

by Brian Mahany

Most of us have heard George Carlin's bit on the 7 words you can't say on the air. It's no surprise that some of those same words can't be used in the workplace either. (See my article from January 2010 for the list of forbidden words in the workplace: <http://www.mahanyertl.com/mahanyertl/is-profanity-in-the-workplace-grounds-for-sexual-harassment-yes-says-court/88/>) According to the California Supreme Court judges, get ready to add "fuddy duddy" to the list.

The court decided that such remarks made by coworkers could be indicative of age bias and not simply "stray remarks" made with no discriminatory intent.

The case will go back to the trial court for final resolution but whatever way the case is ultimately decided, it has proven to be a costly lesson for Google. Former employee Brian Reid, age 52, claims he is the victim of age discrimination. Google maintains that he was let go because his position was eliminated. Any "fuddy duddy" comments, they say, were made by nondecision makers and were made without discriminatory intent. The case has been pending since 2004 and legal fees are estimated to be approximately 7 figures.

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