


# Inter-Generational Communications

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## My name is Katie, and I'm a millennial



- I grew up using desktop computers at home and at school
- I was a high school freshman when the Columbine school shooting occurred
- I was a senior in high school on September 11
- I was 18 when I got my first cell phone
- My first social media account was on myspace
- My first work email account after law school was @yahoo.com

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## Presentation overview

- Defining “communication”
- Among which generations/cohorts of people?
  - Peers, supervisors/direct reports, etc.
- Where or how do you want to improve communication?
  - Professionalism, effectiveness, frequency, etc.
- Tools to improve communication

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## Background reading

Liotta, Anna. *Unlocking Generational Codes: Understanding What Makes the Generations Tick and What Ticks Them OFF*. Aviva, 2012.

McCulloch, Gretchen. *Because Internet: Understanding the New Rules of Language*. Riverhead, 2019.

Twenge, Jean. *Generations: The Real Differences Between Gen Z, Millennials, Boomers, and Silents—and What They Mean for America's Future*. Atria Books, 2023.



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## What is communication?

Oxford English Dictionary  
The transmission or exchange of information, knowledge, or ideas, by means of speech, writing, mechanical or electronic media, etc...

Dictionary.com

1. the act or process of communicating; fact of being communicated.
2. the imparting or interchange of thoughts, opinions, or information by speech, writing, or signs.

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## What is communication?

Merriam Webster:

**a:** a process by which information is exchanged between individuals through a common system of symbols, signs, or behavior

*also* : exchange of information

**b:** personal rapport

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### Examples of "communication"

- Talking in person
- Phone calls
- Sign language
- Emails
- Text messages
- Offense reports
- Memos to staff
- Social media
- Official messaging platforms (MDT)
- Emojis, GIFs, memes
- Lyrics, movie quotes
- Court testimony
- Presentations
- NONVERBAL

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### Considerations for gov't lawyers

Is it in your client's interest (or even required) for the communication to be documented and/or preserved?

- Is it "public information" as defined in Tex. Gov't Code Ch. 552?
- Know your records retention period


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### Public information defined

In other words, does state law classify your communication as public information?

552.002(a) – "Public information" means information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

- By a governmental body;
- For a GB and the GB:
  - Owens the information;
  - Has a right of access to the information; or
  - Spends or contributes public money for the purpose of writing, producing, collecting, assembling, or maintaining the information; or
- By an individual officer or employee of a GB in the officer's or employee's official capacity and the information pertains to official business of the GB.



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### Public information, defined more

552.002(a-1) – Information is in connection with the transaction of official business if the information is **created by, transmitted to, received by, or maintained by** an officer or employee of the GB in the officer's or employee's official capacity, or a person or entity performing official business or a governmental function on behalf of a GB, and pertains to official business of the GB.

552.002(a-2) – The definition of "public information" provided by Subsection (a) applies to and includes **any electronic communication created, transmitted, received, or maintained on any device if the communication is in connection with the transaction of official business.**

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### Records retention

How long are you required to retain your public information?


Check the Texas State Library and Archives Commission website

Loc. Gov't Code 203.042 Retention periods

- A retention period for each record on the records control schedule shall be determined by the governing body or under its direction or by the elected county officer, as applicable.
- A retention period may not be less than:
  - A retention period prescribed by a state or federal law, regulation, or rule of court; or
  - A retention period for the record established on a records retention schedule issued by the commission.

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### Point of generational unity



Employees and officials of all ages repeatedly fail to understand using a personal cell, social media account, or email address to conduct department business DOES NOT make the information "not public" for purposes of TPIA.

*Austin Bulldog v. Leffingwell*, 490 S.W.3d 240 (Tex. App.—Austin 2016, no pet.).

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## Defining generations

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**Five Generations Working Side by Side in 2020**

**Common Generational Names in the U.S.**

**Which Generation Are You From?**

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## Don't get hung up on exact year ranges

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Birth year range	Generation names
1900-1926	G.I.s, the Greatest Generation
1927-1945	Traditionalists, the Silent Generation
1946-1964	Baby Boomers
1965-1979	Gen X
1980-1995	Millennials, Gen Y
1996-2012	Gen Z, Nexters, iGen, Globals, Zoomers
2013-2029	Polars, Gen Alpha, ???

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## US Congress membership statistics

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**Younger generations make up growing share of Congress, especially in the House**

**A look at the 118th Congress by age and generation**

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## TX has a relatively young population

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**THE MEDIAN AGE OF EVERY US STATE**

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## Texas and the 2020 census

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**Texas Population Pyramid, 2020**

- In top 5 states for population growth, but births are trending downward
- Domestic migration
- 65YO+ population increasing as % of total population
- Racial/ethnic diversity increasing

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## The NAXALT Fallacy

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- “Not all X are like that”
- The mistaken belief that because someone in the group lies at the extreme, the average does not exist
- The rare counterexample does nothing to disprove the average result

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## The Greatest Generation





- 1900 – 1926
- First cohort to grow up with radio
- Came of age during Great Depression, drafted in WWII and Korean War
- Known for patriotism, work ethic, frugality
- JFK, LBJ, Nixon, Ford, Carter, Reagan, George Bush, Bob Hope, Hank Williams, Judy Garland, Gene Kelly, Mel Brooks


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## Traditionalists/The Silent Generation




- 1927 – 1945
- Mostly too young to fight in WWII
- Leaders in early civil rights, feminist, and LGBT movements
- Joe Biden, Mitch McConnell, Nancy Pelosi, Martin Luther King, Jr., Betty Frieden, Harrison Ford, Rita Moreno, Morgan Freeman, Ian McKellen, Willie Nelson, Eric Clapton




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## The Baby Boomers




- 1946 – 1964
- 76 million babies in US alone
- First to grow up with television
- Counterculture, drug use, music, civil rights
- Clinton, George W. Bush, Obama, Trump, Kamala Harris, Oprah, Steve Jobs, Rob Reiner, Elton John, Bill Murray




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## Generation X




- 1965 – 1979
- First to have TV as constant presence since birth
- More unified pop culture existence
- Gen Xers created the web browser, eBay, MySpace, PayPal, Twitter, Uber, Napster, etc.
- Ted Cruz, Stacey Adams, Kevin McCarthy, Hakeem Jeffries, Michael Jordan, Drew Barrymore, Robert Downey, Jr., Eminem, Adam Sandler, Jennifer Aniston




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## Millennials



- 1980 – 1995
- Grew up with computers, internet, and participation trophies
- “Millennials are the culmination of the generational trends in technology, individualism, and the slow-life strategy begun by Boomers and Gen X’ers.” - Twenge
- Dan Crenshaw, Colin Allred, Katie Britt, J.D. Vance, LeBron James, Serena Williams, Mark Zuckerberg, Lin-Manuel Miranda, Daniel Radcliffe



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## Gen Z



- 1996 – 2012
- The oldest were 12 when the iPhone was released; they have never known a world without the internet; Extremely Online
- Mental health, gender fluidity, activism
- Maxwell Frost, Zendaya, Lil Nas X, Billie Eilish, Naomi Osaka, Simone Biles, Katie Ledecky




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### Gen A, Polars, ???


- 2013 – ???
- Influenced by pandemic's effect on society, TBD other life/societal events
- Familiarity with technology, coding, social media, etc. (smartphones, tablets, etc.)



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### Compounding challenges




- People are living longer and are working later in life
- Continuing impact of Great Recession, pandemic, etc.
- Technological and societal changes impact cohorts differently
- Increasing diversity

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### Which leads to...


Many different combinations of generations living, working, and/or interacting together daily



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### Pitfalls



- Two patrol officers, one is 21YO and other is 65YO
- Officer arresting trans man
- Millennial captain disciplining Boomer lieutenant
- Text or MDT message misunderstanding
- Emojis

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### Basis for stereotypes?

Experiences in common

- What creates a generational cohort?
- Why do different age groups have different expectations at work?
- What media/culture is influencing the beliefs of which group of employees?

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### What creates a generational cohort?

**COHORT EFFECT**  
The cohort effect refers to a phenomenon where people of the same group (cohort) have shared features that differ from other cohorts.

OVERVIEW	EXAMPLES
The cohort effect is a term used in scientific studies that refers to the effects of group membership or belongingness on behavior, attitudes, and outcomes. It can help to explain how one's age at certain historical times can influence personality, behaviors, and outcomes. It can also help demonstrate differences and similarities across cohorts, such as Millennials vs Gen Z.	<ul style="list-style-type: none"> <li>• <b>Attitudes towards diversity:</b> Younger generations exhibit more diverse attitudes regarding gender, race, and ethnicity due to a combination of exposure, education, and cultural change.</li> <li>• <b>Political attitudes:</b> The Civil Rights Movement of the 1950s shaped the attitudes and beliefs of those cohorts coming of age about social justice and equity during this time.</li> </ul>

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- Common social/historical events, experiences
- Technology
- Societal emphasis of certain traits

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### Other possible staff cohorts

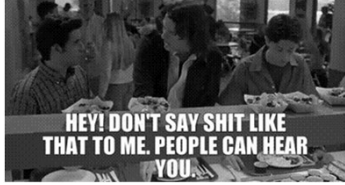
- Race
- Religion
- Military service/branch
- Education level
- LGBTQ+
- “From here” or not
- Supervisor or not
- Etc.



Well, I could be wrong, but I believe diversity is an old, old wooden ship that was used during the Civil War era.

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### Misunderstandings abound



HEY! DON'T SAY SHIT LIKE THAT TO ME. PEOPLE CAN HEAR YOU.

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### Different cohorts, different expectations


Changes to:

- Statutory requirements (minimum wage, FMLA)
- Societal expectations (one- or two-income households, education)
- Perception of various careers
- Work history before law enforcement

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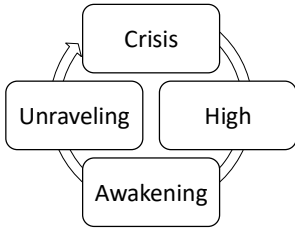
### Media and cultural influences

- Legacy print media
- Radio
- Television
- Cable
- Websites
- Social media



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### Liotta's Description of Social Moods (Twenty Year Long "Turnings")



- High – society building, growing institutions and organizations; prosperity increasing, possibilities everywhere
- Awakening – time of questioning, discovery; internal life comes to forefront; young adults challenge thinking and foundations of institutions and organizations
- Unraveling – cracks in foundation lead to fragmentation and uncertainty, hyper-individualism, institutional greed, civic mistrust
- Crisis – time of reevaluating values, priorities, and essentials; society's focus is on survival and basic needs

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### Generations' Social Moods\*


Generation	Social Mood
G.I.s	Unraveling -> Crisis
Traditionalists	Crisis -> High
Baby Boomers	High -> Awakening
Gen Xers	Awakening -> Unraveling
Millennials	Unraveling -> Crisis
Nexters	Crisis -> High

\*According to Liotta

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## Liotta's Generational CODES

- Communication
- Orientation
- Discipline
- Environment
- Success




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## In other words...

- How do your employees communicate to each other and to/with the public?
- What is each employee's orientation/focus?
- How is "discipline" displayed? Expectations?
- What type of environment are you and your employees creating?
- How is success measured?




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## Communication

- What is each generation's preferred communication style?
- Likes and dislikes for interactions?
- What forms of media are preferred by each generation?




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## Orientation

- How does each generation view itself in comparison to other generations, people, and the world?
- Do they feel connected and secure or trying to make a mark and carve out space for themselves?




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## Discipline

- Nature of relationships with authoritarian figures including bosses, employers, parents
- How does each generation interact with colleagues, family, and peers most comfortably?



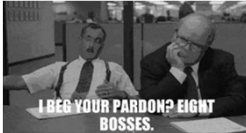
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## Environment

- How does each generation engage with space and technology to work at peak performance?
- How does each generation gather information, make decisions, and relate to world around it?



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## Success

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- How does each generation measure success and what are they willing to sacrifice to achieve success?
- What gives meaning to their lives?
- Internal or external factors?



TAG YOUNG PROFESSIONALS ONE IN A MILLENNIAL AWARDS

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## Improving communication

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Professional delivery of the message

- Consistency between written policy and day-to-day expectations
- Diction, grammar, slang terms
- Titles and terms of address
- Platform(s) used to deliver message


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## Language as open-source project

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- McCulloch's *Because Internet* looks at digital communication from a linguistics perspective
- Communication styles/modes are not static
- Definitions, diction, grammar, and communication protocols all change over time
- Consider social internet experiences of other party



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## First social internet experiences

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Groups' First Platforms	McCulloch's Grouping
Usenet, forums, IRC, BBS, listservs, etc.	Old Internet People
AIM, MSN Messenger, blogs, LiveJournal, MySpace, etc.	Full Internet People
Facebook, Twitter, Gchat, YouTube, etc.	Semi Internet People
Instagram, Snapchat, iMessage, WhatsApp, etc.	Post Internet People/Pre-Internet People

Note: generic email and texting not included because email or mobile phone number is prerequisite for every other platform

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## Improving your communications

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Is message successfully delivered?


- What platform or method does sender/recipient prefer? (in person, email, messaging platform, etc.) Is this a fact-specific question?
- When should sender follow up with recipient to confirm understanding?
- When should recipient be expected to confirm receipt of sender's message?
- Policy requirements?

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## Consider your digital communication

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- Do you expect/provide responses 24/7 or only during standard office hours?
- Landline or smartphone?
- Desktop, laptop, or tablet?
- Does relative formality of communication change based on platform used, or with typing versus using video/audio?
- Same expectations for all staff?

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## Improving your digital communication



Consider the other person's viewpoint:

- Communication preferences – paper, phone, email, text, app
- Perceived place in and relative to the world – secure or striving, me versus we
- Preferred interaction style, nature of relationships – formal/informal, personal/utilitarian
- Workspace, technology use preferences – private office/common workspace, paper/digital
- How does s/he measure success – pay, title, work/life balance



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## Improving your communications



Did you successfully convey your message?

- Does sender's intent match recipient's understanding of message?
- Will understanding improve if different method used?
- Will understanding improve if different messenger used?

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## Tools to improve communications



- Review policies
- Review actual practices
- Conduct training to improve staff comfort level with software, etc.

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## Revise policies, reduce presumptions



That's always how we've done it!

vs.

Does it make sense to continue doing it that way?



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## What does your policy say about...



- Requesting/taking time off
- Uniform options
- Tattoos (visibility and subject matter)
- Haircuts and hair colors
- Piercings

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## Requesting or taking time off



- Policy says?
- Practice is?
- Do you train supervisors on what law and/or policy requires?
  - ADA, FMLA, PWFA, PUMP Act, etc.
  - Mental health leave for officers/dispatchers
  - Advance notice where feasible
  - How is request submitted and to whom?

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**Policies re: personal appearance** 


- What is “professional” in your agency?
- What do your citizens consider to be a “professional” appearance?
- Religious accommodations?
- Do policy restrictions create adverse impact on hiring or retention?

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**Policies re: personal appearance** 

- Uniform options
- Tattoos
- Haircut/hair color
- Piercings



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**Communication policies** 

- How should officers call for backup?
- How should officers or citizens submit a complaint?
- How should supervisors pass down directives from chief to front line staff?

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**Matching policy and practice** 


- Reinforce expectations for all staff to demonstrate professionalism
- Train supervisors to understand and follow state/federal leave laws and your policies
- Train all staff to communicate per policy (and avoid personal devices)

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**Staff training** 

- Civility
- Empathy
- Building resilience
- Conflict intervention, resolution
- Management training
- Available resources (EAP, TML, etc.)



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**Discussing difficult topics** 



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### Communication about discipline




- Policies covering:
  - Misconduct
  - Disciplinary process
- LGC Ch. 143 and Local Rules
- Civil service vs. civilian staff

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### Avoid cascading consequences

Remind staff: compliance with state and federal law is mandatory, regardless of how you feel about the particular law



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### Statutes – CROWN Act

From the 88<sup>th</sup> Regular Session in 2023, HB 567, also known as the CROWN Act. Section 3 of the bill states:

SECTION 3. Subchapter C, Chapter 21, Labor Code, is amended by adding Section 21.1095 to read as follows:  
 Sec. 21.1095. RACIAL DISCRIMINATION BASED ON HAIR TEXTURE OR PROTECTIVE HAIRSTYLE.  
 (a) In this section, "protective hairstyle" includes braids, locks, and twists.  
 (b) provision in this chapter referring to discrimination because of race or on the basis of race includes discrimination because of or on the basis of an employee 's hair texture or protective hairstyle commonly or historically associated with race.  
 (c) An employer, labor union, or employment agency commits an unlawful employment practice if the employer, labor union, or employment agency adopts or enforces a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race.

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### Statutes - Pregnancy

- PWFA protects employees and applicants who have known limitations related to pregnancy, childbirth, or related medical conditions.
- "Covered employers" include private and public sector employers with at least 15 employees.
- Requires employer to provide "reasonable accommodations" to a worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause employer an "undue hardship."
- Leave as last resort; can't deny job based on need for reasonable accommodation
- See also: FMLA, Pregnancy Discrimination Act, etc.

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### Statutes – Milk expression

FLSA protects right of most FLSA-qualifying employees to reasonable break time and place (not a bathroom, protected from view) to express milk while at work, for up to one year after child's birth

PUMP Act (21 USC 218d) extends FLSA protections to more types of employees

- Break time may be paid or unpaid, depending on circumstances
- Protection lasts for up to one year after the child's birth

Tex. Gov't Code Ch. 619 Right to Express Breast Milk in the Workplace

- Applies specifically to public employers
- Employer must develop policy to support practice and make reasonable accommodations for needs of employees
- No time limit

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### Statutes – Sexual harassment

Tex. Labor Code Ch. 21

- Subch. C-1 Sexual Harassment:
  - 21.141(1) – "Employer" means a person who: (A) employs one or more employees; or (B) acts directly in the interests of an employer in relation to an employee.
  - 21.141(2) – "Sexual harassment" means an unwelcome sexual advance, a request for a sexual favor, or any other verbal or physical conduct of a sexual nature if...the advance, request, or conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or the advance, request, or conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment.
- Subch. E Administrative Review: 21.201(g) gives complainant 300 days to file sexual harassment claim (longer than 180-day deadline given for complaints re: other types of discrimination)

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## Case law – LGBT rights



- *Obergefell v. Hodges*, 576 U.S. 644 (2015) – right to marry protected by Due Process Clause & Equal Protection Clause of 14<sup>th</sup> Am
- *Bostock v. Clayton County, Georgia*, 590 U.S. 644 (2020) – Title VII prohibits employment discrimination based on sexual orientation (consolidated with *Altitude Express, Inc. v. Zarda* and *R.G. & G.R. Harris Funeral Homes Inc. v. EEOC*)

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## Be risk averse



- Don't ignore complaints or concerns
- Expectation for supervisors to shut down both bad actors and thoughtless comments
- Maintain contact with employees at all levels to ensure policy compliance, ensure open communications and remind staff investigation will take place if complaint filed
- Follow up after investigations, whether you find policy violations, discipline is assessed (or not)
- If employees feel they are not being respected as people, they may leave

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## Last thoughts



- Consider each person's communication and digital background, not just age
- Give people the benefit of the doubt

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Thank you!

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