

## Intergovernmental Management: The Silver Tsunami Effect, an Essay

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### Abstract

This essay aims to examine one of the most important trending discussions in the twenty-first century, the silver tsunami [ages 55+]. For the past ten years government officials have had debates on the impact of a “silver tsunami” in public management. In public management the silver tsunami has been characterized as “a sudden wave of baby boomers retirements that could potentially cripple public management networks.”<sup>ii</sup> These discussions have called into question whether public management networks are prepared to accommodate the influx of baby boomers request for retirement and/or early retirement? Alternative questions posed; will the silver tsunami migration cripple the economic landscape in America? This article seeks to examine plausible techniques to minimize harm to baby boomers and the economy. This article parallels inter governmental management (IGM) and intergovernmental relation (IGR) properties to examine the impending silver tsunami crisis in the American public domain. Finally, this article questions the veracity of age discrimination and antidiscrimination laws.

**Keywords:** silver tsunami, older adults, aging workforce, aging and disability

### 1. Introduction

The term intergovernmental relation (IGR) denotes federalism. Federalism is the governing power in an organization [government], when context is in use properly it invokes a central authoritarianism process that arouses the democratic centralism to action. Lenin termed democratic centralism as an action that consisted of “freedom of discussion, and unity of action.”<sup>iii</sup> This hierarchical network almost always accommodates opposing initiatives within the jurisdiction of federalism systems, in theory, it ensures political ideologies, fiscal, programmatic, provincial policies and administrative objectives (social and ethical by laws) are achieved. In contrast the Constitution does not provide a framework for intergovernmental relations, yet the document provides details on how governments should work together, actually, the Constitution can be particularly ambiguous in constructing a balance of power between the levels of government<sup>iii</sup> for example impending federal government plans to reduce money transfer restrictions from Cuban (Floridians) Americans to relatives in Cuba verses Florida politician running for reelection subsequently forced to answer back to controversial embargo debates from Floridians in their perspective districts. This illustration is indicative of coordinating authority activities. Coordinating authority denotes the unidirectional flow of power in an intergovernmental system from states to districts, but then again districts balance state power by exerting political power. This is a prime illustration of applicable planning in intergovernmental relations processes compared to intergovernmental management of states to districts activities.

In spite of, coordinating authority activities this article underscores the inclusive authority<sup>iv</sup> relationship between centralized (i.e., national, state and local governments’) and hierarchical political systems capability to impose processes to manage the impending silver tsunami crisis in the American public domain.

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## **Intergovernmental Management**

While collectively there is an agreement among scholars on the significance of intergovernmental management (IGM) on the performance in most public entities, theoretical work has been restrictive, and systematic empirical research is infrequent (Meier, 2004). At the same time, other scholars distinguish inter governmental management as the joint action, searching for practical solutions for joint management activity to resolve a myriad of government levels and private agencies issues in an attempt to preserve intergovernmental relations (Wright, 1990). Hanf (1978) asserted IGM is measured by the frequency of transactional processes between constituents and governmental network systems. As a function of IGR, it gives emphasis to the goal achievement process, since management is a process by which cooperating officials' direct action toward goals (Wright, 1984). Even so, the impact of politics of intergovernmental relations has a profound impact on program design in public management and cannot be marginalized as merely a central interest of governance (McGuire, 2006). Even though there are parallels between IGM and IGR i.e., the use of strategic involvement in the National Guard assisting flood victims to Federal Emergency Management Agency [FEMA] efforts to place flood victims in temporarily housing (Fox, Morgan, and Moore, 2005), theoretically, there is no way of escaping processes of intergovernmental management. This article will discuss three characteristics that attribute to IGM merits: (1) a problem solving focus that is, "an action oriented process that allows administrators at all levels of channel resources to assist its constituents (Mandell 1979); (2) tactical and managing behavior, as a means of understanding inter-jurisdictional processes, and networking systems operation; and (3) an emphasis on contacts and the development of communication networks to accommodate the jurisdictional-legal/political process (Agran off and Lindsay, 1983) such as idiosyncratic behaviors against elder lies in the workplace, rather than managing perception of an independent organization entity and/or organizational constructs (Mandell, 2007).

## **2. The Silver Tsunami Effects**

According to the Bureau of Labor Statistics (BLS) the Silver Tsunami reflects an era following World War II, from 1946 to 1964, when 78 million people were born in the United States creating a large birth cohort known as the baby boomers (Silverstein, 2008; Toossi, 2006). Today, baby boomers affect the U.S. economy, and society (i.e., employment surveys, public health, retirement etc.). BLS project by 2020, the elders (subclass) in the United States is expected to reach 97.8 million people, comprising 28.7 percent of the entire U.S. population, a proliferation from 24.7 percent in 2010. The proliferation can be attributed to an entire subclass joining the elder population (ages 55+). In addition indicators reveal, by 2020, the percentage of the U.S. labor force that is composed of elders will increase 25.2 percent. The proliferation illustrates the frequency of elders left over in the workforce, as the rates were 13.1 percent in 2000 and 19.5 percent in 2010.<sup>v</sup> Subsequent trends indicate an upsurge in the median age of the U.S. workforce. By 2020, the workforce average projected median age will be 42.8, which is an upsurge from 39.3 in 2000 and 41.7 in 2010 (Chosewood, 2012; BLS, 2012).<sup>vi</sup> These behaviors call to question whether organizations are prepared for the influx of elders leaving and/or returning to the workforce. Figure 1 illustrates the U.S. Department of Labor Employment Projections Programs, by subclasses based on their median age of the labor force, by sex, race and ethnicity, between 1992 and 2012 including 2022 projections.

**Fig. 1.** The U.S. Department of Labor Employment Projections Programs, by subclasses based on their median age of the labor force, by sex, race and ethnicity, between 1992 and 2012 including 2022 projections

<b>Group</b>	<b>1992</b>	<b>2002</b>	<b>2012</b>	<b>2022</b>
<b>Total</b>	37.1	39.8	41.9	42.6
<b>Sex:</b>				
<b>Men</b>	37.2	39.8	41.8	42.2
<b>Women</b>	37	40	42.1	43.1
<b>Race:</b>				
<b>White</b>	37.3	40.2	42.6	43.3
<b>Black</b>	35.5	38.1	39.7	40.3
<b>Asian</b>	36.2	38.8	40.9	42.9
<b>Ethnicity:</b>				
<b>Hispanic origin</b>	32.5	34	36.9	38.9
<b>White non-Hispanic</b>	37.8	41.1	44.2	44.8

Source: Employment Projections programs, U.S. Department of Labor, U.S. Bureau of Labor Statistics<sup>vii</sup>

Baby boomer trends point more to the elimination of mandatory retirement and the enactment of age discrimination laws resulting from better life expectancy and wellness designs; conversely, the days for early retirements have become archaic. Trends point to elders choosing to and/or being forced to remain in the workforce longer than they had originally planned (Chosewood, 2012). This article looks at the veracity of laws and those policies which can no longer be surveyed unsympathetically as jurisdiction of domestic laws stemming from an evolution of ageism. Ageism is categorizing and discriminating against individuals and/or groups on the basis of their age (EEOC). These idiosyncratic behaviors might be looked at as casual and/or systemic (Nelson 2002; Quadagon, 2008) discrimination against elders. This article looks at likely solutions organizations might incorporate to combat incidences of ageism within the constructs of domestic laws [Age Discrimination of Employment Act of 1967 (ADEA)] used to protect individuals who are 40 years of age or older within the context of both employment and job applicants based on age. It has been hastily mentioned in employment circles “the one certainty is that boomer won’t be working forever.”

Despite that, the reality is where there is a well-designed workplace with positive policies and consistently monitored programs (i.e., life-balance) to optimize the health and well-being of elders’ research reveals that the entire workforce is prosperous. These processes can be used to support ongoing organizational health for companies and indeed for the U.S. economy, as well as the employees’ well-being. Through wellness and safety preventive solutions (e.g. processes to reduce incidence of injuries etc.) an organization can aid and assure that the United States continues to have a capable, experienced workforce.

### 3. Preventive Solutions

There are many cost effective solutions to proliferating the morale, productivity and eradicate biases against elders in an aging workforce if implemented properly (from the top to the bottom). Figure 2 Illustrates Workplace Tactics for the Entire Workforce (but are not limited to processes) to preparing a workforce for elders and a healthier, safer workforce:

	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Total Charges	80,680	79,591	77,444	79,896	80,840	84,442	81,293	79,432	75,428	75,768	82,792	95,402	93,277	99,922	99,947	99,412	93,727
Race	29,199	28,820	28,819	28,945	28,912	29,910	28,526	27,696	26,740	27,238	30,510	33,937	33,579	35,890	35,395	33,512	33,068
	36.20%	36.20%	37.30%	36.20%	35.80%	35.40%	35.10%	34.90%	35.50%	35.90%	37.00%	35.60%	36.00%	35.90%	35.40%	33.70%	35.30%
Sex	24,728	24,454	23,907	25,194	25,140	25,536	24,362	24,249	23,094	23,247	24,826	28,372	28,028	29,029	28,534	30,356	27,687
	30.70%	30.70%	30.90%	31.50%	31.10%	30.20%	30.00%	30.50%	30.60%	30.70%	30.10%	29.70%	30.00%	29.10%	28.50%	30.50%	29.50%
National Origin	6,712	6,778	7,108	7,792	8,025	9,046	8,450	8,361	8,035	8,327	9,396	10,601	11,134	11,304	11,833	10,883	10,642
	8.30%	8.50%	9.20%	9.80%	9.90%	10.70%	10.40%	10.50%	10.70%	11.00%	11.40%	11.10%	11.90%	11.30%	11.80%	10.90%	11.40%
Religion	1,709	1,786	1,811	1,939	2,127	2,572	2,532	2,466	2,340	2,541	2,880	3,273	3,386	3,790	4,151	3,811	3,721
	2.10%	2.20%	2.30%	2.40%	2.60%	3.00%	3.10%	3.10%	3.10%	3.40%	3.50%	3.40%	3.60%	3.80%	4.20%	3.80%	4.00%
Color	762	965	1,303	1,290	1,135	1,381	1,550	930	1,069	1,241	1,735	2,698	2,943	2,780	2,832	2,662	3,146
	0.90%	1.20%	1.70%	1.60%	1.40%	1.60%	1.90%	1.20%	1.40%	1.60%	2.10%	2.80%	3.20%	2.80%	2.80%	2.70%	3.40%
Retaliation All Statutes	18,198	19,114	19,694	21,613	22,257	22,768	22,690	22,740	22,278	22,555	26,663	32,690	33,613	36,258	37,334	37,836	38,539
	22.60%	24.00%	25.40%	27.10%	27.50%	27.00%	27.90%	28.60%	29.50%	29.80%	32.30%	34.30%	36.00%	36.30%	37.40%	38.10%	41.10%
Retaliation Title VII only	16,394	17,246	17,883	19,753	20,407	20,814	20,615	20,240	19,429	19,560	23,371	28,698	28,948	30,948	31,429	31,208	31,478
	20.30%	21.70%	23.10%	24.70%	25.20%	24.60%	25.40%	25.50%	25.80%	25.80%	28.30%	30.10%	31.00%	31.00%	31.40%	31.40%	33.60%
Age	15,785	15,191	14,141	16,008	17,405	19,921	19,124	17,837	16,585	16,548	19,103	24,582	22,778	23,264	23,465	22,857	21,396
	19.60%	19.10%	18.30%	20.00%	21.50%	23.60%	23.50%	22.50%	22.00%	21.80%	23.20%	25.80%	24.40%	23.30%	23.50%	23.00%	22.80%
Disability	18,108	17,806	17,007	15,864	16,470	15,964	15,377	15,376	14,893	15,575	17,734	19,453	21,451	25,165	25,742	26,379	25,957
	22.40%	22.40%	22.00%	19.90%	20.40%	18.90%	18.90%	19.40%	19.70%	20.60%	21.40%	20.40%	23.00%	25.20%	25.80%	26.50%	27.70%
Equal Pay Act	1,134	1,071	1,044	1,270	1,251	1,256	1,167	1,011	970	861	818	954	942	1,044	919	1,082	1,019
	1.40%	1.30%	1.30%	1.60%	1.50%	1.50%	1.40%	1.30%	1.30%	1.10%	1.00%	1.00%	1.00%	1.00%	0.90%	1.10%	1.10%
GINA														201	245	280	333
														0.20%	0.20%	0.30%	0.40%

**Fig. 2. Workplace Tactics for the Entire Workforce**

- Prioritize workplace flexibility. Workers prefer jobs that offer more flexibility over those that offer more vacation days. To the extent possible, give workers a say in their schedule, work conditions, work organization, work location and work tasks.
- Manage noise hazards (including excess background noise), slip/trip hazards, and physical hazards, conditions that can challenge an aging workforce more.
- Provide health promotion and lifestyle interventions including physical activity, healthy meal options, tobacco cessation assistance, risk factor reduction and screenings, coaching, and onsite medical care. Accommodate medical self-care in the workplace and time away for health visits.
- Invest in training and building worker skills and competencies at all age levels. Help older employees adapt to new technologies, often a concern for employers and older workers.
- Utilize teams and teamwork strategies for aging-associated problem solving. Workers closest to the problem are often best equipped to find the fix.
- Match tasks to abilities. Use self-paced work, self-directed rest breaks and less repetitive tasks
- Avoid prolonged, sedentary work – it’s bad for workers at every age. Consider sit/stand workstations and walking workstations for workers who traditionally sit all day. Provide onsite physical activity opportunities or connections to low-cost community options.
- Provide ergo-friendly work environments, workstations, tools, floor surfaces, adjustable seating, better illumination where needed, and screens and surfaces with less glare.
- Proactively manage reasonable accommodations and the return-to-work process after illness or injury absences.
- Require aging workforce management skills training for supervisors. Include a focus on the most effective ways to manage a multi-generational workplace.

Source: Niosh Science Blog, Safer Healthier Workers<sup>viii</sup>

The question here is if preventive solutions are so cost effective and unobtrusive, then why were there so many discrimination claims, in particular age discrimination, filed between FY1997 and FY2013? Figure 3 Illustrates Data Summary Reports Compiled by EEOC between FY1997 and FY2013.

NOTE: the number for total charges illustrate the number of separate charge filings resulting from workers filing claims pertaining to multiple areas of discrimination.

### **Aging and the Antidiscrimination Model: (the Age Discrimination in Employment Act [ADEA])**

The postulation on aging derived from the notion that “organisms must reach a balance between the resources they invest in soma (organisms) maintenance and reproduction (Kirkwood, 1977).” “The disposable soma theory predicts that aging occurs due to the accumulation of damage during life and that multiple defensive or repair mechanisms contribute to aging (Kirkwood and Austad, 2000) lifecycle.” Subsequent, organisms eventually die of disease, accidents, predation, etc.<sup>ix</sup> thus among the evolution of radical genetics, humans included, adaptation to aging and the approach of death marks a central feature of social organization. Social organization denotes a lifecycle of correlations between humans and/or organizations (leadership, and subdivisions of labor communication systems etc.). We might look at social systems from the turn of century when the elderly were revered to understand the complexities that established an essential organizing characteristic of domestic life. In contrast, in modern times the world treats the worthless or near worthless elderly as problems to the social order.

Restraining from delving too deep into theories surrounding the cultural anthropology and/or social stratification, power and conflicts (kinship, friendship, fraternities and sororities, counterculture group of the 1960s and 1970s. work groups and cooperatives, secret societies, self-help groups, online communities, and gangs) consider this: surrounded by the intricacy aging and the path of mortality stands the legal regime developed in the United States for addressing the issue of aging in the workforce since the emancipation of the antidiscrimination law through Age Discrimination in Employment Act [ADEA or the Act] (Issacharoff and Harris, 1997). What is certain as a result of the number of age discrimination charges filed between FY1997 and FY 2013, is that the elder population lacks the critical constructs of disadvantaged group status that give some elementary coherence (ethnic group: Blacks, Asians, Hispanics etc.) to an antidiscrimination model. Yet, the elderly are excluded from the circle of privilege that other social groups are extended through laws. The question here: Is society obligated to establish equal amendments under the law that protect monitories from discrimination as a resolution for elderly in the workforce?

The proposition for ADEA was to avert blatant employment discrimination that limited applicants to those under forty; instead the entreaty of “Elders Need Not Apply” allowed the synthesis of varying statutory contrivances of Title VII’s prohibition on race and sex discrimination.<sup>x</sup>Even so, the first protagonists of the ADEA recognized that the parallels to antidiscrimination instructions were flawed; the sad reality of the apparent deficiency in the evolutionary trajectory of the ADEA.<sup>xi</sup>The question here is what are the unique characteristics of age in the workforce? Conversely, how do organizations measure the economic lifecycle employment and/or is it considered under ADEA instructions? In addition are there any obstacles for elderly employees and what are the differences in outliers between the drawbacks and classic claims of discrimination in employment? Finally, is this a case where the ADEA has misinterpreted the antidiscrimination model?

Research has revealed that anti discrimination laws have prevented blatant barriers to entry into the workforce. Figure 4 Illustrates the Labor Force Statistics from the Current Population Survey (participation rate percent or rate 16 years and over between FY 2004 to FY 2014

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2004	66.1	66.0	66.0	65.9	66.0	66.1	66.1	66.0	65.8	65.9	66.0	65.9
2005	65.8	65.9	65.9	66.1	66.1	66.1	66.1	66.2	66.1	66.1	66.0	66.0
2006	66.0	66.1	66.2	66.1	66.1	66.2	66.1	66.2	66.1	66.2	66.3	66.4
2007	66.4	66.3	66.2	65.9	66.0	66.0	66.0	65.8	66.0	65.8	66.0	66.0
2008	66.2	66.0	66.1	65.9	66.1	66.1	66.1	66.1	66.0	66.0	65.9	65.8
2009	65.7	65.8	65.6	65.7	65.7	65.7	65.5	65.4	65.1	65.0	65.0	64.6
2010	64.8	64.9	64.9	65.2	64.9	64.6	64.6	64.7	64.6	64.4	64.6	64.3
2011	64.2	64.2	64.2	64.2	64.2	64.0	64.0	64.1	64.2	64.1	64.1	64.0
2012	63.7	63.9	63.8	63.7	63.8	63.8	63.7	63.5	63.6	63.7	63.6	63.6
2013	63.6	63.5	63.3	63.4	63.4	63.5	63.4	63.2	63.2	62.8	63.0	62.8
2014	63.0	63.0	63.2	62.8	62.8	62.8	62.9	62.8	62.7	62.8	62.8	

Source: Bureau of Labor Statistics<sup>xii</sup>

Is there deficiency in the current population surveyed? Absolutely. Here is why, the source of the problem for elderly in the workforce is prodigiously understated based on their employment lifecycles, not at the employment period. The antidiscrimination model is unsuccessful at explaining the life-career vulnerability of elderly employees and it diminishes the occurrence of life-career vulnerability.<sup>xiii</sup>Theoretically, the antidiscrimination model successfully explains levels of entitlement. The point is “to prohibit age discrimination in employment is so plainly and unarguably right, that to belabor it is too dull it...nobody defends such discrimination, and...there is general agreement that it ought to be stopped.”<sup>xiv</sup>Even though Congress certified a politically significant and litigation-tested antidiscrimination law into the marketplace, the jurisdictional process subsequently invoked anarchism. In essence, ADEA has been ineffective for elder employees looking for entrance into the workforce.<sup>xv</sup>As an alternative for ADEA, in 1958, Congress sanctioned the American Association of Retired Person (AARP) as the primary advocate source for the elderly, subsequently uninhibited ADEA participation in job acquisitions. During this period the world witnessed a methodical attack to the mandatory retirement and targeted employee retirement incentive programs. The AARP-inspired amendments of the ADEA provoked a significant erstwhile assignment of resources to a generation whose members are encroaching upon their career life-cycle.<sup>xvi</sup>The ADEA invoked a self-conscious wealth transfer not to society’s victims or even its unfortunates, but to some of its most privileged. The citizens who were to benefit from antidiscrimination law cannot escape the conclusion that the use of the Act and rhetoric to accomplish this objective is awful.<sup>xvii</sup>

#### 4. The Silver Tsunami Impact

The general public cannot comprehend the magnitude of an aging of society. Fewer people realize the extent of its significance in the private, and particularly in the public sector. The BLS has unleashed trends that have revealed rates of elders who linger in the workforce after they recharge 65 have increased in the U.S., when compared to other developed nation-states. For example, in 2011 16.7 percent among people aged 65+ and 29.9 percent among of the age 65 to 69 were employed in the U.S., while the corresponding rates in the European Union (EU) were only 4.8 and 10.5 percent.<sup>xviii</sup>Trends in the United States further suggest that of the State’s 58 counties, 38 will have increases of more than 150 percent, 26 will have increases of more than 200 percent, and 11 will have over a 300 percent increase in the number of persons aged 85 and older, the first baby boomer is expected to turn age 85 in 2031.<sup>xix</sup>What this means is approximately one in five American workers will be over 50 by 2020. Ironically, America is a younger country compared to Japan and Germany. Resulting from China’s one-child policy it has become a nation-state that is aging fast. The consequence means that organizations will have to learn how to manage elders in an aging workforce (i.e., developing succession plans and

change management strategies) proactively as the tsunami of retirements as baby boomers leave work. Without proactive strategies organizations will face further consequences such as being stuck with an antiquated model for dealing with an aging workforce, and poor internal communications. The postulation means organizations will be forced to increase wages and offer promotions on the basis of age; subsequently, experience a wave of workers exit the organization when they reach retirement. Many organizations experienced this trend during work reduction campaigns, when elders in the workforce were encouraged to take early retirement.<sup>xx</sup> The work reduction campaign created a dual labor market for elders, of cosseted insider on the one hand, and unemployed or retired outsider on the other.<sup>xxi</sup> What is certain is the work reduction campaign is not sustainable. Here is why, the number of people above age 55, particularly those with valuable science and engineering skills, is imploding. And governments are raising retirement ages and making it more difficult for organizations to get rid of elders, in an urgent attempt to negotiate underfunded pension systems.<sup>xxii</sup> The question is how do organizations evaluate the awareness of an aging workforce to adapt to new practices and technology? How do organizations encourage training and/or retraining its population with dignity and respect one another in an aging workforce?

**Prepared Organizations**

As a result, of ill-preparedness organizations many retirees have returned to agencies part time or as temporary contractors. Clearly procedures can complicate the likelihood of retirees returning to work in some states with former employers if they are drawing a pension. Others, like the state of Illinois, set limits for how many hours these public employees can work (i.e., contractors, subcontractors) for the government. At the same time Pennsylvania provides a range of professional development programs as an attempt to better train elders. Sarasota County similarly administers annual programs to enhance its leader’s skills, in addition, they fill vacancies on provisional conditions to encourage cross-training at managerial levels. Figure 2 illustrates a compilation of retirement data from a sample of ten of the larger state pension systems.<sup>xxiii</sup>

**Fig. 2 Public Retirement Systems Data by States**

Retirement System	2008	2009	2010	2011	2012	2013 (partial)	Year-over-year pace
California Public Employees' Retirement System	23,845	27,964	33,037	30,397	30,136	23,736	0%
Employees' Retirement System of Georgia	2,119	2,308	2,442	2,650	2,659	2,333	27%
Employees Retirement System of Texas	4,894	4,740	5,090	6,320	6,277	5,522	8.50%
Michigan State Employees Retirement System (Defined-benefit plan)	2,013	2,139	3,671	4,773	1,615	1,268	-1%
New Jersey Public Employees Retirement System	8,587	7,329	10,649	11,701	8,936	8,987	2%
New York	17,576	18,711	29,321	18,778	18,563	9,359	-27%
North Carolina Teachers' and State Employees' Retirement System	8,562	8,902	10,946	11,354	11,822	10,422	> +1%
Pennsylvania State Employees' Retirement System	4,145	4,035	4,995	6,508	4,775	4,056	9%
State Retirement System of Illinois	2,294	2,228	2,632	3,198	4,658	2,385	-43%
Wisconsin Retirement System	8,814	8,094	8,580	15,618	9,677	8,423	1%

Source: *Governing the States and Localities*<sup>xxiv</sup>

Many industrialized organizations acknowledge the silver wave i.e., BMW's executive developed an innovative, bottom-up line of attack for improving productivity that the company is now testing and refining plants in the United States, Germany, and Austria.<sup>xxv</sup> Their objectives were to integrate processes across BMW's global manufacturing organization. BMW's problem was that the average age of the plant's workers was expected to rise from 39 to 47 by 2017, so they began to staff one of its production lines with workers of an age likely to be typical at the firm in 2017. In the beginning this population was less productive, until BMW strengthened processes by introducing 70 relatively small changes, such as new chairs, comfier shoes, magnifying lenses and adjustable tables.<sup>xxvi</sup> BMW's strategies enhanced internal competencies through technological leadership and productivity improvements (Loch et al., 2010). The bottom-line is organizations will need to do more to contend with the silver tsunami; they will have to rethink the traditional model of career life-cycles.

### **Elder Law**

Elder Americans are increasingly becoming the target of charlatans because they are thought to have a significant nest egg (i.e., investments, social security, pension and income security, housing, long-term care, health care, Medicaid, insurance, prescription drugs, funeral and cemetery scams etc.) For that reason, elder law was established to help elders combat various forms of exploitation. Elder law as general area of practice represents elder Americans and their family members with legal problems. In particular, retirement security has become a major concern in the United States. Elders are living longer than their savings will cover, Social Security is projected to run out of money, and employers are looking to shed their pension obligations (Morgan, 2007).<sup>xxvii</sup> The concern about the stability of Social Security is driven by demographics, as the boomers reach retirement age and begin to draw Social Security benefits while the worker-to-retiree ratio shrinks.<sup>xxviii</sup> The question here: Is there a need for specialized lawyers to advocate the rights of elders and to help organizations to navigate laws stemming from an ever evolving legal landscape of an aging workforce? Alternatively have organizations (whether individuals, organizations, or other entities) in an aging workforce gotten worse at social pathology: retaining, and hiring of elders?

### **5. Conclusion**

The reality is organizations and elders need elder laws to help them age successfully, and to navigate an aging society. All over the world, people are living longer as a result of health care, nutrition and technology. This shift in cultural behaviors that effect the workforce brings with it unrealized (silver tsunami) challenges, which calls into question whether aging is revered, and whether intergovernmental management and intergovernmental relations mechanism scan make modifications to organizations and/or government entities to accommodate the silver tsunami?

With great certainty, worldwide the pressures of social pathology have impacted the way an aging workforce is managed. Social pathology implies aspects of social constructs that imposes idiosyncratic behaviors and values attributed to particular social categories (i.e., dominant immoral factors) that pigeon hole elders into subclasses as a result of their advanced years. This attitude has perpetrated a lack of reverence toward an aging workforce; in addition, it makes people miserable when they become of advanced years.

According to Gergen et al., (2000) Americans have the greatest propensity to dishonor, and disregard people of advanced years regardless of health; legally placing them in on the preverbal soup line; these imposed idiosyncratic behaviors have socially isolated a well-defined population capable of contributing in the marketplace. So, have American citizens (whether an individuals, organizations and/or other professional entities) become self-righteous for workforce privileges? Perhaps the most elusive of



all the social ills confronting Americans is self-righteousness (sanctimoniousness); because it isn't inclusive, it instead, cuts across the social dimension of ethnicity, sexual characteristics, geographic origins, educational background, and even marriage and parental status. Self-righteous activities establish hierarchies of workforce privilege and subsequently subjugate elders to discrimination (Brantley et al., (2003). The assumption is perception of elders as an aging workforce is subject to change over time, as well as societal perception of cultural ageism. The question is will it?

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<sup>xx</sup>*Id* at 10

<sup>xxi</sup>*Id* at 10

<sup>xxii</sup>*Id* at 10

<sup>xxiii</sup>NOTE: Georgia and New York system totals are current through August; California, Texas, Michigan and Pennsylvania systems totals are current through September; Figures for all other systems are current through October. SRS of Illinois numbers do not include retirees who are deceased. SOURCE: State retirement systems Retrieved on December 29, 2014, from <http://www.governing.com/topics/mgmt/gov-governments-silver-tsunami.html>

<sup>xxiv</sup>*Ibid* at 4

<sup>xxv</sup>*Id* at 10

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<sup>xxvii</sup>Boston Asset Management Faculty Chair in Elder Law, and Director, Center for Excellence in Elder Law, Stetson University College of Law.

<sup>xxviii</sup>The fundamentals of the financial status of Social Security . . . remain problematic under the intermediate economic and demographic assumptions. Social Security’s current annual surpluses of tax income over expenditures will soon begin to decline, and will be followed by deficits that begin to grow rapidly toward the end of the next decade as the baby-boom generation retires. . . . The projected growing deficits . . . will exhaust . . . Social Security reserves in 2040, under current financing arrangements. . . . As Social Security . . . reserves are drawn down. . . , pressure on the Federal budget will intensify. We do not believe the currently projected long-run growth rates of Social Security . . . are sustainable under current financing arrangements. Soc. Sec., A Message to the Public 1, Retrieved on December 30, 2014, from <http://www.ssa.gov/history/pdf/tr05summary.pdf>.