Issues, Impacts and Implications of an Aging Workforce

October 14, 2015
1:00 - 2:00pm EST

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Today’s Presenters

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Northeast ADA Center

1-800-949-4232

Northeast ADA Center

...providing training, technical assistance, consultation, and materials on a broad range of topics related to disability in the United States.

www.northeastada.org
Overview

• The changing workforce

• The ADA & the ADEA

• Impact on employers & disability service providers

• Leading practices for an aging workforce
The Changing Workforce
Percent of the labor force 55 years & older

1990: 11.9
2000: 13.1
2010: 19.5
2020 (Projected): 25.2

Disability prevalence in the U.S. by age

Source: Calculations by Cornell University, Employment and Disability Institute, 2010 American Community Survey, Public Use Microdata Samples (PUMS). Estimates are for civilian non-institutionalized population.
• Workers age 55+ projected to nearly double 2000-2020

• By 2020, 1 in 4 workers could be 55+

• Prevalence of disability increases with age, doubling between ages 40-55

• More people in the workforce living with a disability
Why is the Workforce Aging?

- Financial need
- Lack of confidence in finances
- Increased longevity & function
- Declining pool of younger workers = older workers asked to stay
- Enjoy work & productivity
Aging & Disability

• 80% of those over 65 years have at least one chronic health condition:

  • Arthritis
  • Cardiovascular Disease
  • Cancer
  • Diabetes
  • Epilepsy
  • Obesity

Source: Centers for Disease Control and Prevention and National Center For Chronic Disease Prevention And Health Promotion. Healthy Aging: Improving and Extending Quality of Life Among Older Americans. Atlanta, GA: National Center For Chronic Disease Prevention And Health Promotion; 2009.
20% of people aged 55 and older experience mental illness:

- Depression
- Cognitive Health

IMPACT?

? TAB ?

Temporarily Able Bodied
The ADA & The ADEA
Know the Law: The ADA

The Americans with Disabilities Act

- protects qualified individuals with disabilities
- with a physical or mental impairment that substantially limits major life activities
- has a record of an impairment
- or is regarded as having an impairment
- ADA Amendments Act ...
- Title I covers employment
Know the Law: The ADEA

The Age Discrimination in Employment Act

...forbids age discrimination against people who are age 40 or older...

• in hiring, promotions, wages, layoffs, termination
• in specifications in job notices or advertisements of age preference and limitations
• in denial of benefits to older employees
• since 1986, it has prohibited mandatory retirement in most sectors
ADA CHARGES

ADEA CHARGES
ADEA & ADA charges filed annually: 1997-2014

ADA charges filed by individuals 55+ years

Source: Employment and Disability Institute calculation based on EEOC IMS data
More ADA charges citing reasonable accommodation and employee relations issues

Source: Employment and Disability Institute calculation based on EEOC IMS data
The ADEA: 4 Categories of Charges*

*a charge may cite one or more issues

<table>
<thead>
<tr>
<th>Charge</th>
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<tr>
<td>Termination</td>
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<tr>
<td>Terms</td>
<td>32%</td>
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<tr>
<td>Relations</td>
<td>21%</td>
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<tr>
<td>Hiring</td>
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Cornell EEOC Charge Data Online Resource

http://www.disabilitystatistics.org/eeoc/

Learn more about employment discrimination charges filed under the Americans with Disabilities Act (ADA). Select a report type below.
Some Case Law

- EEOC v. Stowe-Pharr Mills, Inc.
  - Kiphart v. Saturn Corp.
- Foreman v. Babcock & Wilcox Co.
  - Duckett v. Dunlop Tire Corp.
Impact!

- Increasing % of ADA charges filed by older workers
- Charges are expensive!
- Understanding intersection between age and disability...
- ...leads to implementing proactive solutions
- demographic differences: complex charges
- Creating a more inclusive work environment (e.g. “relations” charges and workplace climate)
- Job Retention!
Disability & Aging in the Workplace
Cornell/DMEC Poll
State of the field: Absence and Disability Management Practices for an Aging Workforce
From Concern to Action

Absence and disability management practices for an AGING WORKFORCE

86% of organizations are CONCERNED BUT ONLY 36% are considering aging workforce issues in ADM program design.

Employer Practices Rehabilitation Research and Training Center
Impact!

• Lack of preparation represents potential financial risk...

• ...due to loss of productivity and “brain drain”

• Organizations may struggle to meet DM goals and contain costs

• Good practices for retaining older workers are usually good practices for ALL employees!

Flexibility

Maintaining/enhancing benefits

Wellness programming

Accommodation

Ensuring Safety

RTW/SAW programs

Improving communication and culture
Planning & Implementation

1. Identify Issues

2. Organizational Education

3. Planning

4. Implementation
QUESTIONS
Free Webinar: Air Travel for Individuals with Disabilities: Intersection of the Air Carriers Access Act and the ADA

Wednesday, November 18, 2015
1:00-2:00pm EST

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http://www.edi.cornell.edu/register/index.cfm?event=5544