# Caution: Age Discrimination May Lie Ahead

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Of the various characteristics for which discrimination is banned by both civil service laws and civil rights laws, age discrimination is one that draws relatively little attention. Which is sort of odd, because aging is the only one that applies to everybody.

And with more people working longer—sometimes by choice, sometimes by financial necessity, sometimes both—age discrimination on the job is an increasing problem.

In the most recent government-wide survey of “prohibited personnel practices,” age discrimination again came in third place as the form of bias most commonly reported—specifically, whether the respondent experienced or saw such practices within their workplace within the prior two years. The number hit 17.6 percent, up 6.1 percentage points over 2010 in the survey, conducted in 2016 but whose results were just recently released. That put age discrimination just behind race discrimination and sex discrimination, at 20.6 and 19.9 percent and well above other forms of discrimination.

This is happening as more federal employees have been extending their careers. Latest OPM data, through fiscal 2017, show that 71 percent are age 40 or above, when age discrimination protections begin, and the average age is 47.5, up from 46.3 in 2000 and 47 in 2008. The average retirement age also has been rising, to 62 as of 2017, up from the 59.6 of 2008 despite a growing share of the workforce being in jobs such as law enforcement that generally require retirement at 57 and that allow for it even earlier.

The Merit Systems Protection Board, which conducted the survey, said that stepped-up education programs since its 2010 survey have made federal employees better aware of their rights and protections in general, which may partly explain reported increases of all forms of discrimination. But a separate nationwide survey released around the same time reinforced the concern about age discrimination.

That study, by the Associated Press-NORC Center for Public Affairs Research at the University of Chicago, found that of workers age 50 and older, 58 percent say those working at that age “always or often” experience age discrimination and another 32 percent said they “sometimes” experience it.

To be sure, there were some positives: 26 percent said they felt as they were being treated with more respect because of their age. However, the negatives were even stronger: 19 percent said they have been passed over for a raise, promotion or chance to get ahead, 14 percent said they have been subjected to unwelcome comments regarding their age, and 11 percent said they have been denied access to training or the opportunity to acquire new skills.

On that latter point, note that those who want to continue working to more advanced agencies are told time and time again that the way to do it is to stay on top of your career so that you remain a valued employee and are not eased/squeezed out. But it’s hard to remain current on your skills if you’re denied the opportunity by managers who may assume that you won’t be able to handle them—or won’t be around long enough for to make the investment in you worth it.

What you can do is be proactive. Take initiative to get in on career development opportunities, don’t wait for them to come to you. Raise to management any disparate treatment based on age that you experience and file a formal complaint if it comes to that. Age discrimination complaints already account for about a third of the EEOC’s federal sector workload, second only to complaints of retaliation for asserting rights or cooperating with others who have.

Aging beats the alternative, as the saying goes, but continuing to work as you do it may require that you stand up for yourself.