion of equality of employment in terms of gender and ethnicity have also been seen as a strategic means of accessing the best workers in a competitive labour market and gaining a competitive advantage (Ross and Schneider, 1992; EOC, 2005c). However, embedded in gender and race legislation and subsequent policy are the basic principles of Equal Opportunities and focus on neutral treatment (Rennie, 1993; Foster and Harris, 2005) and have thus been motivated on the basis of social justice, where individuals have the ‘right’ to be treated equally. In contrast, from its inception the promotion of older workers was a reaction to demographics. In predicting the apocalyptic consequences of a ‘demographic time bomb’ Mullan (2000), the ageing population, and thus the older worker have continually been represented as a political, and economic problem. The ‘business case’ approach which followed served as a post-rationalisation to this scenario, emphasising the potential ‘opportunities’ that the employment of older workers may bring to the workplace. However, this was ironically translated in to practice by relying on over-simplified stereotypes, such as ‘experience’ (see author, forthcoming) that could quite easily be reversed to produce a case for *not* employing the older worker.

It can be argued that the introduction of age within the political sphere has particular implications on how the older worker agenda has been shaped as an organisational issue. Early commentaries on the promotion of older workers by companies such as B&Q (Hogarth and Barth, 1991) emphasise the ‘celebration’ of diversity and, ipso facto eradicates discrimination. The introduction of the Code of Practice for Age Diversity in Employment (1999) also employed a diversity rubric and had a noted impact on the way in which age as an organizational issue has been formed. As one of the first Industrial Codes of Practice to be introduced voluntarily, it is underlined by a business case, and offered 6 principles of good practice, (Figure 1). However, whilst there were a number of tips on how to promote equality, of notable absence were any mentions of how to explicitly tackle discrimination. This led to a number of critiques over its negligible impact (TUC, 2000; EFA, 1999a; Kodz, et al, 1999; Loretto et al, 2000; TAEN, 2000), mainly centring on the lack of evidence that “awareness generates action” (Disney and Hawkes, 2003:16).

Put table one here

Due to the relatively recent introduction there is as yet no indication about the effectiveness of legislation sanctioning the discrimination of workers on account of age. Recent figures by Hotopp (2005) have suggested that older worker activity is gradually rising, although it is difficult to assess whether any change is due to recent government incentives, to a buoyant economy or to a change in attitudes concerning the value of older workers (Disney and Hawkes, 2003; Hotopp, 2005; Banks and Blundell, 2005). Likewise, there is a lack of knowledge about how the emphasis on the diversity model has affected approaches to managing age as a human resource

issue or has a profound affect on how the older worker is conceptualised at a workfloor level. Without this knowledge, it is difficult to assess the real potential of age diversity in the promotion of an equal workforce.

Outline of Research

In light of the identified gap in current knowledge, this study sets out to explore how human resource managers discuss, understand and relate to age as a diversity issue. Whilst a number of studies exploring age and employment have chosen to employ methods of data collection such as surveys or questionnaires, in order to identify large-scale trends (e.g. McGoldrick and Arrowsmith, 2001), there is still a lack of understanding about the micro-political processes that influence the way age as an organisational issue is managed. It was therefore decided to carry out in-depth interviews with managers who were responsible for ensuring the successful implementation of age and employment issues. Conducting semi-structured interviews allowed the researcher to focus in on particular topics and themes (Silverman, 1997), whilst still giving the participant the freedom to develop their own ideas outwith the confines of a structured interview schedule.

Commentators have identified the HR function of utmost importance in facilitating programmes to eradicate age discrimination and promote equality (Itzin and Newman, 1995; Walker, 1999) since many of their activities relate to planning, recruiting and developing the workforce, all areas where age bias may play a significant factor (Stein et al, 2000, Gray and McGregor, 2003). For this reason, a number of studies have used HR or personnel managers as a research sample, since their beliefs and opinions are likely to influence the creation and implementation of policies within an organisation (e.g. McVittie et al, 2003; Zanoni and Janssens, 2003). For example, McGoldrick and Arrowsmith (2001; see also Arrowsmith and McGoldrick, 1996) collected questionnaires from 1,665 IM members, and despite an initial assumption they may be more sensitive to generalising, respondents were reported to hold the same stereotypical views espoused in other studies. Moreover, the unitarist dimension of HR as a discipline have been criticised for favouring the 'blank canvas' or younger workers who are more willing to ascribe to organisation-wide culture over older workers who are seen as having more 'organisational memory' to erase (Lyon et al, 1998).

33 participants were recruited through placing an advertisement in the regional newsletters of the Chartered Institute for Personnel Development (CIPD), and subsequent snowballing emerged from the initial research pool to identify further participants. Aside from the reported bias of respondent driven sampling (e.g. Heckathorn, 1997), this strategy may have resulted in the exclusion of particular organisations, such as SME's who rarely have a person solely in charge of people management and would thus be unlikely be included within CIPD networks. However, elsewhere the discussion of the particular problems in implementing general equality policies within SME's has suggested they face a number of separate challenges which go beyond the scope of this paper (EFA, 1999b; Marlow, 2002). There was a skew towards females, although this may be explained by the professional gender divide in the field of people management, which is heavily female

dominated (CIPD, 2006). Particular attention was given to ensuring there was no implicit age stipulation in the call for participants. It was stressed in the advertisement and subsequent snowballing that all ages were encouraged to participate. Whilst interviewees were not explicitly asked to disclose these details, all but three revealed their chronological age during the interview.

Throughout the research project and analysis, special consideration was given to the temporal issues related to the research. The research data was gathered in 2005, but since legislation did not come into force until the 1st October, 2006, organisations have still been unsure of the future steps that will be taken to ensure their practices are legal. Whilst organisational age discrimination was still legal at the time of data collection, government campaigns had served to encourage a view of age-biased practices as socially unacceptable. This meant that fear of advocating socially disapproved views may have resulted in ageist beliefs already being driven underground or explicitly denied by the participants. Therefore, both the questions within the interview schedule and the steps of analysis sought to focus on the processes through which managers discussed and justified their views and opinions, rather than their knowledge or details about current organisational policy. This means that whilst the data was collected during an important time of transition in terms of legislation, the practices used by managers to shape their ideas and understanding about age diversity are still relevant.

Findings

Situating age diversity

As discussed within other research, the business case approach was commonly employed as a means of justifying the importance of age diversity. One of the reoccurring themes when discussing diversity was 'access'. Whilst the idea of *allowing* the older worker to infiltrate the organisation was fore fronted, it also stimulated discussion about organisations *realising* how they could attract, or access 'the diverse'.

...it makes us aware of our need to open doors to everyone

Anne-Marie, 26, Call centre

Something we're learned over the past few years is flexibility and acknowledgement that different people require different shifts, or hours or holidays means that we are able to introduce new groups of workers into the company

Anne, 37, Tourism

(the project) allowed us to discover what was preventing older workers from coming to work in our shops and take steps to create opportunities which were more attractive to them

Rose, 44, Retail

Diversity is therefore discussed within a learning paradigm, where the organisation is presented as collectively educating itself about creating age diversity at work. Although managers elsewhere discussed the actual practices as benefiting both the employee and the employer, the 'we' here refers solely to the organisation as a separate entity from the potential 'diverse' workforce. However, in discussing a

strategy for creating diversity at work, managers are required to target certain individuals and categorise them as ‘the diverse’. This further separates ‘the diverse’ from the norm since extra incentives or practices are framed as serving certain individuals more than other individuals and who may require patience, time for adjustment and a conscious effort by the organisation to accommodate them. As a result, the concept of being diverse moved from being all-inclusive to being only relevant to those who not only belonged to particular groups. Indeed, there was a distinct lack of discussion over the categorisation of those included within a ‘diversity’ approach. Whilst managers referred to acknowledging everyone, it was evident that their reference group was created against the norm of a ‘conventional employee’ who was seen as not requiring any dispensatory treatment. Similarly, in their discussions, there is little discussion over the ability to recognise and target ‘the diverse’, and it is assumed that they are recognisable through their characteristics. So whilst diversity as an organisational concept is experiential and inclusive, ‘the diverse’ is naturalised as a certain ‘group-type’.

However, this group-type was not defined simply on the basis of biologically-understood differences, but through the concept of ‘disadvantage’. This further marginalised the importance of diversity as only relevant to those who were seen as requiring help in some way, and thus shaped age diversity as having similar attributes to an EO approach. Participants were particularly keen to acknowledge the lack of relevance the age diversity agenda had to their own personal career trajectory, even if they could have been categorised as ‘older workers’ through their chronological age. Many highlighted that their success in reaching management precluded them from dangers of being paid off or forced to retire early, or being subject to stereotypes, suggesting the older worker label was only relevant to those lower down the organisation who are perceived as more likely to face such troubles. In doing this, participants were further separated through a division between those who managed diversity and those who benefited from diversity practices.

Managers were also aware that diversity presented them with other organisational objectives, and there was an emphasis on the other business benefits a diversity agenda could serve, such as raising company profile. Managers would refer to particular promotional events or awards in connection with diversity which served as a means of upholding the companies’ reputation. This also enabled them to present ‘empirical evidence’ of their own diversity success through their attendance at such occasions:

I was actually at an equal opportunity and diversity awards last month ... all the big names were there, you know, and it’s important to show your face at them.

Susan, 43, Finance

Were you at the age Positive awards last year at the (location)? (Interviewer nods) well, we bought a table at it, and I remember the speech by (name of speaker) ... so I did take a few notes and brought them up in our last departmental meeting.

Michael, 52, Catering

We had one of the national newspapers call us up and offer to do a story on our recruitment campaigns for older workers which couldn't have happened at a worse time in terms of my workload (laughs) but you can't say no to these opportunities.

Rose, 44, Retail

There was an ambiguity about promoting diversity and attaining diversity. Diversity was being manipulated from a way of achieving organisational success (a business case approach) to *indicative of* or a *by-product* of organisational success through the use of a primitive syllogism (i.e. where two events are linked together to become causally related). Rather than talk specifically about diversity, participants create causal linkages to promotion of the business with reference to networking, assimilation of information and PR. Occasions which either involved an external organisational event or person are used as empirical evidence of their commitment to diversity. This distorted the distinction between *attending* diversity events and *managing* or *achieving* diversity successfully within an organisation. Such an amalgamation allowed a rhetorical reduction where the consequences of one can also be substantiated as the consequences of the other. 'Diversity' therefore served as a strategic tool which allowed managers to construct a favourable image of themselves and their organisation. Managers utilised such events as episodes that serve as testament to their practices, where diversity became not only a valuable resource in itself, but a means of gaining access to other valuable resources, such as business networks.

Legitimate vs Illegitimate 'difference'

Despite having a clear idea about who the 'diverse' were, managers were also keen to define what may be classified as good practice. However, as discussed earlier, diversity as a concept works on the basis of difference. Ironically, managers also discussed 'difference' as a fundamental feature of discrimination. This presented managers with a potential challenge in relation to how 'difference' may be presented and justified in order to reduce, as oppose to exacerbate, discriminatory practices.

So it's ok to, well, recognise that some people may not have the skills as a by-product of their age but that's nothing to do directly with their age, and I think that's fair. But denying a job simply because of their age is not fair – I would call that age discrimination.

Terri, 43, Telecommunications

I think they may not say in the advert that they have an age bracket in their head, but I think if someone could come along and prove it, it wouldn't be a problem but I think its just to make the search easier, if you like, and to save time, rather than be truly discriminatory.

Tara, 40, Finance

What you've got to recognise is that people are almost working against everything they have learned about interacting with someone. I mean, we are taught not to ask someone's age when they are older, and to respect our elders, and you could say these are discriminatory practice but it depends on whether they are meant as such and I think 99% of the time they are not.

Jim, 37, Insurance

Whilst many managers understood the need to not be seen to discriminate, there was a consensus that age was so heavily employed as a marker both within work and society in general, it defied 'common sense' not to use it pragmatically. As the excerpts show,

managers used the notion of ‘intention’ as a key classifier between legitimate and illegitimate age differentiation. This is particularly important since it focuses the argument on the *internal* motive which can be strongly justified by the actor rather than age discrimination as an ‘event’, which is subject to interpretation by many. In other words, those who have seen, heard or experienced the event have as much right to comment as the perpetrator. By focusing on intention, power is directed away from the argument of outside commentators, who may view the practice as discriminatory in order to strengthen the speaker’s benevolent view. Distinction was thus determined by the *causal motive* rather than the outcome. Managers adopted emotive or pragmatic strategies in order to promote looking at motives rather than outcome by focusing on the reason as to why such beliefs exist (‘it can’t be helped’, ‘it saves time’, ‘it’s a habit’). What was key to these arguments was the baseline assumption that ‘people’ have no malevolent agenda. Since malicious intent is not compatible with the ‘ideal type’ of person presented in the manager’s talk, discrimination becomes marginalised and instead is seen as a misunderstanding, rather than an issue of prejudice or bias.

One recurring theme which supports this idea is the reproduction of what may be called ‘accidental discrimination’. This is where discrimination is discussed as arising from folly or misinterpretation. As the excerpts show, this justification often rests on the naturalisation of age typing i.e. that we ‘naturally’ use age as a classifier serving as a means of legitimising the argument. Since ‘everybody’ does it, the universal affect becomes a form of normality and therefore cannot be seen as deviant.

‘Doing’ Diversity

While managers were asked to give evidence about their how age diversity practices, it became clear that it was easier to prioritise diversity in an abstract philosophical terms rather than using practical examples. Managers place strong emotional attachment on such policies, using the first person to align their own beliefs with those of the company through the personal pronoun ‘we’. Words such as ‘rights’ (Amy, 38), ‘duties’, ‘obligation’ (Terri, 43) and ‘honourable’ (Alicia, 36) were aligned with diversity; almost devout language was used, which places the organisation into a position of upholding social responsibility and human rights. With this emphasis on the abstract level of organisational diversity, it is unsurprising that participants were keen to draw on the tacit role of culture as a key role in the management of diversity strategies:

I think what helps us immensely is that our values are so ingrained within our business and *within all of us* that the *norm* is for people to be treated fairly. I mean we acknowledge that there are differences, so older workers for example, and I hate that term for the record, may have different needs than say, single parents, but everyone can bring something to the party.

Amy 29, Insurance

Culture was thus used as a resource which transforms claims of equality into statements of fact. Other work has suggested the cultural norms allow managers to resort to informal and potential discriminatory forms of recruitment (Collinson et al, 1990; Liff and Dale, 1994). However, in the case of the participants within this section, culture is used as a resource to highlight the existence of an age diversity

strategy. Since diversity is manifested within culture, and this culture is not simply manifested in the organisation but *within* people; culture (and thus diversity) is embodied, lived and is practiced through the people. Such an argument has strong implications for equal opportunities interventions. Yet if culture is omnipresent, within all and yet belonging to no-one, and the key to ensuring equality, it remains unclear as to who is responsible for regulating or changing a culture. Moreover, there is little to suggest that culture as a driver for diversity can be clearly translated into bottom-line standards of practice.

However, when asked specifically about the age make-up of their workforce, figures showed that there was a clear skew towards the younger end of the workforce. In order to refute claims of unsuccessful diversity practices, managers were keen to attribute the lack of age diversity within their organisation to a number of external factors deemed as 'outwith their control'.

We are unfortunately unable to kidnap people over 50 just to keep our figures right.

Anne-Marie, 26, Call Centre

It's not - we're not able to force older workers to come here.

Marjorie, 40's, Local Government

One example through drawing on a number of assumptions related to the current employment context. Initially participants implied there was a limited pool of 'diverse' workers compared to the potential pool of 'normal' candidates. For example, James states 'they choose to work somewhere else', whilst Rose mentions 'the number of those applying for jobs who are over 50 compared to under 50 is going to be about a 1:3 ratio'. By presenting the older worker as a scarce resource (in the face of discussions about the ageing demographic), managers are able to distance themselves from the lack of diversity by referring to the external pool of potential workers. Gillian's claims of going to the job centre also supports this by the exaggerated statement 'just find me all your over 50's...', again suggesting that this number is small enough to manage as a group. Then, because they are a scarce resource, organisations are placed as the active agent within the recruitment process; in effect, it is the company that is looking for its workers, rather than older workers seeking employment. Extreme case formulations are employed, often accompanied by jokes to illustrate how organisations are in a difficult position despite their best efforts:

Conclusions and discussions: Towards an action model of discrimination management?

The main impetus for this study was to explore how age diversity was conceptualised and applied as a managerial issue for human resource practitioners. Despite the relatively small sample size, the results underline the inherent difficulties in translating the concept into practice and provide a number of insights into the future of age diversity within contemporary organisations.

Findings highlight that awareness of age as a diversity issue has clearly become an issue of importance to human resource managers, and even though research was carried out previous to the introduction of legislation, there was already an appreciation of the need to build age diversity into the organisational agenda. It is clear that managers were well aware of a need to align their approach to managing older workers within a commercially-enlightened framework of justification. Not only did this allude to a business case as suggested in previous studies, but also regarded the practice of age diversity to be extremely useful as a means through which to gain access to inter-organisational resources. In one sense, this is extremely important and gives more strength to a business-case argument for age diversity as being internally driven through the potential to improve organisational stature. However, there was little evidence that it was the activities that promoted diversity that were driving the success, and there appeared to be a misinterpretation over how diversity in practice could provide competitive advantage. Instead, this detracted from the practice of diversity to the rhetoric of age diversity as importance, which needs not to be backed up in any way by actual workforce policies. This appeared to reflect other studies of age and employment, where policies and practices which focused on the older worker were defined through short-term impromptu management practices (see Loretto and White, 2006). The danger is that, as soon as age diversity does not become as high profile an issue, and thus decreases in its promotional worth to a company, it will cease to become an organisational issue.

It became clear that whilst managers discussed diversity, there were no definitive lines drawn between this approach and equal opportunities. Part of the reason for this may be that the professional body of Human resource managers, the CIPD (formally the IPD) did not place diversity and EO as opposing schemes, claiming that diversity build upon the success of EO (IPD, 1996). For the participants, the practice of recognising the diverse and creating systems of support also alluded to the objectives of equal opportunities, where an 'equal chance' is provided (Liff, 1999). For example, the focus on 'access' was more closely aligned to an EO paradigm than a diversity perspective, suggesting that not only do line managers fail to distinguish between the two, as discovered by Foster and Harris (2005), but that people managers also find it difficult not to translate the concept of managing individual differences into practice. In fact, it may be argued that the ability of recognising individuals on account of their diversity is in direct conflict with the formal bureaucratic structures in place within organisations which seek to encourage equality through transparent and objective rules and procedures that must apply to everyone within the organisations (Due Billing, 2005)

Categorising the 'diverse' as a subgroup also had a number of consequences on age diversity in practice. Theoretically, we know that the very concept of 'discourses of difference' (Wodak, 1996), result in the marginalisation of groups such as 'the diverse' through 'othering' processes. This is achieved by the marginalised group being constructed against a 'norm', allowing their subsequent characteristics or behaviour to be deemed of lesser importance or not as valuable. From studies of gender and racial inequality (Garnsey and Rees, 1998; Acker, 1992; Wetherell and Potter, 1992; Van Dijk et al, 1997), this process of differentiation can be understood

as a process of marginalisation in itself. A similar process may be seen within the manager's narratives where 'age diversity' and the 'age diverse' are presented as requiring special dispensation vis a vis the 'normal' worker. In one sense this is surprising; age diversity could be viewed as the one form of diversity that will affect everyone. The focus of this paper was based on the effects of age diversity on the older worker. However, even in this instance there was hesitance for the participants to ascribe themselves to this category. In particular, the self-exclusion of managers from the 'older worker' diverse category has implications for regarding age diversity as an issue for everyone. As noted by Blommaert and Verscheuren (1998), the division of those who manage diversity and those who are 'diverse' is often based on the dominant group being male, Caucasian and non-disabled. Developing this argument by incorporating age into the assessment, the analysis showed that it is overly simple to suggest that the separation arises from managers exclusion from the biological classification of the diverse, as many of the managers may be chronologically defined as 'older workers'. This suggests a more complex mode of categorisation that not only relies on an initial division based on perception or looks, but arises through the perception of how disadvantaged that person is on the basis of their level within the hierarchy or perceived skills set.

Whilst managers were keen to celebrate diversity, the concept of 'difference' in itself held a number of inherent tensions, and there was mixed responses over how to classify the variance between 'difference' in a positive (diverse) or negative (discriminatory). Using the notion of intent, rather than outcome as a means of categorising deviant difference is clearly a dangerous strategy to play when legislation relies on evidence beyond perceptions or beliefs about fair play. Yet this questions the feasibility of how to interpret the diversity message when it is based on the same premise as used by law to identify discrimination. To understand this disparity, it may be argued that the contradiction has been allowed to exist thorough the position of discrimination and difference as emerging from different world-views. As a managerial approach, diversity embodies a perspective of society constructed by notions of egalitarianism, making it difficult to consider the power processes or malevolent intent behind discrimination. Whilst this study suggest that both can simultaneously occupy the same organizational space, it is difficult to tackle discrimination when it does not occupy the same theoretical or ideological space or vocabulary as created within the diversity model.

Unsurprisingly, the employment of corporate culture was perceived as an invaluable tool in order to evidence the existence of age diversity. However, whilst managers could discuss this in terms of workplace philosophy, there was ambiguity over how organisational culture could in effect change practice on a day-to-day level. What should be noted is that this execution between 'doing' diversity in a philosophical sense and 'living' diversity through work-floor policy and practice may have direct implications for interventions to promote older worker equality. If managers are able to 'preach' diversity and still negotiate or justifying contradictions with their practices, it allows companies to still 'be' diverse, at least in theory, without challenging the status quo or making any pragmatic changes to daily practices. Culture cannot therefore be relied upon as the sole instigator in upholding age

equality practice, and requires managers to be more assertive in challenging discriminatory practices to ensure that decisions are made on the basis of merit, rather than assumptions relating to age. It follows that more focus should be given to putting in place systems which provide evidence-based information about age equality, rather than maintaining a laissez faire approach to managing discrimination through diversity schemes or corporate culture.

Following on from McVittie et al (2003) study, participants were also shown as attempting to justify a lack of age-balanced workforce as not necessarily the result of unequal practice or barriers to entry. However, instead of focusing on the older workers themselves, managers were keen to draw on externally-driven trends. As exemplified in Tilbury and Colic-Peisker's (2006) study of racial discrimination, where employers negated responsibility for potential inequality, participants were able to negate responsibility by emphasising their pro-active attempts to recruit 'the diverse'. Similarly, there is empirical evidence from gender and ethnicity studies (e.g. Tilbury and Colic-Peisker, 2006; Webb, 1997) to suggest that diversity policy and inequality can quite easily cohabit in the same organisation, a suggestion which helps to explain how such processes of managerial justification may be deemed legitimate.

As a result of these findings, there is the question over the apparent efficiency for diversity to proactively tackle discrimination. From the managers narratives, it appeared possible that diversity rhetoric could still be upheld despite figures suggesting otherwise, and there was little discussion of the relationship between age diversity and forthcoming legislation, although the participants discussions of other areas did suggest their awareness of forthcoming policy. This leads to two areas of contention over the recently introduced legislation. Firstly is the relationship between the diversity paradigm, which by its nature is internally driven, versus the law that operates as externally impinging in order to prevent discriminatory practice. If, as theoretically suggested, diversity works as it should and prevents discrimination, there is no concern for the law. However, more worrying is that, even if diversity fails to prohibit inequality, there is no space with a diversity model to incorporate aspects of prohibition or actively challenging discrimination. The second consequence is whether the governments own employment of the diversity concept as a means of promoting age equality has dwarfed the perceived impact of law for organisations by neglecting to encourage the active prohibition of discrimination.

Looking towards other forms of discrimination, such as gender and disability, there already appears to be a government push towards the emergence of a two-pronged approach to tackling workforce inequality. The Disability Equality Duty and Gender Equality Duty, both of which have been introduced in the past year, have begun to bridge the gap between not breaking the law and showing actual evidence of equality by placing responsibility on employers to explain pay gaps or top-heavy hierarchies (Disability rights Commission, 2006). This suggests that because neither diversity or equal opportunities approaches and legislation have been seen as able to create workplace equality, the government are beginning to require more from employers than an adherence to the law. However, at present, the duties only apply to public

bodies and have been grafted onto current approaches within legislation and policy, rather than developed into a more cohesive message.

Therefore, it could be argued that future government approaches to age discrimination should develop a hybridised approach which not only promotes age diversity, as has been done in the run up to legislation, but also places impetus on organisations to prevent or challenge discriminatory practice, herein referred to as an 'action model of discrimination management'. Positive action has been employed as a means of counteracting discrimination or stereotyping, particularly in relation to women, although a number of commentaries have suggested its impact as been compromised through debates over whether it contradicts equal treatment (Stratigaki, 2005). Whilst not opposed to positive action, an action model would further develop a more holistic approach to the management of equality through the integration of both preventative and pro-active measures alongside positive celebration and encouragement of diversity. More importantly, the employment of such a framework would allow those in charge of equality to understand and relate discrimination and diversity within the same paradigm and thus attempt to understand the phenomena as both a problematic challenge and a potential opportunity for improving the business simultaneously. Yet the confusion and mixed messages from policy over 'difference' highlights the need for governments to support managerial facilitation through providing clear, definitions, tools and strategies which can help managers achieve their objectives. For example, providing benchmarks that organisations can use to measure levels of discrimination without fear of recrimination may allow them to centre the focus of working towards equality as not only internally driven, but guided through a line of what is acceptable and unacceptable.

Whether the answer is towards a more action orientated model of discrimination management, or a modified approach to diversity that provides clearer guidance for practice, this research has highlighted the need to consider how diversity and age in employment are understood by the practitioners who are responsible for its implementation onto the workforce. Although lessons here may be relevant to all genres of discrimination management, with the changing demographics the impetus to face such issues needs to be faced at both a policy and organisational level if we are to ensure that the ageing population does not become labelled, through no fault of their own, a 'problem' for future labour markets and economies.

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Table 1: Principles of good practice from ‘Age Diversity in Employment’

Six Principles of Good Practice	
Recruitment	Recruit on the basis of the skills and abilities needed to do the job
Selection	Select on merit by focusing on application form information about skills and abilities and on performance at interview
Promotion	Base promotion on the ability, or demonstrated potential, to do the job.
Training and Development	Encourage all employees to take advantage of the relevant training opportunities.
Redundancy	Base decisions on objective, job related criteria to ensure the skills needed to help the business are retained
Retirement	Ensure that retirement schemes are fairly applied, taking individual and business needs into account