

# Legal Age Discrimination: Above the law

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**Abstract-** The recent surge of lawsuits against companies for the discrimination of employees under 40, as well as the lack of literature regarding the subject of legal age discrimination warranted this study regarding the effects of ageism on affective commitment. The study explores the concept of the similar-to-my-children effect in regards to workplace commitment and age discrimination. A 25 item questionnaire was distributed to a convenient sample of workers. Evidence of self reported legal age discrimination experiences were found among workers whose age category fell outside the protected age group marked by the ADEA. No relationship was found between experiences of reverse age discrimination and affective commitment. The respondents who reported that they had been told by their supervisors or co-workers that they reminded the supervisor or coworker of their children or younger siblings reported substantially more reverse age discrimination than their peers who had not experienced the comparison.

**Index Terms-** age discrimination, legal age discrimination, affective commitment

## I. INTRODUCTION

There largely exists a gap within the literature regarding the existence of non-illegal age discrimination. Illegal age discrimination is defined by the U.S. Equal Employment Opportunity Commission as "treating an applicant or employee less advantageously or fairly because of his or her age". The Age Discrimination in Employment Act (ADEA) denotes illegal discrimination as occurring only to workers over 40. The study will assume the terms legal and illegal age discrimination accordingly. This study will explore the existence of reverse age discrimination (age discrimination toward persons under 40). It will also seek to examine the relationship between the experience of age discrimination and workers affective commitment to their organization. A novel concept, the similar-to-my-children effect will be tested, to determine whether reminding a coworker or supervisor of a child or younger sibling leads to increased age discrimination by said coworker or supervisor.

## II. AGE DISCRIMINATION

The 21<sup>st</sup> century has seen an increase in the amount of individuals that pursue college degrees, and therefore an increase in the amount of qualified professionals (Bureau of Labor Statistics, 2013). The recent surge in unemployment has affected mostly these young graduates who may be more qualified for a job than their older more experienced counterparts, but have the disadvantage of not being an incumbent. The Bureau of Labor Statistics (2013) demonstrates that of America's total unemployment rate, the largest percentage of unemployed is

young people between the ages of 20 and 24 (Bureau of Labor Statistics, 2013).

The ADEA, in its wording, legally allows for reverse discrimination to take place (Lacy, 2005; Age Discrimination in Employment Act, 1967). Illegal age discrimination has been a hot topic for both literature and the media in recent years, and many items of legislation have been enacted to protect workers over 40 from workplace discrimination on the basis of age. Legal age discrimination has been present in the courts and is a topic within the American Bar system (Westman, 1991; Webb, 2003). Reverse age discrimination, or legal age discrimination, is defined as a younger worker's right to workplace litigation because the employer gave more advantageous treatment to someone older solely due to age, and is the general preferred term (Hartzler, 2003).

Snape and Redman's study on age discrimination in the workplace is one of the few articles that even mention age discrimination to workers under 40. The study observes perceptions of employees feeling discrimination for reasons of being considered "too old" as well as "too young". The results of this particular study were used in the creation of the hypotheses, as age discrimination was found to be widespread and it was related to lower feelings of affective commitment (Snape and Redman, 2003). However, the study uses only generalized perceptions of the idea of being discriminated against, and their questionnaire doesn't pose the questions in an experience-based way.

Aside from being a problem faced by workers who fall into the age category not protected by the ADEA, being at least forty years old does not grant you legal immunity from age discrimination. According to the U.S. Equal Employment Opportunity Commission, even if the worker being discriminated against is over 40 years of age and falls within the protected age group, they will not be protected by the law if the discrimination took place in order to promote an older coworker (U.S. Equal Employment Opportunity Commission, 2014).

The term "younger workers" can include workers within the ADEA's protected group. A 50 year old worker can feel disadvantage in the face of an older worker, and therefore this study does not draw an arbitrary line for what it means to be "too young". "Too young" for a job will be simply defined here in an operational sense; if the participant scores on the questionnaire are significant, then that participant has experienced reverse ageism whether the participant is 16 or 60. If an employer chooses a 60 year old employee over a 41 year old employee based on age, the 41 year old employee is not protected from reverse age discrimination due to the fact that the competing employee is older (Lacy, 2005; Webb, 2003; Hartzler 2003; U.S. Equal Opportunity in Employment Commission, 2014). In fact, instances already exist where workers over 40 are pursuing legal action against employers for disadvantageous actions taken against them in favor of older coworkers (Webb, 2003). This is

blurring the line in what it means to be discriminated against, and it is clear that the ADEA's distinctions are not sufficient in the workplace arena of this century.

### **Affective Commitment**

Of Meyer and Allen's three components of organizational commitment, this study will focus solely on affective commitment. Affective commitment is associated with positive experiences in the workplace, and negative experiences regarding work in general lead to low affective commitment (Meyer and Allen, 1993). Positive intergroup and specifically intergenerational contact has been shown to lead to less stereotyping behavior, and associated with higher levels of commitment (Iweins et al., 2013). This contact also led to less negative perceptions of older workers specifically, but it can be assumed that it led to more positive perceptions of everyone in the group, including the younger members.

Having these negative opinions of coworkers creates negative experiences in the workplace, which lead to lowered affective commitment (Meyer and Allen, 1991, 1993; Iweins et al., 2013). Affective commitment is also associated with feelings of loyalty toward a company or organization, and turnover is related directly to low rates of affective commitment (Meyer and Allen, 1991). In general, having workers with high affective commitment is imperative in decreasing turnover and in promoting a workplace that others want to work in, and age discrimination (a negative work experience) stanches this (Rhoades et al., 2001).

Because the experience of ageism creates a negative workplace experience, it can be determined that intentional experiences of ageism can be similar to having experienced bullying. Bullying is defined as any behavior in the workplace that is violent in a physical and non-physical way, including offending or ostracizing the victim (Hoel et al., 1991). Bullying in the workplace also correlates with lower affective commitment, as well as being related to satisfaction with supervisors as well as with coworkers (McCormack et al., 2006) For this reason, it is hypothesized that affective commitment will decrease, as the perception of ageism increases.

### **Similar-to-my-children effect**

Rand's similar-to-me effect(1975) has appeared in a multitude of studies since its original appearance. This effect/bias generalizes that the more similar to the rater a person is perceived, the higher they will be rated (Rand and Wexley, 1975). This is important in hiring situations where managers may inadvertently encourage groupthink by only hiring employees that are similar in race or ethnic background to themselves.

Each rater constructs a self-concept of themselves that may or may not be accurate, and pins this self-concept against others. Bias and disadvantage occurs when the rater creates a self-concept about the ratee, and judges the ratee in a manner that is considered disadvantageous to the ratee or to others (Sears and Rowe, 2003). Similarly, the ratee is posited against an ideal image that the rater may have of the person he/she expects would perform best in the job, and this can be disadvantageous if that person is considered too young or doesn't match that arbitrary ideal.

The creation of a self-concept for a person other than oneself can lead to judgments about that person's worth in the workplace context. Young people in the media exert a negative bias on young people in the workplace, and we have termed this bias, in accordance with Rand's similar-to-me effect, the similar to my children bias. Drawing from Rand (1975) and popular media sources on the internet as well as a plethora of anecdotal evidence, we propose that a bias exists between young people and their older supervisors that prevent them from advancing as quickly as older workers on the job. If the supervisor in charge of including other workers in a project or determining a promotion from a pool of workers believes an individual to be similar to their own children/siblings or even a young media personality that they entertain a schema about, it can be disadvantageous for the particular young person. If the worker reminds those in charge of promoting him/her of one of these disadvantageous categories, they might not match the ideal schema sought for in many business ventures, thus preventing them from being administered further responsibility on the job and damaging their upward climb in the workforce.

### **Hypotheses**

The existence of reverse age discrimination will be important in determining its prevalence within the workplace.

*Hypothesis 1: Reverse age discrimination will be present, as recorded by scores on the self-administered questionnaire distributed.*

If perceived reverse age discrimination is encountered at a significant rate, the author proposes:

*Hypothesis 2: The higher the score of perceived reverse age discrimination, the lower the score of affective commitment to the organization.*

Concurrent with Rand's Similar-to-me effect, the author proposes:

*Hypothesis 3: Workers who perceive the similar-to-my-children effect will perceive more reverse age discrimination and less affective commitment to the organization.*

## **III. METHODS**

### **Participants**

A survey type questionnaire consisting of approximately 25 items will be administered via e-mail to a convenient sample of contacts of Air Parts Support Inc. The recipients of this email are not employed by the company that will be sending the emails, therefore no potential for coercion will exist. The email recipients are contacts not only within the aviation industry and are not dependent upon the sender of the email for any source of income, revenue or referrals. The mailing list will be provided by Air Parts Supply, and forwarded through their e-mail system from a general email source, one in which the sender is not specifically identified, but rather the company name only is identified as the sender of the email.

## **IV. MATERIALS AND PROCEDURES**

The researcher will construct an e-mail including instructions and the link from which to partake in the survey. Recipients may decide to click on the link to the survey in order

to participate. Information will be collected anonymously through Qualtrics, and no personally identifiable data will be asked for. Values and scores resulting from each survey will be kept in aggregate form in a password protected database on the principal investigator's computer.

The researcher developed questionnaire was adapted from various sources in the literature (e.g. Morrisey, B. 2012; Meyer J.P., Allen N.J.1993; Meyer J.P., Allen N.J.1991) and includes, 24 five-point Likert-type scale items as well as one nominal item designed to measure the similar-to-my children effect. Questions about ageism from About Equal Opportunities' "Have you experienced ageism?" web-based questionnaire (Morrisey, B. 2012) were used to inform the item development as well as the literature on ageism in the workplace (e.g. HartzlerK. J., 2003; Hoel, H., et. al., 1999; Iweins, C., et. al., 2013) significantly altered to fit the Likert style statements required. Some of the adaptations made for this instrument include a focus on ageism towards younger employees as opposed to older employees (see appendix A for instrument) .

In order to reduce experimenter bias, a number of questions were included randomly in the questionnaire that inquire about racial and gender discrimination in the workplace. These questions were added to reduce response bias in the survey and are limited to no more than four questions in the ageism experiences category.

Questions to assess affective commitment were adapted loosely from various scales (Meyer J.P., Allen N.J.1993; Meyer J.P., Allen N.J.1991) that assess the three types of workplace commitment, focusing on affective commitment as well as the literature on workplace commitment (Rhoades, L. et al., 2001; McCormack, D., 2006; Meyer J.P., Allen N.J., 1993; Meyer J.P., Allen N.J.,1991). These items were also developed to fit within a five-point Likert-type scale, the scores of which will also be summed in order to determine a total score for affective commitment in the workplace. Because the survey items were constructed by the researcher the validity and reliability of the instrument is not known. The instrument, however, does possess a degree of face validity.

## V. RESULTS

The survey generated 100 respondents. It is of note to mention that the original number of respondents was 143, however 43 of the surveys had to be removed from statistical consideration due to the massive amount of missing data. The discussion section will provide a possible explanation for this occurrence. Of the 100 respondents, 67 were female, and 33 were male. Due to the breakup of age categories, the amount of respondents that don't fall within the ADEA's protected category of 40 years of age or older ranges from a low of 42% to a high of 61%. Of these respondents, 46%-61% are females not protected

by the ADEA, and 33%-57% are males not protected by the law. College attendance within the respondents was much higher than the national average. 89% of respondents had gone to or were in college at the time of the survey, and 72% had at least a 4-year college degree. 41% of the respondents had a master's degree or higher, well above the national average of 7% (National Center for Education Statistics, 2012). Female respondents had at least a college degree at a rate of 17% more than male respondents. Similarly, 92.5% of female respondents had at least gone to or were currently attending college as opposed to 81.8% of male respondents. Of respondents who were married, only 14% had no children. The respondents who were unmarried totaled 52% of the total respondents, with males being more likely to be married than females by 3.9%.

The Likert Type questions included a range of choices that was categorized as positive or negative to the experience of ageism. Survey takers who had responded "Never" to a question of whether they had ever experienced a particular type of ageism were put into the category "No". Survey taker's who had responded with "Rarely", "Sometimes", "Often", or "All of the Time" indicated that they had experienced the age discrimination at least once. Questions concerning ageism were limited to nine questions, after having eliminated four questions that were included solely to mediate for response bias (questions included experiences of racism and sexism).

The hypothesis that reverse age discrimination will be present was supported throughout the study, given the specific nature of the questions and the percentage of experiences reported by the respondents. Of the respondents, 78% felt that at some point, others have referred to them as part of an age group instead of an individual. This was experience slightly more by male respondents, whose total responses totaled 78.7% as opposed to female experiences totaling 77.6%. Although only 56.5% of respondents felt that at some point, they have been passed over for an opportunity, there was a significant relationship at .001 significance level between age and having felt at some point that they have been passed over for an opportunity for being considered too young. This is congruent with percentages denoting that 91.6% of respondents in the 16-24 age category felt that they had been passed over for an opportunity because they were considered too young. This is also the age category that falls into the category of highest unemployment according to the Bureau of Labor Statistics, which continues to be highest when adjusted for 20-24 years of age (2013). 72% of respondents felt that at some point, other have assumed things about them due to their age. 74% of female respondents responded positively to this experience as opposed to 71.8% of male respondents. This is further supported by 66.6% of male respondents feeling that at some point, they had been affected because advertisements depict young people as irrational and unable to assume responsibility.

**Table 1.** Age \* Others refer to me as part of an age group instead of an individual.

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	37.485 <sup>a</sup>	20	.010
Likelihood Ratio	36.685	20	.013
Linear-by-Linear Association	.849	1	.357
N of Valid Cases	100		

there is a significant relationship at .05 between marital status

**Table 2.** Age\* I have been passed over for an opportunity because I was considered “too young”.

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	45.688 <sup>a</sup>	20	.001
Likelihood Ratio	43.379	20	.002
Linear-by-Linear Association	19.632	1	.000
N of Valid Cases	99		

**Table 3.** Age\* Others assume things about me due to my age.

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	36.847 <sup>a</sup>	20	.012
Likelihood Ratio	43.353	20	.002
Linear-by-Linear Association	3.508	1	.061
N of Valid Cases	98		

**Table 4.** Age\* I feel affected by the fact that young people are rarely depicted in positions of power in the media

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	33.736 <sup>a</sup>	20	.028
Likelihood Ratio	31.086	20	.054
Linear-by-Linear Association	7.926	1	.005
N of Valid Cases	100		

In accordance with percentages and statistical significance, Hypothesis 3 was partially supported. Hypothesis 3 states that workers who perceive the similar-to-my-children effect will perceive more reverse age discrimination and less affective commitment to the organization. While there was no relationship between perceiving the similar-to-my-children effect and reporting less affective commitment, there was significance between reporting the similar-to-my-children effect and reporting age discrimination. Of survey takers that responded positively to having experienced the similar-to-my-children effect, 72.2% felt that this caused their supervisor to give them less responsibility. 68.5% of these respondents felt that reminding their coworkers or supervisors of a child or younger sibling cause the supervisor to treat them unfairly (e.g. make jokes on their behalf). Furthermore, 72.2% of respondents felt that this caused the coworker or supervisor to overstep his/her professional boundaries. There was a significant relationship at .05 between gender and having felt that at some point, reminding your coworkers or supervisors of younger siblings or children led that coworker or supervisor to overstep his/her professional boundaries. 91.6% of male respondents responded positively to this, as opposed to 62.5% of female respondents. Furthermore,

and having felt that at some point, reminding your coworkers or supervisors of younger siblings or children led that coworker or supervisor to overstep his/her professional boundaries. 100% of respondents who were divorced/separated/widowed felt that at some point, reminding your coworkers or supervisors of younger siblings or children led that coworker or supervisor to overstep his/her professional boundaries. Similarly, 100% of respondents who were married without children felt that at some point, reminding your coworkers or supervisors of younger siblings or children led that coworker or supervisor to overstep his/her professional boundaries.

It is worthy of noting that in many of the categories pertaining to negative ageist behaviors in the similar-to-my-children category, male respondents scored higher than female respondents in having experienced these behaviors. 66.6% of Female respondents felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to give them less responsibility as opposed 83.3% of male respondents. 87.5% of female respondents felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to trust them more while 100% of male respondents

assented. Markedly, only 56.5% female respondents felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to treat them unfairly (make jokes on their behalf) while 91.6% of male respondents reported this. Similarly, 62.5% female respondents felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to overstep his/her professional boundaries as opposed to 91.6% of male respondents.

Age played an important role in determining reporting ageist behaviors as related to the similar-to-my-children effect. 72% of respondents ages 16-42 felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to give them less responsibility. Furthermore, 100% of respondents ages 16-24 felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to give them less responsibility. 76% of respondents ages 16-42 felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to treat them unfairly (make jokes on their behalf). 72% of respondents ages 16-42 felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to overstep their professional boundaries. 80% of respondents ages 16-42 felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to go easier on them 88% of respondents ages 16-42 felt that at one point, reminding their coworkers or supervisors of a child or younger sibling led the supervisor or coworker to give them less responsibility. Emphasis was given to the category of 16-42, due to most if not all of the respondents falling outside of the protected ADEA category.

There was a significant relationship at .05 significance level between gender and feeling that others feel entitled to express criticism over their decisions because of their age. This is in concordance with the results that 53% of female respondents felt that at some point, others have felt entitled to express criticism over their decisions because of their age compared to 78.7% of male respondents. There was also a significant relationship at .05 significance level between gender and feeling like you belong at an organization (90.7% of women feel that at some point, they have felt like they belong at their organization and 84.8% of male respondents). Most importantly to this study, there was a significant relationship at .01 between age and feeling that others refer to them as part of an age group instead of an individual. This can be broken down by reporting that 90.4% of respondents in the 16-33 age category felt that at some point other have referred to them as part of an age group instead of an individual. The only other category that was remotely close to this amount was the over 60 category, with a percentage of 83.3%. These findings are similar in that the 16-24 age category (91.6%) and the age category (86.6%) had the highest scores. There was also a predictable significant relationship at .05 between age and having felt that at some point, they have felt affected by the fact that young people are rarely depicted in positions of power in the media. The age category of 16-24 was by far the highest scoring category, with a percentage of 91.6%.

## VI. DISCUSSION

Contrary to some of the literature, the findings illustrate a marked difference in the experience of ageism in favor of women. The United States as a country that finds more value in workers who are continuously employed leads to a penalty that childbearing women pay. For this reason, studies have indicated that women of childbearing age -premenopausal and generally falling under the unprotected ADEA category- are more subject to discrimination on basis of age and marital status (Duncan & Loretto, 2004). Furthermore, the viewpoint that women are seen as only useful when in the sexualized phase of youth creates a clear basis for age discrimination among older women in the workplace. This, however was and was not supported in the study. Due to the nature of the study focusing on age discrimination based on youth, it was found that in general, men rated more experiences of ageism than did women. More men, in both the category of experiences of ageism and in the similar-to-my-children category reported more age discrimination than females. Less men feeling as if they belong at an organization might be due to them reporting having experienced ageist discrimination more often than women. Younger men seemed to suffer more age discrimination than the younger female respondents. However, the issue of ethnicity may also play into this. Due to the survey being a convenient sample, the majority of respondents were primarily Spanish speakers living in the United States. This might indicate than Spanish speakers in the United States (many assumed to be of Hispanic or Spanish origin) may have a different mechanic regarding age discrimination and what it means to be an adult. Among Spanish speaking adults in the United States, the standards for what it means to be a man and therefore worthy of being given responsibility and promoted may be stricter than the standards of what it means to be a woman, leading up to increased age discrimination among male Spanish speaking Americans.

The high amount of attrition in the study (the amount of people who completed the surveys fully was low compared to the overall respondents) might be due to the nature of the questions being asked. Respondents may feel that responding to questions regarding workplace discrimination may pose threat to their jobs or workplace commitments, and may have chosen not to answer. The majority of the missing data begins when the survey asks the respondents to rate whether a discriminatory experience has happened to them. Despite measures taken to ensure respondents of the anonymity of their responses, there exists a certain mistrust of electronic devices due to the identifiable nature of IP addresses.

## VII. LIMITATIONS

The study is limited in its manner of distribution and in being a convenient sample. For this reason, it cannot be generalized to the public. The sample had a general education level well above the national average, which likely stems from the personal and professional circle of the author. Due to this, the sample is largely Spanish speaking and predominantly female. Although the homogeneity of the group is a limitation, it also poses a unique data set not common within the literature.

The personal and potentially inflammatory nature of the questions in the survey also pose a limitation to the honesty of the responses. Respondents may have been discouraged from giving honest answers due to fear of retaliation from management should they disclose some sort of illegal discrimination in their workplaces. Respondents may have feared being labeled a whistleblower and therefore their answers may be skewed or biased. Similarly, due to being a fully online measure, test proctoring was impossible. Lack of a test proctor may make lying or biased responses easier to occur. This could potentially damage the internal validity of the study.

Furthermore, the study was completed in fully non-parametric and exclusively nominal data gathering. This can prove to be a limitation due to the limited information available on the ages of the respondents. A nominal age category was chosen over direct input of ages due to response bias and dishonesty about age. The author hopes that masking true age with a category while still fully serving the needs of the study would lead to more honest answers. In future studies regarding the ADEA, care will be taken in order to ensure that age categories are differentiated by the categories under and over 40 (protected or not protected).

#### REFERENCES

- [1] Age Discrimination in Employment Act. (1967) Pub. L. No. 90-202, 29 U.S.C. § 621 through 29 U.S.C. § 634
- [2] Bureau of Labor Statistics. (2013). Labor Force Statistics from the Current Population Survey. Retrieved from: <http://www.bls.gov/web/empsit/cpseea10.htm>
- [3] Duncan, C., & Loretto, W. (2004). Never the right age? gender and age-based discrimination in employment. *Gender, Work and Organization*, 11(1), 95-115. doi:<http://dx.doi.org/10.1111/j.1468-0432.2004.00222.x>
- [4] Hartzler K. J. 2003. Reverse Age Discrimination Under the Age Discrimination in Employment Act: Protecting All Members of the Protected Class, 38 Val. U. L. Rev. 217.
- [5] Available at: <http://scholar.valpo.edu/vulr/vol38/iss1/6>
- [6] Hoel, H., Rayner, C., Cooper, C.L. (1999), "Workplace bullying". *International Review of Industrial and Organizational Psychology*, Wiley, Chichester, Vol. Vol. 14 pp.195-230
- [7] Iweins, C., Desmette, D., Yzerbyt, V., & Stinglhamber, F. (2013). Ageism at work: The impact of intergenerational contact and organizational multi-age perspective. *European Journal of Work and Organizational Psychology*, 22(3), 331-346. doi:<http://dx.doi.org/10.1080/1359432X.2012.748656>
- [8] Lacy, D. (2005). You are not quite as old as you think: Making the case for reverse age discrimination under the ADEA. *Berkeley Journal of employment and labor law*, 26(2).
- [9] McCormack, D., Casimir, G., Djurkovic, N., & Yang, L. (2006). The concurrent effects of workplace bullying, satisfaction with supervisor, and

satisfaction with co-workers on affective commitment among schoolteachers in china. *International Journal of Conflict Management*, 17(4), 316-331. Retrieved from <http://ezproxy.fiu.edu/login?url=http://search.proquest.com/docview/199044552?accountid=10901>

- [10] Meyer, J. P., Allen, N. J., & Smith, C. A. (1993). Commitment to organizations and occupations: Extension and test of a three-component conceptualization. *Journal of Applied Psychology*, 78(4), 538-551. doi:<http://dx.doi.org/10.1037/0021-9010.78.4.538>
- [11] Meyer, J. P., Allen N.J. (1991). A three-component conceptualization of organizational commitment. *Human Resource Management Review*. Volume 1, Issue 1, Spring 1991, Pages 61-89, ISSN 1053-4822, [http://dx.doi.org/10.1016/1053-4822\(91\)90011-Z](http://dx.doi.org/10.1016/1053-4822(91)90011-Z).
- [12] Morrisey, B. (2012). Have you experienced Ageism? About Equal Opportunities. Retrieved from <http://www.aboutequalopportunities.co.uk/have-you-experienced-ageism.html>
- [13] National Center for Education Statistics. (2013) Fast Facts: Educational Attainment. Retrieved from: <http://nces.ed.gov/fastfacts/display.asp?id=27>
- [14] Rand, T. M., & Wexley, K. N. (1975). Demonstration of the effect, "similar to me," in simulated employment interviews. *Psychological Reports*, 36(2), 535-544. Retrieved from <http://ezproxy.fiu.edu/login?url=http://search.proquest.com/docview/616053821?accountid=10901>
- [15] Rhoades, L., Eisenberger, R., & Armeli, S. (2001). Affective commitment to the organization: The contribution of perceived organizational support. *Journal of Applied Psychology*, 86(5), 825-836. doi:<http://dx.doi.org/10.1037/0021-9010.86.5.825>
- [16] Sears, G. J., & Rowe, P. M. (2003). A personality-based similar-to-me effect in the employment interview: Conscientiousness, affect-versus competence-mediated interpretations, and the role of job relevance. *Canadian Journal of Behavioural Science/Revue Canadienne Des Sciences Du Comportement*, 35(1), 13-24. doi:<http://dx.doi.org/10.1037/h0087182>
- [17] Snape, E., & Redman, T. (2003). Too old or too young? the impact of perceived age discrimination. *Human Resource Management Journal*, 13(1), 78-89. Retrieved from <http://ezproxy.fiu.edu/login?url=http://search.proquest.com/docview/199419077?accountid=10901>
- [18] U.S. Equal Opportunity in Employment Commission. (2014) Retrieved from: <http://www.eeoc.gov/laws/types/age.cfm>
- [19] Webb, T. 2003. "Reverse" age discrimination: are "younger" employees protected? *Minnesota Bench Bar Association*. Vol. 60, No. 10.
- [19] Westman, J. C. (1991). Juvenile ageism: Unrecognized prejudice and discrimination against the young. *Child Psychiatry and Human Development*, 21(4), 237-256. Retrieved from <http://ezproxy.fiu.edu/login?url=http://search.proquest.com/docview/617970388?accountid=10901>

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#### Appendix A

##### Instrument 1

Carlos Albizu University Miami Campus  
Study Title: Discrimination in The Aviation Industry  
Principal Investigator: Tatny G. Castanet  
Supervisor: Toni Didona

You are invited to participate in a research study designed to look at perceived differences in the workplace, including discriminatory issues with ethnicity, age, and gender. This consent form gives you detailed information about the research study so that you may

decide whether or not you wish to be a part of this research study. Once you understand the study, you will be asked if you wish to participate.

### **Procedure**

If you agree to participate in this study, you will be asked to fill out a web-based survey questionnaire consisting of 26 questions, that should take about 20 minutes of your time. Questions are designed to determine certain perceptions people have of others within the workplace environment.

### **Risks and Inconveniences**

There are no known risks to participating in this study. You may feel some discomfort in responding to questions of a personal nature. If at any time you feel uncomfortable, you should exit the browser window.

### **Benefits**

Results collected from this study may advance a better understanding of workplace perceptions and discrimination, and may benefit the general advancement of scientific knowledge.

### **Confidentiality**

No personally identifiable information will be collected in connection with this study, and aggregate scores will remain confidential and secured in a password protected database on the Principal Investigators computer. When the results of the research are published or discussed in conferences, no information will be included that would reveal your identity.

### **Voluntary Participation and Withdrawal**

You are free to choose not to participate and if you do become a subject you are free to withdraw from this study at any time during its course.

### **Questions**

Please feel free to ask about anything you don't understand and to consider this research and the consent form carefully – as long as you feel is necessary – before you make a decision. If you have further questions about this project or if you have a research-related problem, you may contact the Principal Investigator Tatny Castanet at [tcastanet964@sunmail.albizu.edu](mailto:tcastanet964@sunmail.albizu.edu) or by phone at (786) 343-3151. If there are questions you do not feel comfortable asking the investigator, you may contact project supervisor Toni DiDona at [tdidona@albizu.edu](mailto:tdidona@albizu.edu).

Q1 I have read, understood, and printed a copy of, the above consent form and desire of my own free will to participate in this study.

Yes (1)

No (2)

If No Is Selected, Then Skip To End of Survey

## Appendix B Demographics

Q2 What is your gender?

Female (1)

Male (2)

Q3 What is your current age? (U.S. Census)

16 to 24 (1)

25 to 33 (2)

34 to 42 (3)

43 to 51 (4)

52 to 60 (5)

60 or over (6)

Q4 What is the highest level of education you have completed?

- Less than High School (1)
- High School / GED (2)
- Some College (3)
- 4-year College Degree (4)
- Masters Degree (5)
- Doctoral or Professional Degree (6)

Q5 What is your combined annual household income?

- 0 - 19,000 (1)
- 20,000 – 39,999 (2)
- 40,000 – 59,999 (3)
- 60,000 – 79,999 (4)
- 80,000 – 99,999 (5)
- 100,000 or more (6)



Q6 What is your primary language (i.e., the one you speak most of the time)?

- English (1)
- Spanish (2)
- Chinese (3)
- Arabic (4)
- German (5)
- Other (specify) (6) \_\_\_\_\_

Q7 What country do you reside in for most of the year?

- United States of America (1)
- Venezuela (2)
- United Kingdom (3)
- Saudi Arabia (4)
- China (5)
- Other (6)

Q8 What is your current status?

- Single, never married (1)
- Married without children (2)
- Married with children (3)
- Divorced/ Separated/ Widowed (4)
- Living w/ partner (5)

Q9 How many employees work in your establishment?

- 1-4 (1)
- 5-9 (2)
- 10-19 (3)
- 20-49 (4)
- 50-99 (5)
- 150+ (6)

Q10 Which of the following best describes your level of employment?

- Not employed (1)
- Student (2)
- Entry-level (3)
- Support Staff (4)
- Middle Management (5)
- Upper Management (6)

Appendix C  
 Instrument

Q11 How often do you feel these statements apply to you:

	Never (1)	Rarely (2)	Sometimes (3)	Often (4)	All of the time (5)
I feel affected because advertisements depict my ethnicity/race as irrational and unable to assume responsibility. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Others refer to me as part of an age group instead of an individual. (2)</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>I have been passed over for an opportunity because I was considered “too young”. (3)</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>I have felt the need to lie about my age to be considered for an opportunity. (4)</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Others refer to me as part of an ethnic group instead of an individual. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Others assume things about me due to my age. (6)</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel affected by the fact that young people are rarely depicted in positions of power in the media. (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Others feel entitled to express criticism over my decisions because of my age. (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Others assume things about me because of my race/ethnicity. (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Others have told me that if I were older, people would treat me differently. (10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Others assume things about me because of my gender. (11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have felt hurt or humiliated because of comments about my age. (12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel affected because advertisements depict young people as irrational and unable to assume responsibility. (13)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q12 How often do you feel these statements apply to you:

	Never (1)	Rarely (2)	Sometimes (3)	Often (4)	All of the Time (5)
I feel emotional attachment to my job and the people I work with. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel that this company deserves my loyalty and commitment. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel like part of a family in this organization. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I want to work at this organization until I retire. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel like I belong at this organization. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This company's problems are also my own problems. (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I do not feel proud of where I work. (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q13 Has a coworker or supervisor ever told you that you remind them of their children or younger siblings?

- Yes (1)
- No (2)

If No Is Selected, Then Skip To End of Survey

Q14 As a result of this, do you feel the coworker or supervisor:

	Never (1)	Rarely (2)	Sometimes (3)	Often (4)	All of the Time (5)
Gives you less responsibility (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trusts you more (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Treats you unfairly (e.g. makes jokes on your behalf) (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Oversteps his/her professional boundaries (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Goes "easier" on you (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>