

Managing an Age Diverse Workforce: Research and Practice in the Run-Up to the Employment Equality (Age) Regulations

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Introduction

The Employment Equality (Age) Regulations came into effect on 1 October 2006 and prohibit positive or negative discrimination on the grounds of age. In the light of these legislative changes, this report reviews and summarises the employment literature on age discrimination and diversity that existed at the time these regulations came into force. This is substantiated by IES research findings on age diversity¹ and discussions with company representatives at an IES HR Network Event in the lead-up to October 2006.

The implications of the new laws for management and HR are far-reaching, but appear to converge around three central issues.

1. **Compliance:** the re-writing of people policies to ensure they are not explicitly or implicitly age-biased; the translation of these policies into management practice; and contingency planning for instances of legal challenge or complaint.
2. **Diversification:** actively seeking to attract, motivate and retain a wide range of ages in the workforce, through changes to recruitment, training and performance management.
3. **Culture change:** challenging inherent assumptions about the characteristics and abilities of different age groups; a gradual absorption of age diversity into the culture of the organisation and the attitudes of managers and employees.

Being prepared: legal compliance and pitfalls

Revisiting organisational policies and practices through systematic internal audits appeared to be the first step for many businesses as they looked to become more age diverse. From our discussions with member organisations there emerged a general sense that complying with the letter of the law did not pose a huge challenge. Many companies already operated under well established Equal Opportunities policies that automatically covered age discrimination. For example, most had removed age indicators from their application forms, were offering equal access to training, and promoted flexible working and retirement options. In these cases, the new regulations represented more of a 'checking point' for existing practices than a full-scale policy overhaul.

Notwithstanding, concurrent independent research by a range of institutions (CIPD/CMI, 2005; CROW, 2005; DWP/DTI, 2006; Age Partnership Group, 2006) reported on the ways in which a proportion of companies were continuing to work with policies or practices that either directly contravened the age regulations, or that could be interpreted as discriminating against particular age groups. According to these findings,

¹ In June 2006, IES ran an online survey and conducted thirteen in-depth telephone interviews with HR representatives at both public and private sector organisations.

age was still being used in many workplaces as a direct or indirect criterion for recruitment, training, promotion and redundancy decisions, without legally justifiable reason. Long-term incremental pay scales and length-of-service benefits were prevalent, and performance management systems were seen to be inconsistent. A large number of organisations were failing to monitor their workforce age profile, and even fewer actively targeted older workers. A summary of these practices is presented below.

Table 1: Unlawful and hazardous HR practices

Policy area	Unlawful practices	Hazardous practices
<i>Recruitment</i>	Job adverts specify age	Age information shown to shortlisters/interviewers
	Age used as selection criterion	Length of experience, expected length of service or physical strength used as selection criteria
<i>Pay and benefits</i>	Age determines starting salary	Experience determines starting salary
	Maximum age for sick pay	Local managers set starting salary
		Long incremental pay scales Length of service benefits
<i>Training</i>		Training on basis of 'expected ability to learn' or proximity to retirement
<i>Retirement and Redundancy</i>	Compulsory retirement below 65	'Last in, first out' policies
	Age used as redundancy criterion	Redundancy pay based on length of service or current salary
	Redundancy pay based on age	

Source: IES literature/web review including CIPD/CMI (2005), CROW (2005), DWP/DTI (2006), Age Partnership Group (2006)

In a series of sector-specific reports, drawing on national qualitative datasets, McNair and Flynn (2006) identified some of the challenges and pitfalls being faced by different occupational groups. Professional services, construction, hospitality, retail and transport were adjudged to be practising discrimination in various of the ways mentioned above, against a general backdrop of low awareness and a lack of age-neutral policies. In contrast, the areas of management, education, health and social care, business services and manufacturing were found to have relatively strong codes of practice and cultures of equality, reflected in more age diverse workforces.

Diversity in action: empowering the workforce

The backdrop

The drive to eradicate age discrimination reflects in part the changing shape of the labour market. Population demographics are shifting dramatically. With the ageing of the 'baby boomer' generation, decline in birth rates and longer life expectancies (Towers Perrin, 2005), it is projected that by the year 2025, people over 60 will outnumber those aged under 25 in Britain. The picture is one of impending knowledge gaps and labour shortages, especially among professions relying on highly skilled and specially trained workers. For this reason, and because older people are increasingly expressing a desire to work beyond the standard retirement age (AARP, 2002, 2003), employers are turning more and more to mature and experienced staff to gain and maintain a competitive advantage.

The business case

There are many ways in which employing an age diverse workforce represents a sound business proposition. In addition to better reflecting the customer base and general population trends, age diversity enables organisations to fill the gaps in the workforce caused by declining numbers of young entrants, and reduces the tax and pensions burden of having large numbers in retirement. Keeping people in jobs for longer also cuts down on turnover costs. Employing older staff members helps organisations cater to the increased demand for part-time, temporary and contractual jobs (Doverspike et al., 2000), as such patterns of work may well suit a generation that wishes to balance paid employment with leisure, family and other commitments (Barnes et al., 2002).

There is increasing recognition of the fuller range of skills and experience that may be captured by employing people of different ages (ECU, 2006). Ending forced retirement policies reduces wastage at the upper end of the workforce, where individuals may still be fully able and willing to work (Flynn and McNair, 2004), and retains what Age Positive call the 'corporate memory'. The classic assumption that older people experience a decline in performance and degeneration of creative abilities may be a myth. Studies have indicated that knowledge, skills and productivity may remain stable or even improve until late in life (Towers Perrin, 2005; CIPD, 2006). Furthermore, it has been suggested that older workers bring with them invaluable, though somewhat intangible, skills related to communication, business knowledge and professionalism, which may be lacking in their younger counterparts (SHRM, 2005).

Beyond the immediate returns to the business, age diversity was seen by our contact organisations as contributing to their standing as an employer of choice. Managers reasoned that if staff felt included and valued regardless of their age, this would lead to greater attraction, retention and engagement, and an improvement in long-term productivity. For those organisations with lots of customer contact, age diversity was thought to increase rapport with the public and promote good customer service. The

employment website *www.aging.co.uk* reports that ‘grey’ consumers, who typically have greater purchasing power than younger people, prefer to deal with company representatives who are close to their own age. A number of respondents also indicated that age diversity linked in with the public image and social responsibility of their organisation. In particular, it was felt that if a range of age groups was portrayed in a company’s marketing materials (as often tended to be the case), then action should be taken to ensure this was a true reflection of the composition of the workforce.

Away from the common emphasis on the upper end of the workforce, a small number of organisations mentioned that they hoped to attract more young people into areas traditionally dominated by those in the latter phases of their careers.

Early reports from organisations who had pioneered age diversity programmes and had a significant uptake of older workers indicated that there had been substantial savings in the areas of recruitment, turnover and short-term sick pay. Staff morale had improved and customer satisfaction had correspondingly increased.

Putting it into practice

As already noted, the company representatives with whom we spoke in telephone interviews and during our HR Network events appeared largely to have smoothed out the technicalities of compliance with the regulations. They were now looking to the broader picture of how they might actively promote age diversity within their organisations and reap the benefits of a multi-aged, multi-skilled workforce. The practices they described tended to reflect findings drawn from the literature on age diversity: for example, case studies by the Centre for Research into the Older Workforce (CROW, 2005) and survey data from the Department for Work and Pensions (DWP, 2006). A host of further initiatives can be found reported on company websites and by various anti-discrimination bodies such as Age Positive. A summary is presented in Table 2 and some of the key themes are discussed below.

Table 2: Common age diverse practices

Policy area	Age diverse practices
<i>Recruitment</i>	Recruitment campaigns targeted at under-represented groups Age-neutral advertisements/application forms ‘Graduate’ schemes made open to all Focus on quality not quantity of experience Mixed age interview panels
<i>Training and development</i>	Training offered to all staff Formal performance appraisals/promotion assessments

Policy area	Age diverse practices
<i>Working arrangements</i>	Part-time work Flexitime Seasonal work teams Re-deployment Secondments
<i>Pay and benefits</i>	Narrowing of pay bands
<i>Leave</i>	Grandparent leave Carers' leave Benidorm leave Sabbaticals
<i>Working life</i>	Ergonomic adjustments Medical checks Buddy schemes
<i>Retirement</i>	Abolition of forced retirement Flexible retirement plans
<i>Work experience</i>	Schemes made open to all
<i>Awareness</i>	Equal Opportunities policy Information packs Training programmes Data monitoring Role models
<i>Representation</i>	Equality/age diversity champions Focus/working groups

Source: IES literature/web review

Developing their recruitment practices was a major area of activity for many organisations, who spoke of working towards a more inclusive public image and wider accessibility, with a view to improving their reputation as an equal opportunities employer. Advertising materials were being revised to contain more images of older workers, and were posted in locations where they were likely to be viewed by people of that age group. In the past, some recruiters, particularly in the retail sector, have been known to leaflet pension queues and attend tea dances and bingo nights in a bid to widen their applicant base. Employers were reworking their definition of 'graduates' and 'graduate schemes' to include mature students and those who may have left

university some years earlier. The Open University was seen as a good recruitment pool for these 'alternative' types of graduates.

Debate continued as to how far to extend the notion of 'age neutral' recruitment practices. While most organisations were happy to remove words such as 'young' or 'graduates' from their job advertisements, and consign date-of-birth requests to the Equal Opportunities monitoring form, it was widely accepted that deducing someone's age from their dates of education and other biographical information was not difficult. However, it was noted that to remove dates altogether would cause difficulties in tracking an applicant's employment history and detecting gaps in their record.

Whilst universal access to training and career development appeared fairly well established, some respondents commented that older people were less likely to put themselves forward for training opportunities and thereby hampered their own chances of progression. The implication was that companies needed to address how training is perceived as opposed to access per se. It was suggested that one element of performance management might be motivating people to attend training courses. At the same time, it was deemed important that training should not be given purely out of a duty to comply, but with a strong business case behind it and the assurance of a return on investment. In some cases it might be justifiable to refuse training within a set window before retirement.

Performance management was another area seen as requiring sensitive handling. There was a general consensus that organisations have to address poor performance regardless of the age of the employee, but in the light of the new regulations they were increasingly moving towards introducing and implementing structured and standardised performance appraisal systems. They understood the need for managers to avoid making untested assumptions about the health, fitness and mental capabilities of their older employees.

New perspectives: changing people's attitudes

Stereotypes

Cultural stereotypes of the older and younger generations have abounded for years and come to the fore in an employment context. Stereotypes can of course be positive as well as negative, but either way represent a 'mental shortcut' whereby judgements are made about a person based purely on their age (or perceived age). Some of the most recurrent stereotypes about older and younger workers are presented in Table 3.

Table 3: Common age-related stereotypes

	Young people	Old people
Positive stereotypes	Energetic	Patient
	Healthy	Conscientious/reliable
		Loyal/committed
		Experienced/knowledgeable
		Punctual
Negative stereotypes	Uncommitted	Slow to learn/forgetful
	Bored	Unfit
	Take spurious sick days	Prone to illness/absenteeism
	Change jobs frequently	Resistant to change
		Technophobic

Source: Adapted from ECU (2006)

As the Equality Challenge Unit (ECU, 2006) points out, the contradictions between positive and negative stereotypes of the same age group (which would hold, for example, that older workers are both conscientious and reliable *and* unproductive and forgetful) attest to their inherent lack of validity. Of course, any one supposition may feasibly be accurate in a given situation, but it is clear that neither positive nor negative assumptions about an employee or prospective employee should be made without a proper assessment of the individual case in question.

Research would suggest that the picture is improving. Survey data collected by the CIPD (2006) claimed that attitudes amongst line managers and personnel professionals towards older workers, at least, have undergone a positive shift in the last decade. Rather than being seen as an economic burden, older workers are now recognised as a valuable resource, worthy of investment and protection. These findings are substantiated by the self-reports of older workers, who cite fewer instances of discrimination now than in the past. Younger workers appear to have fared less well, with the Employers Forum on Age (EFA, 2005) reporting that younger people were likely to be intimidated, given menial tasks, passed over in favour of 'more experienced' workers, and excluded from occupational pension schemes, on the grounds of their age.

At ground level, the majority of our contact organisations appeared dubious of the research rhetoric and still believed that both older and younger workers were negatively stereotyped by managers and colleagues. Furthermore, they felt that these attitudes were being filtered through to the recruitment agencies and headhunters who selected new employees on the organisation's behalf. In some cases it was sensed that managers

wanted to have a team that was easy to manage and so did not contain any individuals who might require extra support.

Attitudes of this nature were seen as hard to dispel, as prejudices can be very ingrained and take time to overcome. Our respondents commented that sometimes it may not even occur to people that they are being discriminatory. Further complications arise when one considers that stereotypes can, to an extent, be grounded in reality and should not be dismissed out of hand. Yet it is clear that careful investigation is called for before a judgement can be made, as the example of sickness absence shows. While the facts show that older workers are more likely to take time off for serious medical conditions, the idea that older people are absent *more often* than younger people is not borne out by experience. In reality, this age group tends to record longer periods of time without any absence (Hurstfield and Akroyd, 2005). Both anecdotal and research evidence (ACAS, 2004) testify to the fact that younger workers are more likely to take frequent, short-term sick leave – not least the classic Friday afternoons and Monday mornings – and are also more prone to debilitating sports injuries and industrial accidents.

The area can be a difficult one to negotiate, but in order to do so it was seen as vital by our interviewees to get age diversity high on the business agenda and wholly supported by senior management. Facts and figures were important – and in many cases, organisations were found to be monitoring their workforce data and analysing age profiles – but the crucial point would be getting people to pay proper attention to these data and allow them to shape recommendations in practice. This might include presenting projections of the workforce at certain points of the future, to demonstrate the changing demographics of the population and illustrate the need to recruit more senior workers. An equal opportunities statement, distributed to all staff, would help to concretise the company's commitment to diversity.

Age diversity training was also thought to be useful, and in many cases had already been implemented as part of the wider diversity agenda, with some specialist training for those involved in recruitment and interviewing. Company representatives were keen that training be a mandatory, embedded part of the induction process, tied in with the culture of the organisation. It should include areas such as unconscious discrimination through the use of particular language. The emerging message is that employers must get people to think about age discrimination in the same terms as sexism or racism – in other words, that it is unacceptable.

The CIPD/CMI (2005) survey report expresses concern that companies' educative strategies are too impersonal. For example, communications about age diversity are being placed on the intranet rather than being disseminated via workshops or other interactive and influential media. Our case study interviewees and Network members similarly spoke of the need for briefings to be carried out face to face, in concise and practical terms and backed up by real life examples. One representative mentioned the special importance of communicating with line managers based overseas but who have subordinates in the UK. They may come from cultures where age is considered a viable

criterion in management decisions, and will require extra training in the letter and application of the new employment laws.

Change is gradual, but promising. In the fifth annual IRS HR Prospects study, combating age discrimination emerged as the top priority across HR departments in the 400-plus organisations surveyed (Crail, 2006).

The worker's view

Self-stereotyping and the resultant self-fulfilling prophecies are prevalent among the older generation (Flynn and McNair, 2004) and may be just as limiting as the biases held by others. As mentioned previously, older workers are less likely to put themselves forward for training and this may be due to distorted beliefs about their own abilities. Newton et al. (2005) suggest that older workers may suffer either from fear of an inability to learn new concepts and tasks, or over-confidence in their knowledge and experience, both making them reluctant to undergo further training. It may be necessary or advisable in these cases to implement a structured training needs analysis.

Older people may similarly be reluctant to apply for or accept jobs in areas traditionally populated by younger workers, or in companies that project a youthful brand image. These areas could be made more inclusive if appropriate training were given both to the workers, to equip them with the skills needed, and to managers, to alter their perceptions of the type of employee best suited to these sectors.

Retaining workers up to or past the default retirement age may prove difficult in some respects, given the attractive retirement packages offered by some organisations, particularly in the event of downsizing or restructuring. This may be countered to a degree by organisations' renewed efforts to retain talent by encouraging older people to work for longer; nonetheless, 80 per cent of respondents to the CIPD (2006) survey indicated that they expected to retire by the age of 65. There may be further issues around retaining and motivating those who would have been due for retirement just as the new raised retirement ages come in. These individuals may have already begun 'winding down' and hence be reluctant to consider staying at work for another five or more years.

Focused career consultations were seen as important for overcoming the perception that careers plateau after a certain age. On the other hand, American research (Putnam Investments, 2005) identified a large proportion of 'working retired' who had decided to return to work. Two-thirds of this group confirmed that they 'wanted', rather than 'had', to take this step.

Generation gaps

Understanding the experiences and mindsets of different age groups will be crucial to overcoming negative stereotypes, promoting engagement and encouraging people to work for longer. Various attempts have been made to classify the workforce into

'generations' or other categories that enable relevant patterns in employment behaviour and attitudes to be identified.

Anecdotal and management writings frequently refer to the chronological cohorts of 'baby boomers', 'Generation X' and 'Generation Y' as having identifiably different outlooks, ambitions and work ethics, but these analyses tend to be rather generalist. In their own breakdown of the workforce, Flynn and McNair (2004) do not refer to age directly, but distinguish between 'choosers', 'survivors' and 'jugglers' – categories representing highly qualified graduates, low qualified routine workers, and flexible (mostly female) workers respectively. While choosers tend to report positive experiences of work and remain in the labour market out of choice, survivors have less control over choice of, or movement between, jobs. Jugglers are to be found predominantly in part-time work across a broad range of sectors and levels.

Research by IES (Strebler, 2006) suggests that it is not age itself, but the extent to which employees feel 'engaged' with their jobs that determines positive attitudes to and experiences of work. A notably different profile emerges across the under-30s and over-50s age groups with regard to the drivers of engagement. While younger workers appear to thrive on interest and challenge, personal development, and the social standing of their employer, older workers are more likely to be motivated by a sense of personal value, fair reward, and a close involvement with and contribution to organisational objectives. In the light of these findings, it is interesting to note research that claims workers in their twenties are not sufficiently 'stretched' by interesting challenges and hence tend to feel frustrated and impatient with their job situation (EFA, 2005). Conversely, people in their sixties self-report as happier and more confident than all the age cohorts below them, implying that employers would do well to attract and retain this contented and motivated sector of the workforce.

Pioneers of age diversity

There have been a number of high-profile initiatives launched by major companies in the bid to become more age diverse and promote the benefits of employing older workers. Well in advance of the legislative changes, the supermarket chain Asda began a nationwide recruitment campaign aimed at over-50s. Its key selling point to the older workforce was a wide range of flexible working options. The store has seen its staff turnover drop and both employee and customer satisfaction notably improve.

Further back still, in 1989, B&Q opened a branch store in Macclesfield staffed entirely by over-50s. The extra training period allotted proved unnecessary, and a comparison with four other stores over a six-month period showed the store's profits to be 18 per cent higher than average. Staff turnover was six times lower, while absenteeism fell by almost 40 per cent. Once again, customers indicated improved perceptions of service. With time, however, the experiment was discontinued, as B&Q came to realise that their key issue was not about employing older people alone, but those of all ages.

Conclusion

At the time the Employment Equality (Age) Regulations were launched, organisations were left knowing there was only so much they could do to conform immediately to the new legislation. There was recognition that policies and practices could never be completely watertight, and a general acceptance that some pitfalls would be likely only to come to light when a complaint was filed for discrimination. Our case study and member organisations appeared willing to carry this risk to some extent and avoid recourse to obsessive political correctness. In recognition of the business case for employing both older and younger workers, they signalled a desire in the longer term to move beyond mere compliance and nurture a change in attitudes and ways of thinking, such that age diversity would become an inherent part of organisational culture and drive their businesses forward.

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