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Google Hit With Another Age Discrimination Suit by Former Employee Who Claims He Was Called 'Grandpa' and 'Old and Slow'

After a July settlement with 200 job seekers claiming the company didn't hire them because of their age, Google faces a lawsuit from a 72-year-old former employee who said the tech giant's investigation of alleged discrimination and retaliation was inadequate.

By Alaina Lancaster | September 16, 2019



Google office building, Zurich.

A baby boomer who worked as a hardware test engineer at Google is suing the company, claiming his manager called him “grandpa” and retaliated against him after he raised complaints of discrimination.

Rodney Broome, the 72-year-old former employee, asserts that he faced “a relentless campaign of harassment and discrimination” when his 40-something boss joined the team in 2017. The complaint (https://drive.google.com/file/d/1VndUv8_PO2oIMMlkwb-K02DsPqyg4m7a/view?usp=sharing), filed Sept. 5 in Santa Clara County Superior Court, alleges that his supervisor referred to him as “a worthless piece of shit,” directed his co-workers to “tell Grandpa to pick up the pace” and said he was in “retirement mode.” Beyond being labeled “grandpa,” the complaint claims Broome’s car was broken into and burglarized not long after his boss suggested he might have a hard time getting to work one day or have car trouble.

After Broome complained to his manager’s supervisor, the complaint alleges that his manager retaliated with poor performance reviews, cutting his bonuses without explanation and offering his job to two younger employees.

The age discrimination suit follows an \$11 million settlement between Google and more than 200 job seekers in July. The applicants claimed they were looked over for positions at the tech company, because of their age. As part of the settlement (<https://www.courtlistener.com/recap/gov.uscourts.cand.286871/gov.uscourts.cand.2> which Ogletree, Deakins, Nash, Smoak & Stewart negotiated on behalf of Google, the company also agreed to train employees on age bias, create a subcommittee to recruit for age diversity in certain engineering positions, change its marketing materials to reflect employees of all ages and thoroughly investigate complaints of age-based discrimination.

Broome, however, alleges that the company closed its investigation into his claims after a month and a half and did not interview all of the witnesses. Two months after the investigation closed without flagging any policy violations, Broome quit, according to the complaint.

"These claims are unsubstantiated and we intend to defend them vigorously," a company spokesperson said.

The complaint also contends that Broome's manager asked him to take part in illegal or unauthorized activities, such as falsifying timesheets and making unauthorized charges to company credit cards. The age discrimination and retaliation, according to the complaint, is part of the manager's broader scheme of unlawful behavior, including illegally disposing of e-waste and other materials, selling company equipment for personal profit, double-billing customers and instructing employees to underreport their hours.

Broome's lawyer John Winer of Winer, Burritt, & Tillis in Oakland said the case is one of the most blatant instances of age discrimination he's seen but one that's part of a pattern of discrimination and harassment stemming from the tech industry's youthful culture.

"I think that Google and other companies are far more focused on earnings than they are on human resource issues," said Winer, who is handling the case alongside Winer Burritt's Shawn Tillis. "Instead of attempting to assure that there is no harassment and discrimination in the workforce, in fact it's rampant."

Despite Silicon Valley's reputation for creative problem solving (<https://law.com/2019/08/28/whats-next-cleaning-up-silicon-valleys-toxic-culture-ai-goes-to-school-a-toothless-robocall-agreement/>), Winer said companies such as Google react to discrimination litigation similar to other businesses.

"It's been my experience that when it comes to facing potential lawsuits, the tech companies are really not that different than traditional companies," he said. "Instead of solving issues in advance with effective training, human resources and investigations, they tend to fall into this bunker mentality once a case is filed and intimidate by aggressively defending."

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