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RETAINING GENERATION X'ERS IN A BABY BOOMER FIRM

RODNEY O. FONG*

[The following is the text of my presentation. The presentation was accompanied by a series of PowerPoint slides containing text, images, audio tracks and a brief video clip. The audio tracks and video clip were an integral part of the presentation, and unfortunately, cannot be reproduced in this medium. So, I will attempt to recreate the multimedia presentation by describing the events as they happened.]

After listening to the two previous speakers, Abbie Willard¹ and Greg Mazares,² I am excited and relieved to find that our research and findings are very similar despite having different focuses. This is going to be a re-enforcement of the things that you have already heard that you can do to retain associates in your firms.

My approach to this challenge is to focus on your associates, many of who are Generation X'ers. I am going to introduce you to Generation X. Who are they? How do they view the world? What are some of their characteristics? And finally, how does one interact, work with, and retain them?

I think they are very bright, very good, and very hard-working individuals. I have worked with them and trained them in law school. They are the people that you want working in your law firms. This is not going to be a discouraging talk, but hopefully an informative and uplifting talk. And like it or not, this is the generation that is coming through today and tomorrow.

I want to begin with a quote from a recent article in the "San Jose Mercury" newspaper.³ It quoted a 26 year-old employee saying:

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* Co-Director, Academic Success Program, Santa Clara University School of Law. Many thanks to: Nedra DeSouza and Susana Pilate, for their Gen X'pertise and invaluable research; Joan Howarth, Michael Zamperini, Cathy Glaze, Cherie Scricca, Carol Wilson, Sue Lunbeck, and Dennis Higa for encouraging me to pursue this research; and Pat, Olivia, and Victoria for their inspiration. This essay contains the substance of the remarks presented by Rodney Fong at a symposium held at Capital University Law School on April 5, 2000.

1 Abbie Willard is former Assistant Dean at Georgetown University Law Center and is currently with the American Bar Foundation.

2 Greg Mazares is President of Spherion's Legal Group, one of the leading providers of legal support services.

3 Harriet Johnson Brackey, *The Right Now Generation[:] Young Workers Compel Employers to Give More Challenge and More Flexibility*, San Jose Mercury News, March
(continued)

We are not going to do what our parents did. We are not going to work forty hours a week for thirty years and come up with a pension plan. We are not going to have that. We will work harder at a younger age to get what we want.

Clearly this is not an attorney. Most attorneys would be happy with a forty hour workweek. But I think it sums up the attitudes of Generation X'ers. Now for the next twenty minutes, I am going to introduce you to the world of Generation X'ers. Then, I will offer some suggestions on how you can create a better work environment for your Generation X associates.

Who are the Generation X'ers? There is some debate over the age range; I have seen Generation X described as 19-37 year olds, but some say it includes 23-35 year olds. Most everyone agrees that they are the children of the baby boomers.

The most memorable event in their life is the explosion of the space shuttle "Challenger". For most Generation X'ers, this is the most memorable event in their life. Almost all of them are watching this program because one of the astronauts, if you recall, was Christa McAuliffe, a schoolteacher. So keep this image in mind as we look at Generation X.

Here are some of the things to consider when thinking about Generation X'ers. First of all, they are used to taking care of themselves. Keep in mind that these kids are known as the "latchkey" kids. What was happening as they were growing up? We had the women's lib movement. We had the civil rights movement. Their baby boomer parents were out working. Both parents started to become employed and who was at home to take care of the kids? Who was their babysitter? Was there daycare? No, this is a recent concept. So if you think about it, the baby sitter was basically themselves and often an electronic device. Television-watching began with Sesame Street, and then came MTV. Later they moved onto the electronic toys such as Atari and Pong. These were the first generation of electronic toys. These are kids who are used to growing up by themselves and playing with electronic gadgets. Their best friends were usually their peers, not their parents.

Next, Generation X'ers are skeptical of government and education, and why not? Consider what was happening in the world as they were growing up. Now, some of you might say wait a minute, "when I was growing up, we had just as many negative things happening. We had diseases and we had wars. It was just as dangerous." But I think the difference between when you were growing up and when Generation X was growing up is the media. I won't ask how many of you grew up before television was invented. But now, televisions are all over the place, especially for these

Generation X'ers. Abbie mentioned it in her presentation—if a child does well in school, that child gets a television. Where does it go? Where else? It goes in their room. How many of these Generation X'ers have televisions in their rooms? How many have televisions in their kitchens, in their family rooms? Generation X'ers grew up with televisions all over the place. The media is in their face. As you are well aware, the media is becoming more of an entertainment business. Right? They are becoming very sensational. A lot of those events that happened did so right in the Generation X'ers faces. As a result, a lot of them learned about Kennedy, the Kennedy assassination and the cover up. They learned about Vietnam, Watergate, and Nixon. Thanks to television, it was in their faces as they were growing up.

The Freedom of Information Act was enacted and it allowed us to look at what was happening inside the government. We saw that the FBI and maybe J. Edgar Hoover were not the same people as they were originally portrayed. Look at all the CIA indiscretions and mistakes. Take a look at the *Korematsu* case, which they studied in law school. The Freedom of Information Act and the recent revelations showed that the government lied to put over 100,000 American citizens in concentration camps.

In our justice system, they saw cases of injustice in the cases of Rodney King and O.J. Simpson. Again, it is in their faces. What about the People's Court nowadays? I don't know if you have time to watch the People's Court. I am sure you have heard about it. It's an entertainment production that is growing with more and more different judges having their own shows. What is happening? They have the judges rendering their decisions. Then they have the two litigants being interviewed, each saying what they thought of the judge. Next, they ask some people in the audience, "do you think the judge was fair, yes or no?" Again, we are led to challenge the judge's decisions. Of course, a controversial decision leads to a better program. So Generation X'ers are taught to question the actions of our government.

In education, there is a book out called "Lies My Teacher Told Me."⁴ I would recommend that you read it. The book challenges a lot of things that have happened in American history. Apparently, we received a one-sided view of American history. For example, was Christopher Columbus the great explorer who discovered America? Or was he really the capitalist and opportunist who came over to America and oppressed the Native Americans, bringing diseases and other bad things to America? I don't know. Recently, Thomas Jefferson's life has been re-examined in his relationship with his slaves. In education, Generation X'ers are questioning what they are learning.

4 JAMES W. LOEWEN, *LIES MY TEACHER TOLD ME* (Simon & Schuster) (1995).

Within education, I also included religious training. We are hearing reports, unfortunately, about clergymen harassing parishioners and altar boys. We had Jonestown. We had Jim and Tammy Baker. So even in education and religion, things aren't what they seem anymore.

Generation X'ers do not believe in long-term institutional relationships. Their parents worked their butts off to earn a good living and what happens? The company they worked for needed to meet the bottom line. So it laid off three, four, or five hundred workers. And so long-term relationships with institutions really do not mean anything. So they question the institution's loyalty to their employees. They are asking, "What is this thing with the institution?"

Conversely, there is no employee loyalty. We were looking at the statistics that Greg Mazares put up earlier today. It showed that associates were leaving their firms within two years despite all the training and grooming by the firm. So we are seeing less employee loyalty to the institution.

Also I have to mention this since I am in Ohio. Even in professional sports, there is no more team loyalty to the fans. The Browns left Cleveland after so many years there. What is happening? Of course, we know about the free agents within the teams. They are leaving their teams for the highest bidder.

Generation X'ers are always living in constant jeopardy. They are seeing all these news headlines telling them how dangerous the world is today. The environment, nuclear reactors, oil spills all over the place. They read about the large national debt, decreasing social security, Black Monday, and the economy. I hope the stockmarket stays where it is. They read about Vietnam, civil wars, Kosovo, and Desert Storm. It is in their faces. Nowadays, we are right there with the soldiers on the battlefields, right where the bullets fly. They learn that this is a dangerous world, with Jonestown, plane crashes, and terrorists. It's in their faces. What about the Challenger explosion? I had to show the video because it was so graphic and memorable for all these Generation X'ers.

Take a look at all the health and safety issues. The Generation X'ers read about child abductions. Here they are drinking their milk, and at the same time, they are looking at the face of a kid on their milk carton who had recently been abducted. Look at all the danger, Joe Camel, drugs, street gangs all around them, shootings in schools, even six year olds with guns, AIDS, sexually transmitted diseases. You go to Jack in the Box, order a hamburger that just happens to be undercooked, and you can die from Ecoli. Is there more danger than before? They think there is.

The ultimate jeopardy that they have experienced is the breakup of the family home. Parents are both working really hard and are keeping long hours. They think they are working toward a good future for their families. Unfortunately at the home, there is no one to take care of the children's needs or the parent's needs. The divorce rates are really high now. We

have single parent families and we have families with four parents, the two natural parents and the two stepparents. These things are happening.

Generation X'ers feel that they are living in this constant jeopardy and they are feeling very vulnerable. As a result, their sense of time is very short. There is a sense of urgency to live for today. They are not planning for the future as that quote from the San Jose Mercury indicated. What they are working for is today, and maybe tomorrow, but not too far off.

Finally, they value personal happiness over monetary rewards. Sure, they like money, who doesn't, but at what cost? They saw their parents work hard, even sacrificing their personal happiness. The Generation X'ers do not intend to repeat this pattern. Money will get them to join your firms, but it will not keep them if they are not happy.

So I think it is important to keep these characteristics in mind as we structure our work environment. Now, you may not agree with all of these statements, but what is important is the perception of Generation X'ers.

Again, I have never spoken with Abbie or Greg before today, but you can see that certain themes are being repeated. Take trust for example. Trust is not automatically present in an employment relationship. Generation X'ers have not learned to trust because the same people that they were taught to automatically trust, such as politicians, police officers, teachers, and clergy turned out to be people you could not trust. Sometimes even their own parents could not be trusted. Parents would say, "everything will be okay in our family," and then next thing you know they are getting a divorce.

Generation X'ers have not been able to trust a lot of people. And as a result, what we need to do is recognize that they do not automatically trust people. They are able to trust. But you have to develop that trust with them. One of the ways to develop trust is to share your reasons for doing things. If you do not share the reasons and instead give them a strict rule, like, "We are going to wear suit and ties every day of the week." They will likely conclude that there is a negative reason for this rule. But if you say to them, the reason we require suits and ties is because we do have a lot of clients walking through our firm and they expect a certain level of professionalism, then the Generation X'ers will likely follow the rule. They may not agree with the rule, but they will at least trust that you are not trying to simply control them. Too often, we make rules and we do not share our reasons for them.

Respect is extremely important to Generation X'ers. Let's say you are a law firm and you have a partner who has great credentials, graduated from Yale law school, served as governor of the state of Arkansas, and president of the most powerful country in America. Is this enough for Generation X'ers to automatically respect this person? Are the credentials and resumes enough for Generation X'ers to trust or respect? What you have done in the past may not be enough for Generation X'ers.

In law school, we are finding that even though most of our professors have great credentials, it does not automatically result in trust or respect from Generation X'ers. You have to earn their respect. As a result, we are seeing increased instances of disrespect or "dissing." We are hearing this new word now, "dissing." I'm sure you have seen some signs of "dissing." It is not going to be that outward, in-your-face kind of dissing like a baseball player on the field. Dissing can be seen by being late for appointments and by missing appointments without calling. Another form is expecting immediate attention from you. You know, the knock on the door and "I need to talk to you right now," even if you are with someone. They act if they were the only person in the firm that needed attention. More forms of dissing include not bothering to read your instructions and not following your instructions even after you explain them.

What all this shows is that we need to be respectful of students and associates in order to gain their respect. Even in a law firm, the partners have to be respectful of the associates and staff in their office. They cannot rely on their position and title and get away with being disrespectful. So, again, showing respect is very important to Generation X'ers.

One suggestion I have, and this works in law school, is to remember their names. This is great way of showing that you recognize and acknowledge them. So if you are walking down the hall and you see someone you don't know, take a second and introduce yourself. Be sure to ask them for their names. Remember, they know you, especially if you have a website with pictures of the attorneys and people in your firm. I guarantee they have studied your firm's website and they know you because that is their source of information. So if they say "hi" to you and you can't even acknowledge them, that is a "diss." It sets the tone of the relationship and it is not a good tone to set. Basically what I'm saying is, let's be civilized and let's be human. This all fits within Generation X'ers' concept of equality, gender, racial, and status equality.

Generation X'ers carry a sense of entitlement. They believe they have a right to whatever it is they want and everything is negotiable. I think this comes from their sense of equality. All of these individuals have learned about the rights they have. This country has gone a little too far in emphasizing everyone's rights. Unfortunately, we have not emphasized that rights come with responsibilities. For example, the right to free speech means I could say whatever I want to your face. At the same time, the right of free speech comes with responsibilities and limitations. Unfortunately, not everyone has learned about the responsibilities and limitations.

Another source of this sense of entitlement comes from the phenomenon known as super-consumerism. Generation X'ers think that they can buy whatever they want. Where did this attitude come from? It came from the baby boomers. I think we might have spoiled these kids a

little bit by providing them with a good life. We have taught them how to spend and that money or credit can buy anything. Generation X'ers have even learned that money can buy you a "dream team" of lawyers if you ever commit a crime.

Also, Generation X'ers learn that everything is negotiable. Where did that come from? I think it came from a sense of a lack of finality or consequences. Let's say you are on the computer, you are playing a game, and you lose. What do you do? You don't worry; you simply press the reset button. You always have another chance at it, right? Again, the computer has been available for nearly as long as Generation X'ers can remember. Also, with both parents working and coming home exhausted, they quickly learned that they could play one parent off against the other. If they wanted something, they learned to keep asking until they got what they wanted. "No" really means "ask me again later until I say yes." They learn that they can negotiate anything.

I just read an article that confirmed Generation X'ers are not afraid to negotiate. The author explained that these X'ers are not afraid to ask for things that we were afraid to ask for. They have no problems asking and negotiating, so be ready for them.

When working with Generation X'ers, there are a few things to think about. Be sure to announce policies and share your reasons for these policies. I talked earlier about the issues of trust and respect. I think Abbie mentioned some things about associates not liking secret rules within the firm. I don't know if the kind of rules she discussed were really meant to be secret, but these rules are not laid out. I think you need to announce the policies and, as I mentioned before, share your reasons for having the policies. If there is a legitimate reason for those policies, which I assume there is, then the Generation X'ers will understand it and deal with it. They will not feel like you are "dissing" them or that you do not trust them.

Try to provide Generation X'ers with specific directions. This is something that we have learned in law school. Their typical processing is a little different from typical baby boomer processing. When the baby boomers begin an assignment, they will go and figure it out. And they only heard from the professor when they got it wrong. Boomers learned to work independently and without constant reinforcement.

Unfortunately, computers have changed the way Gen X'ers approach and solve problems. For many, their analytical abilities have not been developed nor challenged enough. Is there anything in a computer that has developed their analytical ability? If you want an answer for something, what do you do? Take for example, the simple problem of two plus two. What do kids do nowadays? Do they think it out? Do they use their fingers? No, they bring out the calculator and look it up right away. Or they keep on clicking until they come upon the right answer. I call this

“point and click processing” and it’s not really thinking. Unfortunately, the answer isn’t always found on the computer.

So what do you do? You start by providing them with those specific directions. The learning protocol for Generation X’ers is to show them how to do it one time by working through it with them. Then let them try it in different ways and they will figure it out. This works better than just throwing the assignment to them and waiting for them to figure it out on their own.

They also need immediate feedback on whether they are right or wrong. You will see another side to this later. Why do they need feedback? It is because of these little things called a mouse and a remote control. We press them and we expect some immediate reaction to our press. Also, you know what happens when we don’t get an immediate reaction, we panic. You know, it’s the feeling we get when our mouse doesn’t respond or the remote control batteries run out. We just keep on pressing faster and harder. Since Generation X’ers grew up with mice and remote controls in their hands, they also expect an immediate reaction or feedback when they do something. If the feedback isn’t there, they panic.

What about deadlines? Many Generation X’ers have a difficult time meeting deadlines. How did this happen? Well, there is no deadline on a computer. In school, we often receive emails from students at two or three o’clock in the morning. They don’t know when to stop. They just keep on going. Time is not important to them since time has seldom been an issue for them. They are not good with deadlines.

Now hopefully in law school we are teaching them about deadlines. I have a friend who is a district court judge. He assigned a motion to one of his student clerks and needed a draft by a specific date. When that day came around, it wasn’t ready and the Generation X clerk did not seem to understand the urgency. Of course, they learn that even deadlines are negotiable. So even at the highest levels, deadlines are a problem for Generation X’ers. They need to know the exact deadline, the reasons behind the deadline and the consequences if the deadline is not met.

Be sure to explain the consequences. Generation X’ers often do not realize that there are consequences to their actions. After all, on a computer if you make a mistake, you simply hit the reset button. There is always another chance or opportunity to get it right. This does not always happen in real life. So do not take any chances and do not assume that Generation X’ers know the consequences of their actions.

Here are some suggestions on retaining Generation X’ers in your firm. Again, I’ve have reached some of the same suggestions that Abbie and Greg introduced earlier. Hopefully this is a reinforcement of those suggestions.

Have a well thought out orientation program. I really believe that you need to work with them and set the tone from day one. I am suggesting a

formal orientation program when they come in. It could be a group program if you are in a large firm. I would suggest sharing some of your firm's history, the vision or goals of the firm, as well as the culture of the firm. Give them some sense of an institutional history. Let them know that this is a place that they can feel good about over the long term. Let them know about the culture within the firm. This addresses the issue of trust by letting them know what to expect, and that there are not hidden agendas, rules, or expectations.

Participation by partners and other important people in the firm will send an important message to the Generation X'ers. I think this is an issue not only of creating that team environment and equality within the firm, but also a sign of respect. By having some of the partners attend the orientation, you are sending the message that the new associates are important, valued, and respected by the firm. Conversely, if no partners show up, it sends a message that the partners are too busy to greet and meet the new associates, thus disrespecting them.

Be sure to clearly set forth the firm's expectations along with the reasons for these expectations. I've mentioned this in terms of trust and respect. Let them know what type of assignments they will receive, the hours they are expected to keep, the bonus structure, and the proper office attire. Try to eliminate as many of those secret unwritten rules and unspoken expectations as you can.

Develop and implement a personal career path for each associate. Greg suggested doing an entrance interview. I think this is a great idea. It is essential towards developing an associate's career path. When interviewing them, determine if their personal goals match the firm's goals. If not, you can predict that they will be gone in a year or two. Also take good notes when you are interviewing them for the associate position. You can refer to those notes later when they join your firm. Remember, associates are leaving firms for reasons that you have heard before. They are going to firms that can add to their career goals. If their goals are to get some other skills from that other firm, see if your firm can also teach and develop those skills. Or have other departments within your firm teach those skills. So they would be leaving one department for another department rather than leaving your firm completely. It may take a little bit of homework on your part, but it will save you money in the long run.

It is a good idea to assign a couple of mentors to each associate. They may need a partner, they may need someone who is a junior associate, and they may need someone who has shared similar life experiences. They want friends and people to ask questions of within that firm. Provide that network and do not isolate them. If you isolate them, you will lose them. Job satisfaction and social interaction are very important to Generation X'ers.

Give them continual feedback, both positive and negative. Do not rely just on the six-month review, the nine-month review, or the one-year

review. Remember the mouse and the remote control units. It also shows that you care about them and their careers. It is going to take a lot of work to supervise them. But this is what they need, want, and expect.

Consider allowing flexible work conditions. Earlier, we heard about the work schedule. The work schedule has to be flexible. You could try following some of the "dot com" companies in terms of their working conditions. You could be as creative as you want and keep in mind that they recognize a balance between life and work. Quality of life is a really important thing to Generation X'ers. When I talk to my students I ask what are they are looking for in a firm and they always reply quality of life. Now their definition of their quality of life may differ from student to student. Some want a family, some want recreational time, some want time to do other things and not just work every day. But the fact is, if they have a flexible schedule, they will be happy and put in the hours.

The third and final category of suggestions is to create a collaborative team environment. You might have heard this before. Earlier, Greg mentioned that they are all growing up playing soccer. They like to be part of the team. Some of them have grown up by themselves and not being part of a group except for their sports team. So begin by giving them something with the firm's name on it like the firm's T-shirt, baseball cap, or softball jersey or something like that, so they can feel a part of the firm. Consider having events, both formal and informal. Many of you are already doing some of this. You hire them, you take them out to dinner, throw a firm picnic, and sponsor a firm softball team. Think about having places in your office where people can sit around when they are taking a break or want to chat with each other. The opportunity for informal gatherings is just as important.

Maintain constant and open communications with Generation X'ers. Now I know this is going to be very different, especially when you make a decision with all the partners getting together. These decisions are usually done behind closed doors. Before making the decisions, try to get some feedback from them. You may not necessarily agree with them, and that is your prerogative as the partners. But at least you validate them as individuals by allowing them to give you some feedback on those issues. If the firm is going to be in the newspaper or something significant is happening within the firm, send out an email to let them know in advance. It doesn't take a lot of time to keep people informed, especially if you have your administrative assistant do it. It is important to use these communication systems and make them feel part of that team by sharing information.

Next, you need to provide resources for training. They want to learn and continually develop their skills. In law schools now we have academic support programs. Law schools are creating and enhancing academic support programs across the nation. These are programs that are educational resource and training programs within the law school. They

work with students to provide both educational and career mentoring. Generation X'ers like training, they like developing skills, and they like information. Another thing is they prefer to learn it at their own pace. Think about learning using computers. Computers allow the students to learn at their own pace. So if you have a training session, it is a good start. Be sure there are handouts or other materials that they can take home and look at on their own.

Another thing related to training resources is to acknowledge their learning style. Not everyone learns by listening and these Generation X'ers are not normally learners by listening. We are learning this in law school and it has been documented in many educational materials. Generation X'ers are very visual, and usually tactile learners. They prefer to learn by looking and doing. Consider that ten years ago, most speakers would just stand up here and talk for the entire time. Things have changed. Today, I think all the speakers will be using PowerPoint slides to supplement their speeches. It is very visual today. You look, you see, you hear. Yes, the combination of speaking and seeing the text at the same time is more effective than just talking. Generation X'ers learn best this way. So in a firm, it may not be very effective to just talk to them and tell them what to do. You may need to give them something to look at to help them understand your message. Also, some people learn by speaking or by repeating the message. Collaboration is thus a very important learning method. Try allowing them to collaborate with a mentor or other associates.

In conclusion, if you recognize and acknowledge some of the characteristics of Generation X'ers, you will have a better chance at retaining them in your firm. Consider making some changes in the way you interact with your new associates. It might help them with their adjustment to your firm and the profession.