Organizations, Employment Discrimination, and Inequality ⓐ

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Abstract and Keywords

This chapter explores theory and research that shows how employment discrimination and inequality are shaped by organizations and organizational context. More specifically, it considers how group-linked discrimination and other status-linked categorical distinctions give rise to group-level employment inequalities. It argues that categorical distinctions, such as race, gender, and citizenship, influence quality of life and life chances across institutional contexts including work, and that organizational context affects the extent to which such statuses become the basis, in part or whole, for sorting people into jobs or being exposed to opportunities and experiences. Three general forces that shape employment discrimination and group-linked inequality are discussed: inertia, the tendency for organizations—once policies, practices, and procedures are established—to produce stability and resist change over time; intraorganizational pressure, in particular the relative power of internal constituencies; and environmental pressures, both direct and diffuse, on organizations to implement organizational practices and procedures.

Keywords: employment discrimination, organization, group-linked discrimination, employment inequality, race, gender, citizenship, inertia, intraorganizational pressure, environmental pressure

"Discrimination" refers to the practice of unfairly treating a person or group of people differently than other people or groups of people (*Merriam-Webster Dictionary*). "Inequality," a closely related term, refers to the difference in opportunities, resources, and experiences between people or social groups. In this chapter, I am primarily interested in explaining how group-linked discrimination, such as unfair treatment on the basis of race, gender, citizenship, and other status-linked categorical distinctions, often translates into group-level employment inequalities. Hence, the concern is with how employment discrimination leads to social group differences in work and career opportunities, resources, and experiences.

Employment discrimination is a multifaceted topic and is covered in various ways in this volume. This chapter seeks to push the relatively simple, yet crucial, observation that discrimination and inequality occur within specific organizational contexts. When scholars

and journalists reference labor market discrepancies in earnings, authority, or promotion between socially categorized groups, such as female–male, felon–nonfelon, mother–non-mother, immigrant–citizen, or racial majority–racial minority, what they are really discussing is the aggregation of employment opportunities and experiences across work organizations. This is not to say that workplace discrimination and inequality are merely idiosyncratic to organizations. Categorical distinctions, such as race and gender, for instance, are widely recognized status distinctions in most societies, and are often used by organizations to sort, assign, and stratify constituents (Tilly, 1998). However, the employment opportunities, treatment, and experiences of different social groups are not universal across workplaces; it is the organizational context that produces variation in opportunities and experiences within and between social groups. (p. 42)

In the United States, for example, men's median weekly earnings are 17.4% greater than women's.[1] This does not mean that all men have a wage premium over all women in all workplaces. There are workplaces where the gap is smaller and others where it is greater. There are some workplaces, though rare, where women's earnings are likely to be greater than men's.

The points I would like to assert are that (1) categorical distinctions, such as race, gender, and citizenship, are structural in that they influence quality of life and life chances across institutional contexts (e.g., work, education, family), and (2) the extent to which such statuses become the basis, in part or whole, for sorting people into jobs or being exposed to opportunities and experiences is dependent on organizational context. Hence, while the structural and cultural aspects of inequality are well documented and pervasive in societies, organizations are the sites in which discrimination occurs or equal opportunity prevails (Reskin, 2003; also see Bielby, 2000).

The idea that organizations shape discrimination and inequality in modern societies is not a new one. Its earliest elements can be linked to Max Weber's classic work on bureaucracy. However, the point was most clearly and persuasively articulated in the pioneering work of Baron and Bielby (1980) and has been continually developed in recent decades (for reviews, see Baron, 1984; Baron & Pfeffer, 1994; Reskin, McBrier, & Kmec, 1999; Stainback, Tomaskovic-Devey, & Skaggs, 2010). In this chapter, I discuss theory and research that highlights how organizations and organizational contexts shape discrimination and inequality. In particular, I draw heavily on the framework my colleagues and I have developed in our previous work (McTague, Stainback, & Tomaskovic-Devey, 2009; Stainback et al., 2010; Stainback & Tomaskovic-Devey, 2012).

An organizational approach examines the interplay of three general forces shaping inequality in modern society (Stainback et al., 2010). Specifically, it is the complex interaction between these factors that shapes employment discrimination and group-linked inequality (Figure 4.1).

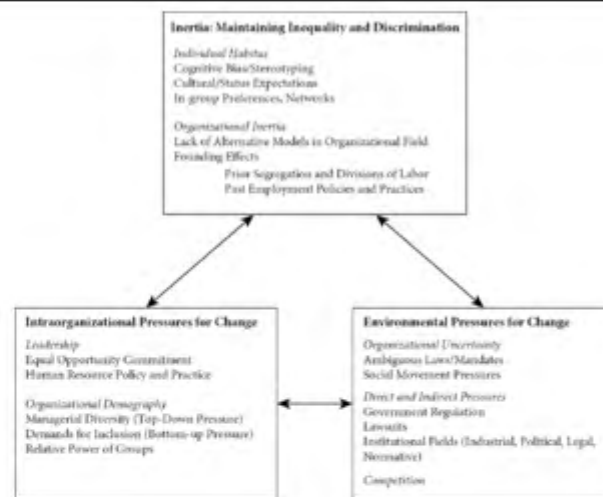# Organizations, Employment Discrimination, and Inequality

Figure 4.1 An Organizational Model of Discrimination and Inequality.

The first force is inertia, the tendency for organizations—once policies, practices, and procedures are established—to produce stability and resist change over time (Hannan & Freeman, 1984). There is little doubt that how organizations recruit and hire employees has important implications for discrimination. For instance, organizations (p. 43) that recruit and hire new workers by drawing on the social networks of current employees may do so because it is efficacious for filling employment vacancies; however, the use of such practices may also have the unintended consequence of reproducing the gender and racial composition of jobs (Leicht & Marx, 1997; Mencken & Winfield, 2000; Stainback, 2008; but see Fernandez & Sosa's, 2005 case study).

Because organizational structure, policy, and practice are so resistant to change, inertia is arguably the most powerful factor creating and reproducing organizational divisions of labor; the demographic composition of jobs, occupations, and organizations more generally (e.g., female, male, citizen, foreigner); and the relative power, compensation, and even honor and social esteem accorded to incumbents. The primary sources of inertia are cognitive (e.g., prejudice, stereotyping) and organizational (e.g., formal antidiscrimination policy, hiring practices).

The second force is intraorganizational pressure, in particular the relative power of internal constituencies. These internal pressures involve status processes linked to organizational demography and political group dynamics that arise from the relative power of groups, whether such coalitions are organized along social (e.g., race, gender, citizenship), organizational (e.g., managers, workers), or skill-based (e.g., craft, professional, technical) distinctions. More specific examples of these general forces may include, but are not limited to, leadership and managerial diversity (Cockburn, 1991; Skaggs, Stainback, & Duncan, 2012; Stainback, Kleiner, & Skaggs; Stainback & Tomaskovic-Devey, 2012); power and claims-making processes on organizational resources (e.g., wages, positions) enacted by workers and managers (Avent-Holt & Tomaskovic-Devey, 2010; Roscigno, 2011; Tomaskovic-Devey, 2014); and the role of demography in shaping both work-

place opportunities (Elliott & Smith, 2001; Huffman, Cohen, & Pearlman, 2010) and experiences, such as discrimination, harassment, and other forms of workplace incivility (Chamberlain, Crowley, Tope, & Hodson, 2008; Stainback, Ratliff, & Roscigno, 2011). Such internal status and political dynamics may serve either to promote organizational stability or to encourage change.

The third force is environmental pressure, both direct and diffuse, on organizations to implement organizational practices and procedures. Organizations, like people, are social actors. They are other regarding and make decisions relative to a complex set of interorganizational and environmental constraints. Such forces may come from either competitive (e.g., markets) or institutional (e.g. regulatory agencies, social movement pressure, normative environments) sources (DiMaggio & Powell, 1983).

Inertia: Cognitive and Organizational Sources

Organizational scholars have long noted the stability of organizational structure and practice. The formal nature of organizations is, by design, intended to reduce uncertainty and therefore increase regularity, reliability, and predictability (Thompson, 1967; Weber, 1968). Scholars use the term "inertia" to describe the relatively stable nature of organizations once founded (Hannan & Freeman, 1984; Stinchcombe, 1965). From this view, organizational change is the exception rather than the rule. Organizational policies and practices regarding, hiring, performance evaluation, and promotion are the product of past behavior and provide constraints on current action and practice.

Organizational inertia results from both cognitive and organizational processes that create and sustain power and status distinctions and normative behavioral expectations. In this section, I briefly outline the cognitive processes that reinforce categorically linked inequality and therefore promote discriminatory behavior. I then discuss formal organizational practices and policies and the effects of organizational founding on employment discrimination and inequality.

Cognitive Bias and Discrimination

Cognitive and interactional processes hold important consequences for employment discrimination and inequality. Specific routines, practices, and procedures, as well as the organizational distribution of labor and the relative power of organizationally defined positions, are largely unquestioned and taken for granted. As such, they form the basis for habitual action. In other words, they can shape individual habitus (Emirbayer & Johnson, 2008). Organizational decision-makers' evaluations of employees or potential employees are shaped by unconscious bias, which serves to reproduce inequality and discrimination within organizations.

"Cognitive bias" refers to how information is processed and how errors in judgment may emerge from this normal functioning of the brain. In the context of employment discrimination, cognitive bias research is focused on how such biases may (p. 44) distort organiza-

tional decision-makers' ability to fairly evaluate applicants and employees (Fiske, 2005; Fiske & Taylor, 2013; Nozek et al., 2007; also see Bielby, 2000, and Reskin, 2000). Moreover, these biases are largely invisible to those who occupy decision-making roles. It has often been said that humans are cognitive misers (e.g., Fiske, 2000). In other words, humans develop shortcuts to conserve cognitive capacity. Humans develop schemas, or cognitive categories, to make sense of and navigate social life. As a result, individuals tend to process information about others based on socially recognized categorical distinctions (e.g., White–Black, citizen–foreigner) and roles (e.g., manager–worker, mother–nonmother). These categories not only serve as social distinctions between qualitatively different groups and roles but also hold widely shared cultural meaning about the relative worth and competence of these distinctions—status beliefs. Status beliefs form the basis for the unequal distribution of socially valued resources across social groups, because they evaluate one sex (or race, role, etc.) as generally superior and diffusely more competent than the other (Ridgeway, 1997, p. 221). Because status beliefs attach different hierarchical rank and value to different socially constructed statuses, they serve not only to promote discrimination but also to justify inequality between socially defined groups. In the United States, for example, where racial and gender hierarchies are highly institutionalized, race and gender distinctions have become key markers by which individuals' ability and ambition are presumed (e.g., Browne & Kennelly, 1999; Haveman & Beresford, 2012; Moss & Tilly, 2001). Stereotyping and in-group preference, which are discussed later, are generally thought of as the primary aspects of cognitive bias linked to the maintenance and justification of inequality between social groups (Bielby, 2000; DiTomaso, Post, & Parks-Yancy, 2007; Fiske, 2005).

An important consequence of status beliefs is the creation of stereotypes (Ridgeway & Correll, 2004). Reskin (2000, p. 322) describes stereotypes as unconscious habits of thought that link personal attributes to group membership. Stereotypes reflect status beliefs in that they tend to reinforce status inequalities by further highlighting culturally generated categorical differences, which are applied to all members of a group. For example, Haveman and Beresford (2012) emphasize three important gender schemas that influence the gap in managerial attainment between men and women in the United States: (1) math/science ability, (2) work and family responsibilities, and (3) fitness for leadership. Such schemas emphasize stereotypic views of men's and women's abilities and responsibilities and are held by men and women alike (Correll, 2001). As such, they not only provide the basis for biased evaluations of men and women by decision-makers but also influence the investment choices of women and men (e.g., college degree choice).

In addition, research has also shown that an individual's position of power and relative status also shape the extent to which decision-makers rely on stereotypes in evaluation decisions. Goodwin, Operario, and Fiske (1998), for example, demonstrated that people in positions of situational power, such as supervisors and managers, are more likely to fall back on stereotypic assumptions about social out-groups and ignore information that may counter stereotypes. They also found that decision-makers are more likely to rely on stereotypes under conditions of threat or uncertainty. Other research has shown that indi-

viduals linked to higher social status groups are more likely to stereotype lower status groups than the converse (Brewer & Brown, 1998). Hence, this research demonstrates that individuals in positions of structural power (e.g., managers) and status-dominant groups in society (e.g., men, Whites) are more prone to cognitive bias in evaluation.

Drawing on previous laboratory research, Reskin (2000) suggests that the reliance on stereotypes may be reduced in organizations with heterogeneous workgroups, under conditions of cooperative interdependence, formalized human resource systems, reduced group salience, and decision-maker accountability. Based on the experimental psychological research, these aforementioned factors are presumed to minimize bias in employment decisions.

Gorman (2005) provides an important study demonstrating how these cognitive processes may promote discrimination within actual workplaces. Using a sample of law firms, she examined how women's representation among new hires was profoundly affected by whether or not the hiring criteria emphasized stereotypically masculine or feminine traits compared with gender-neutral criteria. Men and women were most likely to be sorted in a manner consistent with gendered expectations. Previous research has also shown that individuals are more favorably evaluated when performing tasks that are stereotypically associated with their own status group. Reskin and Padavic (1988) found that male supervisors gave more favorable ratings of women's (p. 45) performance when they were performing feminized tasks compared with masculinized tasks. Bell and Nkomo's (2003) study of Black and White female corporate executives revealed a similar process in which White women were seen as more competent and hardworking than Black women.

As mentioned previously, because stereotypes are based on deep-seated, often unconscious, status expectations, they also shape individuals' perceptions of their own competencies and abilities and of the opportunities that may be available to them. For example, the stereotype that men are better at math compared with women is partially responsible for shaping the types of careers men and women pursue (Correll, 2001; Haveman & Beresford, 2012). Hence, stereotypes play a role in recreating inequalities by influencing not only employers' decisions but also the very types of education and employment that people pursue.

In-Group Bias

Although most uses of the term "discrimination" generally focus on how individuals are denied access to opportunities, discrimination may also entail affording greater opportunities to a group rather than simply against a group. In fact, all employment decisions require discrimination. Employers discriminate on the basis of degrees, skills, experience, and so forth. These are universalistic aspects for hiring and promotions criteria; however, when categorical distinctions, conscious or unconscious, such as race, gender, age, or national origin enter the decision-making process, illegal discrimination emerges.

Making employment discrimination illegal will not eliminate the influence of stereotypes, even among managers who believe they have a commitment to equal opportunity. Characteristics individuals hold as central elements of their self-identities become favorable bases for the evaluation of others, where individuals characterized as different may be viewed as less deserving, less intelligent, less hardworking, and generally in a more negative light (see DiTomaso et al., 2007). People tend to develop stronger bonds and trust with others whom they categorize as socially similar. Hence in-group bias tends to reproduce workplace inequalities based on heightened status categorizations, personal identities, and in-group affinities. DiTomaso's (2013) work suggests that a great deal of contemporary inequality emerges from in-group preference rather than conscious or deliberate out-group exclusion. For instance, she demonstrates that a great deal of contemporary US racial inequality is produced through Whites' actions *for* friends and family members rather than actions *against* racial minorities. Because social networks and families continue to be relatively homogeneous in the United States, this has the effect of reproducing racial and gender-linked inequality. In DiTomaso's words, in-group preferences can produce racism without racists. In effect, people do things for those they care about and love, which provides unfair advantages to Whites and simultaneously disadvantages racial minorities in the United States.

In-group preference may also lead to attribution errors. Attribution errors tend to focus on the successes of superordinate status groups, attributing them to skill or talent, while ignoring or downplaying mistakes attributed to bad luck or situational factors (Pettigrew, 1979). Conversely, for subordinate status groups attribution errors tend to be reversed—mistakes are taken as evidence of lack of skill or potential, and successes may be overlooked or treated as situational.

Although all groups tend to internalize stereotypes, as mentioned in the previous section, there is also support for the notion that in-group preference operates, to some degree, in the workplace. For example, compared with individuals working for a race- or gender-dissimilar supervisor, individuals working for a same-race or -gender supervisor (homophily effect) may receive better performance evaluations (Castilla, 2011; Elvira & Town, 2001; Tsui & O'Reilly, 1989; but see Colella, McKay, Daniels, & Signal, 2012, for meta-analysis finding weak to no effects on performance evaluations). Other research finds that individuals with a racially similar supervisor report having greater liking for their supervisor and receiving better mentoring (Ensher & Murphy, 1997). Gorman's (2005) study of women in US law firms revealed that firms with female hiring partners were more likely to hire female than male job applicants. She found this effect to be strongest for entry-level jobs, as well as in firms with few female partners. The effect diminishes as the gender composition of partners becomes increasingly balanced. Gorman speculates that in-group preferences are likely to be greater when female hiring partners feel that they are an underrepresented group. Hence, under these conditions female decision-makers may feel a stronger motivation to help other women or a stronger preference for interacting with similar others (Gorman, 2005, p. 722; see also Cohen, Broschak, & Haveman, 1998). Such a finding is also consistent with the (p. 46) cognitive bias literature, which suggests

that heterogeneous workgroups, in this case among decision-makers, may reduce reliance on bias in information processing (e.g., see Reskin, 2000).

Current social psychological research carried out in experimental settings suggests that when status distinctions are supported by both structural position and cultural expectations in the organization the advantages of the normative in-group are generalized, leading to better evaluations and preferential treatment by all actors (Fiske, Cuddy, Glick, & Xu, 2002). Thus, status hierarchies are recognized and legitimate to both high and low status groups (Ridgeway, Boyle, Kuipers, & Robinson, 1998).

DiTomaso et al. (2007) explored these ideas in actual organizations, predicting that high-status actors would receive attribution benefits and low-status actors would suffer from indifference rather than negative bias. In their study they surveyed research and development scientists and engineers and their managers in 24 firms. Using models that control for actual task performance they found that US-born White men, the normative in-group, received greater access to technically challenging work and were evaluated more favorably on task performance. And US-born White women and Black men and three immigrant groups received average evaluations and opportunities, which they interpreted as the absence of negative bias. There was also, however, evidence that US-born Black women were the subject of negative attribution errors, leading to lower access to career-enhancing work and less favorable evaluations. In a study of job search information sharing Huffman and Torres (2002) found a similar pattern of favoritism toward males by both women and men. Castilla (2008), in a study of pay and promotion decisions in a single highly formalized firm, found no race or gender differences in merit evaluations by managers but significant White male advantages in the size of salary increases awarded to merit evaluations. He interprets the absence of bias at the evaluation stage to be caused by the combination of formal merit evaluation and managerial accountability and visibility in the merit ranking. Bias enters at the salary award stage when managers' decisions are not visible to other employees.

Organizational Divisions of Labor

Formal organizations are, by definition, designed to outlive their participants. This is accomplished in part by the formalization of the duties, spans of responsibility, and compensation attached to the hierarchy of jobs within organizations and how positions are related to one another, irrespective of the people who occupy them. The division of labor may solidify workplace inequality because it (1) determines the opportunity structure for upward organizational mobility (e.g., extensive versus few promotion opportunities), (2) structures the form and content of social interaction (based on positional authority or ascribed characteristics), and (3) typically defines pay and benefit structures.

Because biases interact with the formal division of labor, women and racial minorities often work in segregated jobs (Stainback & Tomaskovic-Devey, 2012). Segregation of status groups has long been both a cause and consequence of discrimination. Jobs that contain mostly female and racial minority workers tend to offer lower wages (Kmec, 2003; Mun,

2010), provide less access to on-the-job training (Mun, 2010; Tomaskovic-Devey & Skaggs, 2002), and provide limited paths for upward mobility with respect to differential promotion structures (Barnett, Baron, & Stuart, 2000; Baron & Bielby, 1986; Collins, 1997). Hence, employment discrimination is both a cause and consequence of the status composition of jobs.

Others studied the effect of the division of labor on mobility. Smith-Doerr (2004) followed women scientists' careers in academia, the pharmaceutical industry, and biotech firms. She found that women did much better in biotech firms and attributed this to the cooperative, rather than competitive, basis of work organizations and reward in these firms. Kalev (2009) examined how the formal organization of work affects access to managerial jobs for women and Blacks. In particular, she found greater managerial attainment for previously disadvantaged groups in firms that had organized work using teams with less rigid hierarchical job distinctions. She suggests that these newer forms of work organization are efficacious for improving equal opportunity because they increase intergroup contact and possibilities for networking, all of which serve to reduce stereotypes and increase female and minority access to managerial positions. These results are consistent with cognitive social psychological predictions that increased intergroup contact in cooperative (rather than competitive) settings will reduce stereotyping and attribution bias (e.g., see Bielby, 2000; Pettigrew & Tropp, 2006; Reskin, 2000).

While we know that the division of labor can influence race and gender inequality, relatively little attention has been given to how the formal division of labor develops (see discussion in Haveman, (p. 47) Broschak, & Cohen, 2009). From a purely rational choice perspective, the justification for the division of labor in workplaces may emphasize technical and efficiency imperatives. Indeed, there is some evidence to suggest that this can be the case (Baron & Bielby, 1986; Haveman et al., 2009). There is also evidence that the division of labor is shaped by cultural and demographic factors (Haveman et al., 2009; Phillips, 2005; Strang & Baron, 1990) and by the relative power of groups of workers (Vallas, 2006).

Formal Organizational Policy and Practice

Inequality at work is developed within the very routines, policies, and practices that organizations use to evaluate, hire, and retain employees. This is precisely why studying discrimination and inequality using individual or aggregate data, without information about organizations, is inherently problematic.

Routines, policies, and practices are formalized within bureaucratic structure. Because bureaucracies tend to emphasize the technical requirements for positions, the more formalized the practices and policies governing the allocation of jobs and compensation, the less discrimination we might expect. Given that bureaucracies are purported to operate on the basis of formal rationality with formalized procedures for the selection of employees, job applicants will be evaluated based on their qualifications and skills rather than personal loyalties, affinities, or group-linked membership.

Formalization of the human resource management (HRM) function has been theorized to reduce discrimination because it reduces the influence of cognitive bias in decision-making (Bielby, 2000; Reskin, 2000). Hence, formalization is expected to reduce the negative role of bias in employment decisions (Bielby, 2000; Reskin, 2000; Reskin & McBrier, 2000). The strongest version of this approach argues that in formalized firms with equal opportunity commitments bias processes may be absent altogether, at least for promotion decisions (Petersen & Saporta, 2004, but see Castilla, 2008). In the absence of formal rules and procedures regarding the evaluation of applicants and employees, especially those that may help decision-makers focus on individuating information, individuals are likely to base decisions on stereotypical views and in-group preferences.

The evidence that discrimination and inequality are lower in organizations with more formalized personnel practices compared with less formalized ones is somewhat supported. Anderson and Tomaskovic-Devey's (1995) research showed that women's wages were higher in more formalized organizations than less formalized ones; however, they found no association between the degree of organizational formalization and men's wages. Elvira and Graham (2002) examined formalization, specifically as it relates to the pay system, and found that more formalized pay systems were associated with gender wage equality compared with less formalized pay systems. In addition to earnings, research has also shown an association between greater organizational formalization and women's managerial representation (Reskin & McBrier, 2000).

Specific aspects of formalization have also been linked to reduced gender and racial inequality. For example, Baldi and McBrier (1997) demonstrated that Black employees are more likely to be promoted in organizations that have a formal personnel office compared with organizations that do not. Similarly, Baron, Hannan, Hsu, and Koçak (2007) found that having a full-time human resource administrator was associated with a greater percentage of women in science and engineering jobs. Although based on single-firm case studies, rather than cross-organizational comparisons, one line of research has shown that formalized workplaces with equal opportunity agendas may provide greater promotion opportunities for women than men (Dencker, 2008; Petersen & Saporta, 2004).

Although the previously mentioned studies tend to find an association between organizational formalization and reduced discrimination and inequality, other research has shown that some specific aspects of formalization may maintain or increase status-linked inequality. Internal labor markets, for example, have been found to heighten both gender and ethnic inequality (Baldi & McBrier, 1997; DiPrete, 2013; Huffman, 1995). Organizational departmentalization has also been linked to higher gender segregation (Tomaskovic-Devey & Skaggs, 1999). In Kmec's study of organizational staffing procedures, gender segregation provided inconsistent effects of different components of formalization on inequality, leading Kmec to suggest that bureaucratization or formalization of an organization's hiring process does not automatically eliminate sex-based hiring decisions; instead, they may institutionalize women's and men's different employment options in formal job descriptions and requirements (Kmec, 2005, p. 343).

(p. 48) Kalev, Dobbin, and Kelly (2006) explored access to management positions and found that formalized personnel policies had negative effects on access to management for Blacks and that diversity training had no or even negative consequences for women and minorities. Their research suggests that formalization, per se, does not matter as much as the presence or absence of bureaucratic accountability (see also Bielby, 2000; Reskin, 2000). Dobbin, Schrage, and Kalev (2009) contextualized the effect of formalization and found that formal personnel policies are likely to have no or negative effect on managerial diversity in the absence of legal accountability. The same policies show some positive effects when the firm is under additional affirmative action oversight. In contrast, programs that target women and minorities specifically are effective regardless of legal oversight.

Organizational Founding and Inertia

Fifty years ago, Stinchcombe (1965) noted that at founding organizations are imprinted with the technology and culture in their environments. Just as an organization may be unable to implement the newest production technology due to sunk costs in older less efficient production methods (Hannan & Freeman, 1984), organizations founded prior to the Civil Rights Act of 1964 may have cultures less supportive of diversity.

Research has shown that founding effects influence discrimination. For instance, studies have show that pay systems designed in the 1940s and 1950s with gender discrimination built into formal compensation structures continued to have discriminatory effects more than 50 years later (Kim, 1989). Hence, discrimination became formalized within the rules and procedures of the firm, reproducing gender-linked discrimination, even in the absence of discriminatory actors. Other research has shown that equal opportunity tends to prevail in newer organizational departments (Baron, Mittman, & Newman, 1991) and organizations founded after the 1970s compared with firms founded earlier (Tomaskovic-Devey & Skaggs, 1999). Although it was not tested directly, Stainback, Robinson, and Tomaskovic-Devey (2005) suggested that organizations founded after the Civil Rights Act, but particularly during the 1964–1980 period of peak uncertainty and enforcement, might be expected to show the least status inequality.

Skuratowicz and Hunter (2004) demonstrated how not only organizational founding but also job founding has an influence on discrimination and inequality. They examined the creation of new jobs resulting from restructuring in a large US bank. They found that managers cast new positions with gendered expectations. These gendered imprints affected both managerial staffing decisions and employee job choices, both of which produced gender-segregated jobs. Burton and Beckman (2007), focused on the imprinting of jobs for a sample of high-tech firms in Silicon Valley. Specifically they were interested in how the functional background of the first job incumbent affects turnover rates of successors, as a result of both normative pressures (an external force) and whether the successor matched the position imprint. Turnover was shown to be lower among successors who matched the imprint rather than the normative expectation, suggesting the importance of

local firm histories. Whether such position imprints would be found for the race and gender of first incumbents on successors, net of normative expectations, remains to be seen.

There is an interesting finding in recent scholarship regarding founding effects. Studies employing more recent data than the previously mentioned studies tend to find different effects. In a study of workplace segregation over time, Stainback and Tomaskovic-Devey (2012) examined how the birth and death of organizations contributes to racial and gender segregation. They found that new firms are slightly more integrated on the basis of gender, yet slightly more segregated on the basis of race. This finding suggests that a simple understanding of old, more discriminatory firms failing because of their taste for discrimination and new firms succeeding due to less discrimination do not hold. Rose and Bielby (2011) found that newer firms are less likely to have an African American corporate board member compared with older firms. Skaggs et al. (2012) found no influence of founding on women's access to managerial jobs among a 2005 sample of Fortune 1000 firms. These findings seem to be at odds with the logic of founding effects and previous findings. Rose and Bielby (2011) suggest that the pressures for institutional legitimacy have gotten stronger in shaping organizational behavior. They argue that older firms are more responsive to institutional pressures for legitimacy than newer firms. Perhaps older firms have more experience with managing reputation and are therefore more responsive to demands from political and social environments.

(p. 49) Intraorganizational Pressures: Organizational Demography and Relative Power

The power dynamics within organizations carry important implications for the manifestation of group-linked discrimination and inequality. The balance of power between groups of workers within workplaces is always in flux and shapes the distribution of resources and experiences. Workers may be able to bargain for higher earnings or better conditions because they are represented by unions or organized along craft or the professional lines and therefore able to have greater power and influence in the workplace (Vallas & Beck, 1996). Conversely, workers with little skill and no collective bargaining power are relatively powerless in their ability to make claims on organizational resources (Avent-Holt & Tomaskovic-Devey, 2010; Roscigno, 2011). In this section, I examine the relative power of status groups, in particular race and gender, in the workplace. I first outline the significance of managerial diversity as a force for top-down change in the relative power of traditionally underrepresented groups at work. I then explore the role of female and minority workforces in creating bottom-up pressures for change (Elliott & Smith, 2001).

Managerial Diversity

Kanter's (1977) seminal work *Men and Women of the Corporation* provided a key explanation for the recreation of gender inequality in corporations. She found that men tended to hire other men into positions of power and authority, a process she referred to as homosocial reproduction. Because of men's structural overrepresentation in high-level positions,

women's access to these high-level positions was greatly reduced. The maintenance of gender-segregated managerial hierarchies was the product of both intentional exclusion (whether based on status beliefs or because they were seen as a threat to the managerial culture) and in-group preferencing. The result is the long-standing underrepresentation of women in top positions in organizations. This relatively invisible barrier to women's advancement to managerial and supervisory positions has been called the glass ceiling because of the ostensibly invisible pressure limiting women's and minorities' opportunities for advancement. One implication of Kanter's work is that integrating managerial and supervisory positions should have broad effects on reducing gender-linked discrimination and inequality. The assumption is that women, like men, would engage in similar social processes of in-group preferencing and therefore more access to these positions for women and underrepresented minority groups would lead to a reduction in discrimination and inequality. In the decades following Kanter's (1977) book, researchers increasingly sought to identify the factors that promote women's access to managerial roles, in part because of the assumption that increasing women in these powerful roles would diminish inequality over time.

Top-down pressures for the maintenance of the status quo suggest that changing the demographic composition of jobs may be effective in reducing status-linked inequalities at work. For instance, if more women gained access to managerial roles, perhaps gender-linked inequalities in organizations would be reduced. There are competing perspectives and mixed results on this topic. Cohen and Huffman (2007) framed this debate as women functioning as either cogs in the machine or agents of change. Although this literature has primarily examined gender-linked inequality, it could also be extended to examine racial inequality. From the agents-of-change point of view, women's and minorities' increased representation in positions of organizational power may increase their relative power in the workplace. It is presumed that they may engage in in-group preferencing and provide mentoring and networking opportunities for other women and minorities, all of which should increase opportunities and diminish discrimination for these groups (Ibarra, 1993; Konrad, Kramer, & Erkut, 2008). With regard to relative power of groups and policy, Dobbin, Koo, and Kalev's (2011) research shows that White women tend to promote equal opportunity policies while White men are more likely to thwart them. Others have suggested that women's and racial minorities' representation among leadership positions reduces gender-linked stereotypes about women's and minorities' abilities and competence throughout the organization (Ely, 1995). The outcome would minimize bias by affecting the judgments and evaluations of male and female decision-makers.

The cogs-in-the-machine perspective suggests that women's and minorities' access to managerial positions will have no effect on employment discrimination. For instance, under hegemonic systems, even the disadvantaged tend to adopt the beliefs of the powerful. Hence, women and racial minorities may be subject to the same cognitive bias processes as men and Whites. Another reason why managerial diversity may not influence discrimination is a process Schwalbe et al. (2000) refer (p. 50) to as trading power for patronage. Maume (2011, p. 289), for example, argues that women in leadership roles are either not powerful enough to affect the careers of their subordinates or they have been selected to

their managerial positions *because* they identify with powerful men at the apex of firms, a selection process that comes at the expense of female subordinates.

Studies examining the influence of women and minorities in managerial roles on workplace inequality tend to find that managerial diversity ameliorates discrimination and inequality. However, some previous research suggests that female managers may maintain, or even deteriorate, women's workplace opportunities (Maume, 2011; Penner & Toro-Tulla, 2010).

Hultin and Szulkin (1999, 2003), using a sample of Swedish firms, found that women in managerial and supervisor positions are associated with less gender wage inequality. Cohen and Huffman (2007), using industry-occupation data to approximate organizations, demonstrated that women's presence in managerial jobs reduces gender earnings inequality and that the effect is most pronounced when women are in high-level managerial positions. There are a few studies that do not find an influence of women in power on reducing inequality—one of grocery store managers (Penner, Toro-Tulla, & Huffman, 2012) and the other of women-owned firms (Penner & Toro-Tulla, 2010).

Cohen et al. (1998) found that women's access to managerial jobs in California banks was greater in firms where women were already better represented in managerial positions. Skaggs et al. (2012), using a sample of Texas-headquartered Fortune 1000 firms, found that women's share of corporate board of director positions is associated with women's representation in workplace-level managerial positions. Kalev et al. (2006), using a unique panel study of US organizations, found that gender and racial diversity of a firm's top management team was associated with increasing women's and African Americans' access to managerial jobs. Stainback and Tomaskovic-Devey (2012) examined panel data of private sector firms and found that increasing representation of Black men, Black women, and White women all increased the representation of these groups in managerial jobs in the future.

Research examining race and gender segregation provides similar findings. Huffman et al. (2010) found that women's representation in managerial jobs reduced gender segregation over time in a sample of US private sector organizations. Stainback and Kwon (2012), using a sample of South Korean organizations, found that women's share of managerial roles is associated with less gender segregation. Stainback, Kleiner, and Skaggs (2016) analyzed a sample of Fortune 1000 firms and found that women's corporate board and executive representation was associated with less gender segregation throughout the firm. Hirsh (2009) examined the role of women's and African Americans' managerial representation on desegregation using data collected by the US Equal Employment Opportunity Commission. She found an effect similar to the previously mentioned studies for gender segregation and, importantly, provided evidence of the same desegregation effect for African Americans–Whites.

Although most studies find support for managerial diversity on reducing status-linked discrimination, there are a few studies that fail to support an agents-of-change perspective. Future research should seek to specify the conditions under which female and minority

representation reduces inequality and the conditions under which changing representation fails to bring about equal opportunity.

Bottom-Up Pressure for Inclusion

In addition to top-down pressures that may undermine institutionalized inequality, change may also come from the pressure exerted by underrepresented groups in the organization's workforce, especially as their numbers grow. Elliott and Smith (2001; Smith & Elliott, 2002) suggest that women and minorities are more likely to gain access to managerial roles when these positions are low-level supervisory positions and entail supervising female and minority workforces. Indeed research shows that managerial attainment for women and minorities is often within the realm of segregated managerial hierarchies where incumbents manage demographically similar others (Cohen & Huffman, 2007; Elliott & Smith, 2001; Stainback & Tomaskovic-Devey, 2009). The process may result from increased labor supply, from the demand for managerial inclusion, or as a means to pacify dissent. Elliott and Smith (2001) refer to this process of women's and minorities' limited managerial inclusion as bottom-up ascription.

The growing diversity of the workforce is likely to continue to generate this limited path to managerial attainment for many female and minority workforces in the United States. Stainback and Tomaskovic-Devey (2009), for instance, show that in 1966 practically all of the managerial jobs in the US private sector were held by White men. Since (p. 51) this time, the relationship between demographic matching between supervisors and subordinates has strengthened.

This trend in managerial attainment for underrepresented groups is problematic for employment discrimination and inequality research. Increased access to managerial and supervisory roles is often used as an indicator of less discriminatory workplaces and greater equal opportunity in employment outcomes; however, this path to equal opportunity is drawn on racial and gender lines and entails sorting women and minority workers into lower-level managerial jobs managing status-similar others. It is a sign of both increased opportunity and continued discrimination. Cognitive bias and stereotyping are likely the mechanisms responsible for these patterns in contemporary US society.

Environmental Pressures

Organizations, like people, are other regarding. They do identity work and seek to manage the impression they give off to others in their environments. For this reason, they pay attention to other actors in their environments and adjust their behavior to other organizations, groups, and cultural environments based on their definition of the situation. That is, organizations, much like people, adjust to other relevant actors in their environments based on their perceptions. They act on what is perceived to be true rather than any objective truth. In this section, I highlight research on the role of interorganizational and environmental pressures on employment opportunity. In particular, I focus on three im-

portant sources of pressure for equal employment opportunity: organizational uncertainty, direct and indirect pressure, and competitive environments.

Organizational Uncertainty

Inertia arises in part from bureaucratization and may be thought of as the opposite of uncertainty. Organizations establish formal rules, practices, and procedures for the explicit purpose of reducing uncertainty. Organizational uncertainty refers to a state where organizational actors are unsure about the future. They are presented with a new problem for which there is no clearly defined formal solution. Consider, for example, the relatively recent rise in shootings on college campuses in the United States. This presents college administrators with an organizational problem: how will they handle such a tragic event if it were to occur on their campus? My anecdotal experience is that universities began to develop formal policy and procedure for responses. University police, staff, and faculty were all given instructions and training on steps and procedures to deal with such an event. The intended goal is to have a specific set of plans in place to reduce uncertainty in the event that a shooting occurred to minimize harm to faculty, staff, and students. My guess would be that universities across the country have begun to implement such policies and that those policies are often borrowed from other organizations that have already created such procedures. I provide this example to suggest that organizations act to reduce the uncertainty through the adoption and implementation of new policies, rules, and procedures in order to ensure regularity, efficiency, and predictability of day-to-day activities and routines. In other words, bureaucracy is a mode of administration that is designed to reduce uncertainty and promote inertia.

With regard to employment, the passage of antidiscrimination laws, court rulings, and social movements may all provide a great deal of organizational uncertainty and, therefore, impetus for organizational action. For instance, the US Civil Rights Act of 1964 and affirmative action mandates were relatively vague in establishing legal compliance (Stainback et al., 2005). As a result, firms looked to their environments for ways to reduce uncertainty. Firms scanned the practices of other firms in their environments; they paid attention to best practices established by the US Equal Employment Opportunity Commission (EEOC), the human resource profession, and case law and then implemented new policies and practices (Dobbin, 2009; Pedriana & Stryker, 2004). Although newly established equal opportunity policies were widely adopted by organizations (Dobbin & Sutton, 1998), some scholars suggested that they were often merely examples of structural elaboration often uncoupled from actual employment practices (Edelman, 1990, 1992). Stainback and Tomaskovic-Devey (2012), examining US workplace segregation trends between 1966 and 2005, found that Black–White integration was most pronounced in the immediate period following the Civil Rights Act of 1964—the period of maximum uncertainty—and then progress slowed in the 1970s and stalled in the early 1980s. They also found that racial and gender integration coincides with Black civil rights protests and the number of race and gender civil rights organizations.

The uncertainty surrounding the passage of law or policy may have the effect of creating equal (p. 52) opportunity and reducing discrimination as organizations seek to modify their behavior in a manner consistent with what they believe to be the legal intention, the expectation of enforcement, or some combination of the two. The previous literature suggests that organizational uncertainty has brought about not only structural elaboration of bureaucratic departments, rules, and procedures (Edelman, 1990, 1992) but also equal opportunity progress (Stainback & Tomaskovic-Devey, 2012). It also suggests that future equal opportunity progress may be tied to the reemergence of social movement pressures, the development of case law, or the creation of new laws that broaden the scope of employment discrimination.

Direct and Indirect Pressures

Regulatory and legal environments are important components in an organizational environment because they shape understandings of equal employment opportunity law. In this section I examine the role of regulatory pressure and discrimination lawsuits as two important pressures on organizations that shape organizational behavior. Although both are sources of pressure, the mechanisms producing change are different. Kalev and Dobbin (2006) suggest that the regulatory strategy of compliance reviews are primarily aimed at changing human resource practices, whereas lawsuits may lead organizations to change to minimize threats to their reputations and avoid potentially costly litigation.

Government organizations in the United States responsible for monitoring and regulating private sector firms exert significant effects on equal opportunity in the workplace. I briefly discuss regulatory pressures in the form of formal discrimination complaints filed with the US EEOC and compliance reviews conducted by the US Office of Federal Contractor Compliance Programs (OFCCP), which oversees affirmative action in firms with federal contracts with the US government.

Hirsh (2009) examined the effects of formal discrimination claims filed with the US EEOC on gender and racial segregation using annual private sector data collected by the EEOC. She found no direct effect of discrimination charges on segregation. Moreover, she found slightly higher segregation following a case resolution. This suggests potential retaliation following a resolution. Interestingly, Hirsh found that although the direct pressure of a discrimination charge has no influence on segregation, charges do influence segregation indirectly at the level of industries. She found that the number of charges in an industry exerts a desegregating effect for gender but not race.

Kalev and Dobbin examined the effects of compliance reviews conducted by the US OFCCP. They found that compliance reviews appear to have been effective for combating race and gender inequality in the 1970s, but have had practically no effect since that time. Other research suggests regulatory pressure is more diffuse in industrial environments, similar to Hirsh's finding for formal discrimination charges filed with the EEOC. Kelly, Kalev, and Dobbin (2010) found that the density of compliance reviews within an industry increased representation for underrepresented groups in craft and managerial jobs

among organizations within those industries. Similarly, McTague et al. (2009) found that the density of federal contracting firms in the industry, but not federal contractor status, was associated with reduced gender and racial segregation.

In addition to regulatory pressures, discrimination lawsuits are another potential external pressure that may influence equal opportunity progress. In an early study, Leonard (1984) examined the role of class action discrimination lawsuits on the employment of Black and White women and men in the United States, using data from 1966 to 1978. His findings showed that firms targeted with class action lawsuits were more likely to increase Black male and Black female employment, but the lawsuits had no influence on changing the employment of White women. In a 2006 study, Kalev, Dobbin, and Kelly examined the effect of past discrimination lawsuits, mostly individual rather than class action, on managerial representation for White and Black women and men. They found that past discrimination lawsuits decreased White men's representation, increased White women's representation, and had small yet significant effects on increasing the representation of Black women and men. It is important to note that most of the lawsuits in their data were not class action, which are classes in which plaintiffs are more likely to prevail (Hirsh, 2008).

Skaggs (2008, 2009) provides several studies of the effect of race and gender class action discrimination lawsuits on managerial representation in the supermarket industry. Her findings show that the lawsuits increase managerial representation for women and African Americans, however, the long-term effects on representation remained for women while African American representation fell over time, revealing a small long-term increase in managerial attainment.

(p. 53) Although lawsuits may be an important factor for promoting equal opportunity, especially for women, it is important to note that very few experiences of discrimination ever make it to trial. For example, Nielson and Nelson (2005) used 2001 data to estimate the prevalence of employment discrimination experienced by African Americans in the United States. They estimated that approximately 3.4 million African Americans experienced some form of employment discrimination in, however, only 7,500 discrimination claims were filed, and fewer than 300 cases made it to trial. Hence, as a direct mechanism for promoting equal opportunity, lawsuits are relatively rare events.

The direct and indirect pressures of regulatory and legal pressure reveal that direct pressures are sometimes successful for bringing about equal opportunity, but such efforts appear to be contingent on other factors, such as political era (Stainback et al., 2005; Stainback & Tomaskovic-Devey, 2012). For instance, Kalev and Dobbin (2006) found that compliance reviews significantly reduced inequality, but not after the 1970s. This suggests that the influence of these direct pressures are likely to interact with other characteristics in organizations' environments. The second interesting finding in this literature is that much of the influence of direct pressures operates indirectly at the level of industries. Regulatory effects appear to be stronger at the industry level rather than the level of specific firms.

Competitive Pressures

A neoliberal perspective would suggest that the free market is the panacea for categorically linked discrimination and inequality. Becker (1971), for instance, suggested that employers who discriminated against disadvantaged groups in society would be penalized in the market because they would lose their competitive advantage vis-à-vis competitors if they failed to use the best human capital in the labor market. As a result, profits would fall, firms would be less competitive, and eventually such a taste for discrimination would lead to the failure of the firm. Less discriminatory firms on the other hand would make use of the best human capital and thrive. Proponents of the business case for diversity make a similar claim: Greater diversity produces innovation and competitiveness in the market (see Herring, 2009).

In a study of racial and gender segregation in US workplaces, McTague et al. (2009) found that firms in industries with a larger number of organizations (an indicator of competition) were, on average, slightly more integrated than ones with few competitors. Reskin and McBrier (2000), using a sample of US firms, found a small competition effect on women's access to managerial jobs. Stainback and Kwon (2012) found that competitive environments are also associated with less gender segregation in a sample of South Korean organizations. Competitive environments may assist in reducing inequality, but cannot be the only mechanism for reducing employment discrimination.

Conclusion

The goal of this chapter was to provide an overview of an organizational approach to the study of employment discrimination. As an academic pursuit, this area is vast, ranging from how organizations interpret and act on their environments (Hirsh, 2009; Skaggs, 2008; Stainback & Tomaskovic-Devey, 2012) to the micro-level interpersonal, cultural, and political dynamics that take shape within specific organizations (Avent-Holt & Tomaskovic-Devey, 2010; Cohen & Huffman, 2007). The primary emphasis in all of these areas is that organizations play important roles in shaping discrimination and inequality, as both actors and contexts.

More than a decade ago, both Reskin (2000) and Bielby (2000) wrote about the emerging cognitive bias literature and its implications for real-world employment discrimination as well as organizational inequality research. As Reskin (2003) noted, although conscious and unconscious bias may be the original causes of employment discrimination, organizations are the proximate context in which discrimination occurs and inequalities are produced or challenged.

My intention in this chapter was to provide a cursory overview of an organizational perspective on inequality and discrimination. Using a framework my colleagues and I developed in previous work (Stainback et al., 2010; Stainback & Tomaskovic-Devey, 2012), I organized this chapter into three broad sections: inertia, internal organizational pressures, and external organizational pressures. Inertia refers to the factors that promote stability

in status-linked inequality, most notably those factors rooted in cognitive process and organizational structure and routines. Internal pressures refer to the political and status processes that play out within the organization. Demography and the relative power of groups are among the internal pressures discussed. External pressures refer to the interorganizational (p. 54) and external environment factors that shape organizational behavior. For this chapter I focused on regulatory and legal pressure on organizations as well as the indirect pressure emanating from industrial environments. It is the intersection between these factors that gives rise to and shapes the experience of discrimination and inequality.

Taking an organizational approach is not merely an intellectual endeavor but also a practical one. I encourage scholars to pursue comparative case studies and outlier studies of employment discrimination and inequality. Our ability to move beyond a description of what happens to a focus on identifying the factors that might be most effective in reducing status-linked inequalities would renew the relevance of academic scholarship for real-world workplaces. More importantly, it might provide an understanding of how to create more equal opportunity workplaces for all.

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Notes:

(1.) Bureau of Labor Statistics (2014), *Median usual weekly earnings of full-time wage and salary workers by sex, first quarter, seasonally adjusted*.

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