



## Women's appeals for equity at American universities

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### ABSTRACT

Statistics indicate that sex discrimination is still very evident at American universities. To explore whether inadequate university responses when individuals complain of inequities may be a factor, a qualitative study was conducted using individual interviews with 14 students and faculty who experienced sex discrimination. Results indicated the women first made attempts to address their situations informally and were hopeful that changes would result. Although changes sometimes occurred, responses to these informal appeals were generally characterized by non-response, denial of responsibility, or retaliation. Fewer of the women reported hopes for the formal processes they used following the informal ones and many had difficulty accessing these processes. For the most part, the universities responded to the formal complaints in the same way as they had responded to the informal ones, stimulating the women to seek justice outside the university.

### KEYWORDS

fairness ■ grievances ■ informal appeals ■ sex discrimination ■ voice

Women account for more than half of all undergraduates in North America, but the proportion drops significantly at each step up the academic ladder, creating the 'academic funnel' effect. For instance, in the USA, women earn about 44 percent of doctorates, but represent about 3 percent of faculty and are slower to be promoted to full professor (Krefting, 2003). Differences still

exist between men and women, not only in representation, but also in rank, salary, and experiences of harassment, and these differences increase as women achieve higher status and universities achieve higher prestige (Benjamin, 1999; Dey et al., 1996; Dziech & Weiner, 1990; Grauerholz, 1996; Nettles et al., 2000; Rai & Critzer, 2000; Valian, 1998; Wylie, 1995). Although economists attribute these effects to differences in men and women's investments in human capital, such as experience and education (Kemp, 1994), research indicates that most of the variance is discrimination based (Reskin, 1977; Robinson, 1973; Toren, 1990) and that organizational variables often affect women's opportunities (Blum et al., 1994). For instance, in the sciences, men and women differ in terms of contextual factors predictive of publication rates rather than on individual characteristics and when organizational factors are controlled for, differences in publication rate are no longer significant (Keith et al., 2002; Xie & Shauman, 1998). Furthermore, even when their publication rates are equal, women still receive fewer rewards than men and are promoted more slowly (Toren, 1990). One factor thought to account for this discrimination is the existence of preconceptions about gender roles in jobs dominated by men (Fitzgerald et al., 1995a). Inequities in career achievement, including at universities, are explainable by findings that women are consistently underrated, particularly when doing 'men's' work (Heilman et al., 2004; Krieger, 1995; Swim et al., 1989; Valian, 1998).

However, the current investigation concerns a less-studied second factor thought to account for sex discrimination, *organizational climate* (Fitzgerald et al., 1995a). Sex discrimination is thought to occur when an individual predisposed to discriminate is in an organization that tolerates, models, or encourages the behavior (Bergman et al., 2002; Fitzgerald et al., 1997; Glomb et al., 1999; Pryor et al., 1995; Wasti et al., 2000). For instance, the incidence of harassing behavior is associated with whether sexual harassment policies exist and are effective (Hesson-McInnis & Fitzgerald, 1997). Thus, organizations may essentially tolerate discrimination by having *no* policies and procedures or by having *ineffective* ones. In fact, the emerging literature on silence and voice in organizations suggests that ineffective handling of complaints may be the primary way tolerance is manifested. Organizations have been introducing more ways for employees to voice complaints, but they often fail to respond to complaints, particularly informal ones (Harlos, 2001). Although this failure, termed 'deaf ear syndrome,' is more common with informal complaints, formal complaints also rarely result in changes (Nielsen, 2000). For instance, academic procedures are often so cumbersome and delayed that they are resolved by victims leaving rather than by solving the harassment problems (Dziech & Weiner, 1990; Messer-Davidow, 2002). Aside from experiencing deaf ear

syndrome, sex discrimination complainants often will also experience social and work victimization – hostile verbal and non-verbal behaviors as well as tangible adverse job effects (Cortina & Magley, 2003; Fitzgerald et al., 1995b). Individuals who report their experiences have been found to fare worse than those who do not in terms of job, psychological well-being, and health, particularly when complainants have been further victimized with retaliation (Adams-Roy & Barling, 1998; Bergman et al., 2002; Cortina & Magley, 2003; Hesson-McInnis & Fitzgerald, 1997; Stockdale, 1998). In fact, studies indicate that organizational tolerance of harassment is more predictive of adverse effects than the harassment itself (Culbertson et al., 1994; Hulin et al., 1996).

Deaf ear syndrome and the poor handling of complaints not only do not address problematic situations and their effects on employees, but also serve to perpetuate the non-reporting of these situations. Organizational norms are a significant predictor of whether sexual harassment victims report harassment (Gruber & Bjorn, 1986). Most targets of sexual harassment and sex discrimination do not report their experiences (Brooks & Perot, 1991; Culbertson & Rosenfeld, 1994; Fitzgerald et al., 1988; Lanier & Tanner, 1999) because of fears of retaliation (Swim & Stangor, 1998), as well as skepticism regarding the efficacy of harassment policies and filing a complaint (Maypole & Skaine, 1982; Rudman et al., 1995). One result of low reporting is that organizational problems like sex discrimination continue (Morrison & Milliken, 2000), such as in academia, which is characterized by low rates of reporting but high rates of sexual harassment experiences (Adams et al., 1983; Brooks & Perot, 1991; Lanier & Tanner, 1999).

Legal scholars have also noted the failure of institutional policies to correct discrimination and have suggested that these policies primarily serve to avoid the law's grasp (Bisom-Rapp, 1999; Edelman et al., 1999). For instance, studies indicated that personnel managers were more concerned with resolving disputes than with correcting discriminatory practices (Edelman et al., 1999), management attorneys were more likely to discuss how to minimize the evidence obtainable by complainants than how to prevent and address discrimination (Bisom-Rapp, 1999), and university administrators took a legal, rather than human resources, approach to resolving sexual harassment (Gutek, 1996). This legalistic focus is thought to result in part from court decisions in which employers prevailed by showing they had mechanisms designed to prevent and correct sex discrimination that plaintiffs failed to take advantage of, whether or not those procedures themselves were unbiased and effective at addressing discrimination (Bergman et al., 2002; Bisom-Rapp, 1999; Edelman et al., 1999). It is ironic, then, that organizations' non-responsiveness to internal complaints

increases the use of external avenues by complainants – employee perceptions of unfairness, exacerbated by a lack of voice, are associated with the increased filing of claims (Brandenburg, 1982; Lind et al., 2000). The fact that the number of tenure discrimination claims against universities in the USA more than tripled between 1992 and 1997 (Kravetz, 1999) suggests that past approaches of university administrators to the problem have been ineffective.

In summary, various literatures suggest that administrators in organizations, including universities, engage in behaviors that discourage the addressing of discriminatory situations. This possibility warrants further exploration not only because universities purport to be egalitarian (Dziech & Weiner, 1990; Grauerholz, 1996; Toren, 1990), but also because tolerance of discrimination at universities may perpetuate discrimination in other organizations, because students learn as much through the behaviors modeled for them, and perhaps more so, as they do through traditional methods (Bandura, 1986). However, existing research does little to indicate what goes wrong when women seek to address the discriminatory situations they find themselves in at universities. Quantitative studies of academic women's ranks and representation or percentages of women reporting harassment experiences rarely collect information on possible determinants (Cole, 1986; Fischer & Good, 1994; Kulis, 1997; Myers & Dugan, 1996; Reid, 1987). Most studies that have examined possible determinants have focused on individual characteristics rather than organizational factors, particularly in research on gender inequity in universities (Collins et al., 1998; Rama et al., 1997). Quantitative studies of organizational climates tolerant of sexual harassment begin to address institutional dynamics, but little is known about the behaviors in organizations that result in employee perceptions of high risk to reporters of harassment (Rudman et al., 1995). In addition, climate studies have focused exclusively on harassment and not included other forms of sex discrimination. Finally, past qualitative analyses on women in academia have examined the behaviors at universities that are associated with women's discrimination experiences, but they have not focused on the women's attempts to address their situations within their universities (Aisenberg & Harrington, 1988; Gersick et al., 2000; Siskind & Kearns, 1997).

Thus, this study examined women's stories about their informal and formal attempts to restore equity within their universities. Qualitative methods were used because they were appropriate for the research question being asked, meeting the criteria outlined by Bachiochi and Weiner (2002): the research was exploratory; the context and participants' interpretations were central to the research question; and the depth and richness of data was

important for understanding the dynamics behind the statistics on university discrimination. The women's stories were organized into themes that could help generate ideas for future theory and research concerning attempts at equity restoration in organizations, particularly at universities.

## **Method and participants**

The study was based on interviews with individuals who experienced sex discrimination and later filed court suits against their universities after being unable to resolve their situations within their universities. This sample is appropriate for the research question concerning what goes wrong when women make efforts within their universities to address inequities. To ensure that the discrimination claims of the interviewees were not spurious, the sample was limited to women who had been plaintiffs in discrimination cases with sound legal bases, as judged by a panel of lawyers. Therefore, the 14 women interviewed for this study were drawn from a set of plaintiffs of university sex discrimination cases that had been sponsored in part by a single non-profit organization. Sponsorship by this organization generally entailed the provision of some funds to be used in the case; in a few situations, it was limited to the use of the name of the organization as a sponsor. Prior to the sponsoring of each case, legal professionals associated with the organization reviewed a number of documents provided by the plaintiff and her lawyer to establish the validity of the case. Approximately 40 percent of the women who had been sponsored by the organization agreed to be interviewed for the study.

The women, briefly profiled in Table 1, varied across a number of dimensions, as did their cases, which concerned various types of sex discrimination such as discrimination in athletics, sexual harassment, discrimination in compensation, and discrimination in promotion. As can be seen in Table 1, six women sued private institutions and eight sued public institutions. Four institutions were located in the eastern USA, five in the Midwest, and five in the west. Nine plaintiffs were faculty at the time they sued – three in non-tenure-track positions and six in tenure-track positions. Five interviewees were students – two undergraduates as well as three graduate students who were also employed in research and staff positions at the university. The largest proportion of participants was in science and medicine; others were in the humanities, social sciences, physical education, and business. The women also varied demographically, ranging in age from 20 to over 70 at the time of the interviews. Some were single, others divorced, and still others married. Half were childless; half had two or more children. Although

**Table 1** Description of interviewees

<i>Interviewee</i>	<i>Role when filled</i>	<i>Relevant field/ area</i>	<i>University</i>	<i>Type of sex discrimination in court complaint</i>
A	Faculty	Business	Private, Midwestern	Unequal pay and promotion
B	Graduate student	Science	Public, Midwestern	Sexual harassment, unequal educational opportunity
C	Faculty	Science	Private, Eastern	Unequal pay and promotion
D	Undergraduate	Physical education	Public, Eastern	Unequal educational opportunity
E	Undergraduate	Liberal arts	Private, Eastern	Sexual harassment
F	Faculty	Medicine	Public, Western	Unequal hiring and promotion, retaliation for complaint
G	Graduate student	Physical education	Public, Western	Unequal educational opportunity and pay
H	Faculty	Social science	Private, Midwestern	Unequal promotion
I	Graduate student	Medicine	Public, Western	Retaliation for complaint
J	Faculty	Humanities	Public, Western	Unequal hiring
K	Faculty	Social science	Public, Midwestern	Unequal pay and promotion
L	Faculty	Science	Public, Midwestern	Unequal promotion
M	Faculty	Humanities	Private, Western	Sexual harassment, unequal pay and promotion
N	Faculty	Social science	Private, Eastern	Sexual harassment, unequal hiring, pay, promotion, conditions

information on race, religion, and sexual orientation was not requested, many of the women volunteered this information. The women were Asian, Hispanic, African American, White, and multi-racial; heterosexual and homosexual; and Catholic, Jewish, and Protestant.

The women filed their court cases between 1980 and 1996. Seven of the cases were settled before trial and one was settled three weeks into the trial. One plaintiff's case was dismissed for not meeting the statute of limitations. Of the remaining cases, three plaintiffs won and two lost at the lower level. Of the cases won by the plaintiffs, two were appealed by the university and overturned by higher courts. Both cases lost by plaintiffs at the lower level were appealed. One of these appeals was denied; however, the university provided a small settlement to the plaintiff so she would not appeal the case further. The other case was still in the appeals process when the plaintiff was interviewed. These results are consistent with research indicating that, compared with other types of discrimination cases, employment discrimination plaintiffs win a lower proportion of hearings and trials, are more likely to have their cases appealed by defendants, and on appeal face more reversals (Clermont & Schwab, 2004), as well as research indicating that plaintiffs in academic cases fare even worse than plaintiffs in other employment discrimination cases (Hora, 2001; Pacholski, 1992; Valian, 1998).

The study used inductive methods in that no preconceived framework was used to determine the questions other than to draw out the sequence of events. In addition, no preconceived framework was used in the identification of themes. The interview followed a semi-structured format in which a set of initial questions was developed to cover the women's experiences at the university as well as their various legal experiences. This provides some degree of control by the researcher, but also allows for tailoring additional questions based on the direction of responses (Neuman, 2000). Each interviewee's responses determined the time spent on each question and the introduction of additional issues. The interviews were conducted in person with the plaintiffs in the towns and cities where they currently live, located across the USA, and interviews averaged 2 to 2½ hours in length. Verbatim transcripts were created and provided the basis for analyses. Two plaintiffs also supplied materials they had written about their experiences (one was a chapter in a book and the other was a speech).

The material used for the analysis was a subset of the entire interview and primarily consisted of plaintiff's responses to questions about how they informally and formally sought to address their situations at their universities. For the purposes of this study, it was left up to each interviewee to define what she perceived as informal and formal appeals. However,

interviewees were fairly consistent in their definitions, with formal appeals involving a set of steps specified by the university as being the procedure for addressing discrimination, harassment, or other inequities. These procedures generally involved submitting the complaint in writing following rules such as format requirements and deadlines. The complaint was then processed by designated committees or personnel. In addition, the committees and personnel generally were supposed to follow certain rules for reviewing and responding to the complaint. Informal processes, in contrast, did not consist of following a set of steps and rules specified by the university, but involved activities the interviewees thought would be helpful to remedy the situation, such as speaking with managers and colleagues, writing letters, and collecting evidence. In a few instances in this study, these category distinctions were blurred somewhat because formal procedures at the university were unavailable, unclear, or hurriedly put together at the time of the complaint. These instances are clearly identified in the discussion of the results.

Content analysis was conducted on transcripts of the taped interviews and supplemental materials to identify patterns of experiences. Themes of the transcripts were analyzed using QSR's N5 software. Similar comments were coded as a theme after which themes were organized into larger clusters of related issues, using the tree structure included in N5. Specialized software (Inspiration) that allows categories to be visually represented in a tree diagram was also used to help track and organize the themes into meaningful content groupings. Coding occurred iteratively in that initial themes and clusters were identified using the first few transcripts. Additional transcripts were then examined using the initial themes and clusters, and if a category cluster appeared inaccurate or incomplete, additional themes were added or the cluster was reorganized both in N5 and Inspiration. Following any reorganizations of categories, transcripts previously coded were re-examined and recoded if appropriate. Also, to increase the accuracy of coding, after a cluster was coded, reports that listed all coded phrases within a theme were generated using the software and used to examine the consistency of the coding. Items that were not coded consistently with other items within the category were recoded. Overall interrater agreement between the primary coder and a secondary coder who coded a sample of the data was 69 percent. This figure is not unexpected given the exploratory and inductive nature of the study and is within the range acceptable for drawing tentative and cautious conclusions (Krippendorff, 1980). Following the analysis and interpretation of the data, participants were asked to read their interview excerpts along with the description of the study to verify accuracy and obtain feedback on whether the interpretation of the results was consistent with their experiences (Creswell, 1998). Interviewees' changes to interview



excerpts were minor, not necessitating recoding, and their comments indicated support for the study's findings.

## **Results**

Five of the women discussed responding to discrimination initially by adapting their behaviors to try to reduce being a target of discrimination or to reduce its effects. Three of them discussed their attempts to avoid harassment or to decrease their visibility, as J described: 'I was very careful after that. I watched him very carefully. Tried to stay out of his way.' The other two described how they tried to circumvent the system that was keeping resources from them. For instance, G's team was limited to four bats a year as compared with the 10–20 the men's team received, so her team made additional money to buy bats by cleaning up garbage after basketball games. Coping responses are limited in their effectiveness and require constant vigilance as well as a range of adaptive behaviors. Therefore, all of the women in the present study decided at some point to try to confront and correct the situation rather than continue to cope. Stories associated with informal appeals for help are examined followed by stories about formal attempts. The themes emerging from the data are presented here along with quotes to illustrate where appropriate. (Interview excerpts are accompanied by the identification letter of the interviewee as listed in Table 1.)

### **Types of informal attempts at resolution**

Two of the women indicated they expected little change from their informal attempts at a solution and had other reasons for using the informal means. One of these wanted to collect information and one wanted to be able to document that she had tried to address the situation internally. However, the other 12 women indicated they were hopeful for at least some degree of change, with the particular hopes depending upon the nature of each woman's situation, including wanting ongoing harassment to stop, wanting equitable pay and resources, and wanting personnel decisions to be reversed. The interviews indicated that the women tried to resolve their situations in such a way as to protect themselves from further harm such as retaliation. (One interviewee also wanted to protect the perpetrator of the harassment from harm; however, she was an exception.) Thus, informal actions were perceived as the best way to rectify their situations and avoid the visibility and retribution that could result from making formal complaints.

The interviews indicated that the informal processes lasted from one day to several years and the length depended upon what kind of incident each woman was responding to, when she filed more formal appeals, and when she left the university. Informal appeals regarding salaries by two women received responses within a week. At the other end of the continuum, two interviewees reported their informal processes took between two and three years. The remainder experienced an informal process that took between two months to a year. These generally concerned attempts to stop harassment, obtain equitable resources, and reverse hiring and tenure decisions. However, many of the women reported that they had made informal appeals concerning more than one situation during their time at the university. In fact, three of the women reported making informal attempts to address their situations the entire time they were at their universities – over more than five years.

The women's descriptions of their informal attempts at seeking justice within their institutions revealed they engaged in three types of activities, summarized in Table 2. All spoke with colleagues and administrators, eight used letter-writing campaigns, and six obtained records documenting the inequities. Discussions with and letters to senior colleagues and administrators attempted to rectify the women's situations within the university, whereas discussions with peers generally sought emotional support and advice. Records and documentation were collected as a basis for making internal appeals as well as for preparing for the possibility of using external avenues – government agencies and the court system. Further descriptions of each of these activities follow.

### *Appeals to power holders*

All 14 women attempted to change their situations through discussions with university decision makers, affirmative action officers, senior colleagues and, on occasion, representatives of professional associations both within and outside the university. Eleven women used the chain of command to make direct appeals. This included department heads, deans, provosts, and senior faculty who served on committees on appointments and promotions. For instance, D sat down with her athletic director, the university's president, and several other administrators to point out that the university was not in compliance with Title IX. In addition, seven women informally discussed matters with support staff, such as affirmative action officers, whose role it was to handle matters such as discrimination and grievances within the university. For instance, interviewee A participated in an informal meeting of untenured women in her college with the university's 'Associate Provost

**Table 2** Categories of informal methods used

<i>Type of action</i>	<i>Target of action</i>	<i>Purpose</i>	<i>Percent of women</i>
Informal discussions about inequities	Administrators/decision makers, support staff, senior colleagues, the media, and professional and women's organizations	To persuade that the situation is inequitable and needs to be rectified	100
Letters about inequities	Administrators/decision makers	To persuade that the situation is inequitable and needs to be rectified	57
Informal discussions about inequities	Peers	To seek advice and emotional support	43
Documentation of inequities		To build a case supporting internal appeals and possible future court actions	43

*Note.* The numbers add up to more than 100 percent because many of the women pursued multiple methods.

for Women's Issues and Affirmative Action Faculty Member.' Six women, such as H, also tried to obtain changes by soliciting help from senior colleagues they thought could influence university decision makers: 'I talked to everybody I knew who was senior who supported me and some of them went off and talked to other people at the university to try and get it sorted out.' Furthermore, four of the women applied pressure by seeking help from outside the university. G, a coach at her university, brought up her team's lack of resources whenever a newspaper interviewed her and also fully co-operated with an Office of Civil Rights investigation into the university's athletic programs. Three other women sought help from professional associations and national women's organizations.

Although the women mostly spoke directly with others during their informal attempts to rectify their situations, in eight cases, the interviewees or others also wrote letters of appeal to administrators, as did H, who wrote a long letter pointing out the erroneous assumptions her tenure committee made about her work. Whereas five women wrote letters themselves, in the case of three interviewees, their colleagues, department chairs, or students wrote letters. Just as with the face-to-face informal appeals, however, written

appeals were carefully worded not only to persuade others of the unfairness of the situation, but also to protect the women from further harm, as C discussed.

A colleague in psychology helped me write the letter protesting the split decision. Being a psychology major, he said, 'Don't threaten. Don't frontal attack. Just say, "It's possible that I was not clear in stating what my credentials and accomplishments were. Perhaps you overlooked them."'

(Interviewee C)

Similarly, J described how her chairperson coached students to express themselves in letters in such a way that they would not bristle the faculty members who made the decision.

### *Support- and advice-seeking discussions*

Six women discussed seeking support and advice from their peers, particularly from other women at the same institution. Besides providing emotional support for coping with a stressful situation, these discussions often served to validate the women's perceptions. For instance, A said, 'I and two other women had hit the breaking point and we were comparing notes about what had happened in our first two or three years there.' Similarly, E reported, 'I would be confiding in [my friend] and she's like, "Ugh! That's really weird."' B described a campus-wide group of various academic women she met with regularly that would share stories and reactions. D received support and encouragement from other female athletes as well as from groups of non-varsity male athletes.

### *Documentation of situation*

Although peers were generally used for support, sometimes they were also helpful in the third type of informal method used, documenting discrimination, as D experienced with her athletic peers. She and five other interviewees discussed how they took notes and collected other types of documentation. This documentation was sometimes done to make a case for their current appeals and sometimes to prepare for possible future action, although not always: one woman said she was just a consummate note taker. Interestingly, two women, F and C, indicated this strategy was done at the urging of others.

He [colleague in another department who had appealed a tenure decision] had said, 'Document everything that happens to you. If something comes up you question, write a memo. It will help you either way. If you don't get an answer, one, it showed they ignored it. But secondly, you will confirm that this happened at this time and place – that you're not just making up these stories later – that you're sour grapes or disgruntled.' So my filing cabinets kept growing. I went from one four-drawer to two four-drawer to four four-drawer [cabinets].

(Interviewee C)

Therefore, the themes suggested that the women's informal appeals were directed at persuading university decision makers of the injustice of the situation in order to avoid having to engage in more formal internal or external avenues that carry heavy personal and financial costs. However, the interviews suggested this was a difficult process, largely because of two factors. First, the women needed to demonstrate the injustice in such a way as to be convincing that it should be rectified. Second, the women felt they had to do this cautiously so as not to further antagonize any power holder in the situation. In order to walk this thin line, the women relied heavily on advice and emotional support from their peers as well as information that could help them document the situation. In addition, they were cautious in their approaches and carefully worded their appeals, particularly written ones.

### **Results of informal methods**

The results of the women's informal attempts to change their situations at their universities were disappointing in most instances. The responses they received from university administrators varied along a wide continuum, as displayed in Table 3. Each type of response will be considered in turn.

#### ***Positive responses***

At one end of the continuum were immediate changes and constructive responses, as in the cases of G and M, who received pay increases, one large, one small, after pointing out salary differences. Unfortunately, only four of the women met with positive responses such as these. In addition, in two of these cases, initial positive responses on the part of some university administrators were blocked later by other administrators of higher rank. D and J

**Table 3** Continuum of categories of responses to informal and formal appeals

	<i>Informal appeal</i>	<i>Formal appeal</i>
Positive, constructive responses	Immediate changes made (14 percent)	Grievances found to have merit. Response followed by inaction or punitive responses (36 percent)
Inaction	Appeal ignored or no changes made (93 percent)	Delays in process, no cause found to repeat decision (57 percent)
Denial of responsibility	Responsibility denied, blame shifted (50 percent)	Responsibility denied, blame shifted (7 percent)
Punitive responses	Intimidation, retaliation (57 percent)	Intimidation, retaliation (43 percent)
Legal maneuvering		Intentional delays, legal positioning (14 percent)

*Note.* The numbers add up to more than 100 percent because many of the women experienced multiple types of responses.

had strong advocates within the university. One advocate was an athletic director and the other was an associate dean. However, in both instances, their decisions were later reversed.

### *Intimidation and retaliation*

Responses at the other end of the continuum, intimidation and retaliation, were much more common than constructive responses and were experienced in some form by eight of the women. Five women discussed the intimidation they encountered. For instance, N was told by her department head that her ulcers would 'bleed nonstop' and that 'there'll be an end to the ulcers and you' if she told any more students about her situation, and G was told her athletic program would be cut and the university would report her to the NCAA for rules infractions that she did not commit. These threats sometimes extended to advocates for the women. The associate dean who advocated for J was threatened by the dean with losing his job if he continued to pursue the matter. Five women experienced retaliation, two of whom also had experienced intimidation. Retaliation frequently occurred in the form of

the withdrawal of resources and imposition of more work. B, I, and F were thrown out of their laboratories, and N was given additional teaching duties and no longer allowed to do scholarly travel.

### *Inaction*

Other responses by university decision makers fell between these two extremes in one of the following two categories: inaction and denying responsibility (see Table 3). These two categories share the dimension that university personnel involved are in one way or another not acknowledging that a problem exists. The categories differ in terms of the extent to which this takes place as well as the methods used to deny the problem.

By far, the most common result of the women's informal attempts was that they were left with the perception that the problem situation was being deliberately ignored, experienced in some form by 13 of the women. Interviewee I found no one was even available to hear the complaint.

The vice chancellor is the only person who is dealing with this, but the vice chancellor will never meet with you. I tried to get an interview. I wrote to him and he just was too busy. Everybody in the university is told you cannot deal with this person. I learned later on this is exactly what happens to everybody else.

(Interviewee I)

Three women reported being frustrated by great delays in the process, which they perceived as deliberate stalling. More commonly, the women reported their appeals were heard but either were not responded to in any way or the decision was made to take no action. Five women discussed this, including A and F who both had objected to discrimination in hiring procedures.

I had gone to him kind of naively and said, 'I believe it's illegal, and if it's important to anyone they will bring it up during the interview.' He kept doing it anyway. That was the way he had always conducted business and he wasn't going to change. He didn't think the rules pertained to him.

(Interviewee A)

What he said to me was, 'Well, [division head] can do whatever he wants. It's his division and I will support him. End of story.'

(Interviewee F)

In three cases, a lack of response was also experienced when the women's appeals were targeted at senior colleagues. For instance, interviewee A was surprised to learn that a tenured colleague wasn't going to 'stick his neck out [for her because] he didn't feel that these issues were very important.' Also, four women were frustrated with inaction that came in the form of undelivered promises and doubletalk. For instance, D said administrators at her university would say 'yes, yes, yes' when she and her peers complained about their treatment, but never took their complaints seriously enough to make more than minor changes.

### *Denial and blame-shifting*

The second type of response that involved the non-acknowledgement of the problem consisted of two separate behaviors that sometimes occurred together: the denial of responsibility and the shifting of blame for what occurred. This often consisted of outright lies and other methods of reconstructing reality, reported by four women, such as L who said, 'He spent about five minutes trying to tell me he didn't have to justify his false comments about what I didn't do', and E who reported, 'She confronted him. He denied anything had happened, which just devastated me because I don't lie.' Often, administrators and colleagues also shifted the blame onto questionable reasons or the complainant herself, as discussed by five interviewees. For example, K noted that when she or others would object to their male colleagues' blatant sexual harassment directed towards graduate students, the men would complain that they were oversensitive. Similarly, interviewee I was labeled non-collegial for asking her colleagues in the laboratory to stop sexual joking. In fact, all three graduate students and C discussed being labeled a troublemaker in one form or another.

My chairman was enraged that I had dared to complain about the department to the dean. The department demanded that anything that I sent henceforth be given to them. Then they proceeded to analyze the letter I had sent to the dean, saying I was dishonest, I was threatening, I was a disgrace, I should be discharged without cause from the department.

(Interviewee C)

Blame-shifting included behaviors beyond labeling the victim as sensitive or a troublemaker. C's family life was blamed for her 'lack of success' even though she had been spending over 50 hours a week on her part-time teaching position. She was told she was not given a tenure-track position



because: ‘You have your family. We didn’t think you’d want all the commitment and involvement of a full-time position.’

The responses to their informal appeals resulted in the women losing trust in the university even more. Two interviewees reported that this was when they began seriously considering using alternatives external to the university to seek justice. Since two other women indicated they were merely going through the informal process as a prelude to a court case, by the end of the formal process, nearly a third of the women had already decided on using a legal route. For instance, D was furious after she and other female athletes met with university administrators because their requests were ridiculed and not taken seriously. She felt at that point that complaining was unproductive and stated, ‘that’s when we sort of turned it around and generated all that energy into the lawsuit itself.’ Interviewee A described a similar situation.

Close to the last day that I could file an EEOC complaint and on the last day I could appeal my tenure decision, I had lunch with the Associate Provost in charge of women’s issues, who wanted to find out about my experiences. Of course, she didn’t care about anything that happened before, but she wanted to find out after. Her reaction was ‘that’s what pioneers have to face.’ It was just the total lack of wanting to try to investigate or try to correct the problem that just astounded me. At that point, I decided to file an EEOC complaint.

(Interviewee A)

### **Difficulties accessing formal methods**

Unlike the degree of hopefulness expressed by all but two of the women concerning the informal means, eight of the women were quite skeptical that formal methods would lead to any changes, for a variety of reasons. The reasons each involved perceptions that formal mechanisms were being used to make it appear that inequities were being monitored when there really was not much interest in achieving equity. Five of the women discussed how the structure of the formal procedures seemed to be stacked against them and how departments or administrators seemed to collude to hide the inequities. For instance, in E’s case, the process was clearly deficient because her harasser was also the university’s main complaint investigator and his most apparent replacement had long harassed female students as well. Another problem was the structure of appeals committees, as two women, including C, discussed.

They put out some junior professors, assistant professors, who wouldn't dare take a stand. They'd never get tenure. [Also] it was club rule. The decision was made by the department. What they said [to the other departments on the committee was], we won't interfere with your club if you don't interfere with ours. Because every department had a horror story and nobody protested because they each respected the other department's decisions.

(Interviewee C)

In addition, five women either had observed directly or had heard about the negative outcomes of past formal appeals, including revictimization of previous complainants. For instance, interviewee E had observed a previous complaint of harassment result in what she described as a college-wide screaming match. Another problem some women had observed with previous complaints was that EEOC deadlines were missed because the formal procedures took too long. Largely because of their skepticism, in the course of their formal appeals, five of the women were primarily continuing to collect information or to document that they had tried to address the situation using internal means. However, eight of the women said they still hoped for more than this. In particular, they wanted the truth of the situation to come out to demonstrate the legitimacy of their concerns and they also hoped the process would result in changes. As with the informal processes, the particular hopes for the formal processes depended upon each woman's situation and included ending ongoing harassment, obtaining equitable pay and resources, and reversing unfair personnel decisions.

The interviews revealed, surprisingly, that the formal processes were rather difficult to access for over half the women. When they sought to use the formal university mechanisms, eight of the interviewees were unaware of a formal procedure at their universities, were confused about what the procedure was, or had to use a procedure that was inadequate in terms of focus, accessibility, or viability.

### *Unknown processes*

First, three women said they were unaware of the appropriate formal processes within their universities and had not been told about them by anyone, even when they were seeking justice informally. For instance, neither D's athletic director nor her president told her about any formal procedures when she and other athletes repeatedly sought equitable treatment. Astonishingly, A's institution had a special procedure in place as a result of a previous lawsuit; however, she was never informed about it even when

speaking to the university's associate provost: 'They never published it in the handbook. I never knew it existed and the person who was supposed to tell me never did. I didn't find out until after I filed my EEOC complaint.' These universities may have simply overlooked providing information about formal appeals processes or they may have been engaging in legal maneuvering. As discussed previously, when employees do not make use of internal university procedures, regardless of whether they were aware of them or not, universities sometimes argue in court that the employee did not exhaust internal measures. This happened in the case of two women.

The university tried to argue to the court that I had not gone through the appropriate written-down-in-the-book kinds of channels. At that time, I didn't even realize that there were these kinds of channels that you're supposed to go through.

(Interviewee F)

### *Confusing and inadequate processes*

Whereas three women simply were unaware of any process, J discussed being confused about whether a formal process was or was not available. When she tried to address her experiences of sexual harassment from a male colleague, she found her conversations with the sexual harassment officer regarding the availability of a formal process to be very confusing.

I kept writing things up to file with her and she kept giving them back to me. There wasn't a formal procedure. She kept telling me that they had had one and then they were going to have another one and then they didn't have one right now and all this kind of nonsense.

(Interviewee J)

In the case of two other women, no process had been available, but an avenue for appeal was patchworked together by the university. Unfortunately, however, these ad hoc processes left much to be desired, one situation reminiscent of the difficulties E faced.

They didn't even have a regular EEO officer to appeal through. Then finally when they appointed the dean of women as EEO officer specifically to deal with my case, she was also dealing with my tenurability. And she said, 'Well, I can only be either EEO or dean, which way do you want me to be?' I said, 'I don't know. I really don't know what to ask you to be. I mean, there's no process here.'

(Interviewee N)

Another difficulty two of the faculty discussed was that the processes at their universities only allowed appeals of decisions based on procedural errors and no processes were available to address discriminatory decision making. A final difficulty was encountered by M – the formal procedure she had access to was not really an appeals process but was a prelude to the court case involving her lawyers and the university's lawyers.

Each side goes through what's in the personnel file. I didn't say much of anything during it. It was really lawyer-to-lawyer and the chairman of the department was on the other side of the table and he talked about what he did. That was it. Step-by-step through the tenure procedure. So I don't know really what the function of the formal grievance is there, except I guess to gather the evidence. Most people don't go through the grievance.

(Interviewee M)

### Results of formal methods

Ultimately, 10 of the women filed formal complaints. The remaining women did not file formal complaints because no process was available, they chose not to use one, or their realization of the discrimination occurred after they left the university. Three of the women who used internal formal procedures used two different formal processes available at their universities. The most common action taken was to formally complain to affirmative action officers or their equivalent at the university. This was done by two graduate students and three professors. Also fairly common were appeals to faculty committees that are set up to review complaints concerning promotions and appointments; four of the professors did this. Other avenues were also used, although less often. Two graduate students took advantage of grievance procedures at their universities that directly appealed to administrators (i.e. provost, vice-chancellor), and one professor filed a grievance with the American Association of University Professors (AAUP). In most cases, the formal appeals process took about three months; however, the length ranged from a week to more than a year. Four women reported that this process only ended after they had filed complaints with the Equal Employment Opportunity Commission (EEOC) and therefore withdrew their university grievances.

In terms of the actual process, three women found it to be very questionable in terms of fairness because the procedures or the way in which they were carried out clearly benefited the university.

They said they followed their policy and procedures by having an investigation, but they never once spoke to me. They did it all around me and obviously came to the conclusion that what my boss had said was true.

(Interviewee B)

The university had rules on grievances, and they violated those left and right. I don't even remember them, but it generated a list of 20 or 30 precise things that they were supposed to do that they didn't bother to do.

(Interviewee K)

These experiences often served to reinforce the women's initial fears of encountering an ineffective formal process. In addition, most of the university responses to the formal grievances were similar to the responses to the informal ones, ranging on a continuum from positive to retaliation (see Table 3). Examples of each of these are considered in turn.

*Positive responses combined with inaction or punitive responses*

In five of the cases, double messages were sent as a result of the formal process. Initial acknowledgement of the discriminatory situation was followed by inaction or retaliation. Three women, two graduate students and a professor, were told their grievances were found to have merit; however, in all three cases, the eventual results were disappointing. In two cases, a result of the formal appeal was that the original decision process had to be repeated, but the women were once again not hired or promoted.

They said, 'Yes, the hiring process was not fair. But we can go through that hiring process again after a year.' The second time, I wasn't even in the finals. They told me I didn't get interviewed because my references weren't good. At trial, what we found out when we subpoenaed the telephone records was that I got the letter stating that I wasn't in the final pool before they even called any of my references.

(Interviewee G)

In addition, in two of these three cases, the women suffered repercussions.

Their [response] was, ok, you are right. So you should go back. But there are conditions of you going back to the laboratory. First of all,

you should move back down to the basement to a room and work alone. I did not get secretarial help, which everybody got before, routinely. Then I got this special punishment – that I will not have a desk, I will have only a laboratory bench. Then, immediately after [this] they rejected my PhD application.

(Interviewee I)

Similarly, two women who sought formal help from their affirmative action officers found that their officers were initially in strong agreement that the situation needed to be addressed but later showed a completely different reaction.

At the first meeting, she was shocked. She said, ‘Oh I can’t believe this is happening. Well, let me look into it. This is really horrible.’ She called me back a couple weeks later; it was like a completely different person. She said to me, ‘Well, I’ve met with the dean of the medical school and all of the paperwork is in order.’ All of the paperwork by which these men had been hired. ‘There’s nothing that can be done. It’s clear that you are never going to get a position, a tenure-track position in the medical school. I suggest you leave.’

(Interviewee F)

Thus, the women’s complaints were frequently validated and punished simultaneously, even though these two responses represent the extreme ends of the continuum of possible responses to formal complaints. These double messages resulted in considerable confusion and frustration for the women who received them and increased the mistrust the women had in the university.

### *Intimidation and retaliation*

In addition to the women who experienced a combination of validation and retaliation, four other women discussed the intimidation and retaliation they encountered. For instance, one interviewee was prevented from moving to another department at the university that really wanted her. The department head was told, ‘I would no sooner give you [interviewee] than I would a case of viral pneumonia.’ Another interviewee’s graduate student was given a hard time by her committee during her oral exam, particularly by the interviewee’s chairperson: ‘He was really kind of taking the knife and just sort of turning it a few more times, which wasn’t necessary. She had responded correctly and properly.’

### *Inaction*

Just as with the informal appeals, a common occurrence with the formal appeals was that the women felt their situations were never properly acknowledged and dealt with by their universities, reported by eight women. K, for instance, discovered that her grievance committee had a very narrow focus and ignored the bulk of her concerns about the fairness of the decision.

I had gone through all of the information that I had. I was very systematic in my approach. I was very data-oriented. It's hard to match the criteria when it's not written down anywhere, so how are you supposed to know what it's supposed to be? So I had that for the appeal process, and basically, they really just wanted to deal with procedure. I kept trying to say, 'But what about?' And it's just, 'Well, we don't do that.' 'Well, who do I go to?' 'Well, we don't know who you go to, but we don't do that.'

(Interviewee K)

Stalling was another means by which the appeals were not properly acknowledged. Two women never heard back about their appeals, and another experienced unexplained delays in the process.

The women's concerns also seemed to go unacknowledged in four cases in which the university either found no cause for discrimination and upheld the original decision or responded that any discrimination found was not enough to change the decision:

They definitely saw evidence of discrimination, but on balance, three of them felt that it was fair enough to not put everybody through a tenure hearing. [They] said, 'It's flawed, but we know the system's flawed and this was good enough.'

(Interviewee K)

### *Other responses*

Denying responsibility through lying and shifting the blame onto the complainant was less common than it had been with the informal appeals. However, one student did experience blame-shifting in the university's response to her formal complaint:

They turned it [around and said] that I wasn't doing my research. That I would never come into lab. That I never blah, blah, blah. And those

were the reasons why I was being terminated. There's evidence to the contrary, but no one would look at it.

(Interviewee B)

By contrast, a type of response that clearly occurred with the formal appeals that was not as identifiable with the informal ones happened in two cases in which the university responses appeared to be designed to prevent the women from filing a court case.

They sent me a legal release that said in very complex legalese that hereby I withdraw my complaint. I never had a complaint. And that I had legal representation. I had no legal representation. They said, 'Unless you sign the legal release voluntarily, you cannot work here anymore.' I didn't sign the release. Then they said, 'Well, then you can't work in the laboratory.' Then they took away the grant. When the grant officer inquired because he had the money, they said they didn't know where I was.

(Interviewee I)

After their experiences with the formal appeals processes, most of the women concluded that their universities' formal procedures were designed primarily to discourage people from suing. As interviewee I put it, her university had a 'machinery for suppressing any complaint.' In addition, the women concluded the procedures existed simply to make the appearance of fairness. Some of the women had already been aware of this possibility before they tried the formal mechanisms; however, others who had thought the system might work now also perceived it to be pointless.

Well, I thought the internal process was pretty lame. It's done as a legal maneuver because it discourages people from going further, from disagreeing with the outcomes. I didn't go into it realizing that it was a façade, but I came out of it thinking that it was a façade and not very useful.

(Interviewee L)

Just as with the informal appeals, the disappointing results of the formal appeals seemed to trigger for some women their use of external avenues for seeking justice. The women had been irritated before, but now they were even more upset. As one woman put it, 'I was really getting tired of those people lying to me and yanking my chain.' Therefore, the poor outcomes of the informal and formal appeals processes had strengthened their willingness



to go outside the university system. As L said, 'When it seemed that I was just not getting what was necessary to really understand what was going on, that's when I went to the attorney.'

## **Discussion**

Gender inequities continue at universities and new models of discrimination suggest organizational tolerance may play a significant role (Fitzgerald et al., 1995b). Therefore, this study examined how women sought to address the inequities they faced at their universities and what went wrong when they did. Consistent with these models as well as findings from the literature on voice in organizations (Harlos, 2001), in the present study, universities failed to respond to the women's complaints, especially when the complaints were informally made. Also, consistent with past research (Messer-Davidow, 2002; Nielsen, 2000), formal processes were perceived by the interviewees to be cumbersome, rarely resulting in significant changes. However, the present investigation also suggests additional themes that have not been fully considered in the existing literature. The first major theme is that the women made multiple attempts to address their inequitable situations. The second major theme is that their appeals were met with a variety of different responses, few of which adequately addressed the situation. In the following, these themes and clusters within them are interpreted using insights from the literature where available; conversely, implications of the results for filling gaps in the literature are discussed.

### **Women make multiple attempts to address inequities**

Although discussions of voice suggest it can be graduated (Hirschman, 1970) and researchers have identified a variety of possible responses to discrimination (Gruber, 1989; Gutek & Koss, 1993), much of past research on responses to sex discrimination has focused only on whether victims file a formal complaint (Bergman et al., 2002; Fitzgerald et al., 1995b). The present study indicates that this dichotomizing of victims' responses misses much of what actually occurs. Interviewees employed a sequence and range of efforts to end the discriminatory situations they encountered before they filed their formal complaints. First, they tried to cope with the situations such as by avoiding the discriminatory behavior, consistent with previous findings in the area of sexual harassment and discrimination, which suggest that a variety of coping strategies are used fairly frequently because of fear of reprisal for reporting problems, but that they are relatively ineffective

(Aspinwall & Taylor, 1997; Fitzgerald et al., 1995b; Gutek & Koss, 1993; Knapp et al., 1997; Miceli & Near, 1992).

### *Women try to cautiously persuade*

The results of the present study were consistent with the literature suggesting that discrimination is directly confronted and social support is sought after more self-focused methods have failed or when the discriminatory behavior is explicit, obvious, repeated or offensive (Brooks & Perot, 1991; Fitzgerald et al., 1995b; Gruber, 1989; Gutek & Koss, 1993). In terms of their informal appeals, the women took some of the same actions that have previously been identified in the sexual harassment literature, such as reporting the experience to colleagues, department chairs, university officials, or other organizations (for a review, see Knapp et al., 1997). The interviews also were consistent with research suggesting that women are more likely to seek groups of other women for support when dealing with discrimination (Foster, 2000). However, the results indicated two important dimensions of women's responses that have not been previously considered. First, complainants did not simply *report* a problem situation. Instead, the women's informal appeals were attempts to *persuade* others of the extent of the problem and importance of addressing it. In the present study, letter-writing campaigns and the collection of documentation of discriminatory behaviors often occurred in addition to the face-to-face reporting and the seeking of emotional and expert support that has been discussed in previous research (Gruber, 1989). Both letter-writing and documentation were intended to help persuade administrators to change the situation; however, they also were used in preparation for future legal recourses. Second, the women indicated they tried to address their situations in such a way as to protect themselves from further harm, a fear based in large part on observations of how previous complainants at the university had been treated. One way in which the women handled this fear was to first use informal means of addressing the situation. Another way was to word their appeals, such as letters, very cautiously. The voice and sexual harassment literatures have primarily focused on victims' fears of retaliation that explain their silence. However, the results suggest that reporters of discrimination, like non-reporters, are very concerned about the possibility of retaliation and engage in actions that seek to manage that risk. Although they have not chosen to be silent, they do try to protect themselves as much as possible.

*Women hold few hopes for the formal processes they use*

The women's low expectations of the formal systems contrast with their higher expectations of their informal appeals. However, their perceptions of their universities' formal systems were similar to those of women found in past research (Rudman et al., 1995) as well as conclusions by some sociologists and law professors that formal complaint systems in organizations exist primarily to mask discrimination and avoid the law's grasp (Bisom-Rapp, 1999; Edelman et al., 1999). The women's perceptions were based on poor outcomes of previous formal appeals at their universities, their difficulty accessing university formal appeals processes, and their observations of biases in the structure and implementation of the appeals systems. For these various reasons, only two-thirds of the interviewees used their universities' formal complaint systems, contrasting with the use of informal methods by all the women. In addition, half of these reported they used the formal systems mostly to benefit their pursuit of justice outside the university system. These findings contribute to the literature because the literature has primarily focused on why women do not report discrimination. What the present study suggests is that even women who do report problems have little expectation their complaints will be appropriately considered, but other objectives often compel them to use formal procedures.

*Appeals are repeatedly thwarted over time in a variety of ways*

The present study also provides additional evidence that academic procedures for dealing with discrimination and other problems are perceived as cumbersome, ineffective, and even as masks for discrimination (Bisom-Rapp, 1999; Dziech & Weiner, 1990; Edelman et al., 1999; Messer-Davidow, 2002; Rudman et al., 1995). The women frequently encountered deaf ear syndrome in the form of inaction when they informally appealed, and sometimes experienced threats, retaliation, denial, and blame-shifting as well. In addition, more than half encountered problems when they tried to access the university's formal processes, such as finding unknown, confusing, biased, or incomplete procedures. Finally, the women frequently experienced inaction, intimidation, and retaliation when they made their formal appeals. These results are consistent with previous research indicating that workers who voice problems often encounter deaf ear syndrome (Harlos, 2001; Nielsen, 2000) as well as research suggesting that whistleblowers and sexual harassment complainants are often targets of both social and work retaliation victimization, such as name calling, ostracism, blame, threats and the silent treatment, lowered evaluations, denials of promotions, transfers, and firings

(Cortina & Magley, 2003; Fitzgerald et al., 1995b). However, results also suggest that the notion of organizational tolerance of discrimination (Fitzgerald et al., 1995a) should be extended to include a variety of behaviors, such as having incomplete or inadequate policies and procedures, unclearly communicating these policies and procedures, allowing biased or delayed procedures to take place, and sending mixed messages in terms of outcomes of procedures. Thus, organizational tolerance includes behaviors that actively intimidate complainants as well as more passive behaviors like deaf ear syndrome. It also includes responses by organizational personnel to employees' informal attempts to address problems as well as their responses to formal attempts.

### Theoretical implications and future research

Results suggest that existing models in a variety of areas are not developed sufficiently to consider women's attempts to achieve equity in discriminatory situations or to examine organizational responses. There is a need for increased specification in models of organizational justice, silence and voice, tolerance of discrimination, and legal masking to be able to better understand and predict both the ways women respond to gender inequities and the ways organizations handle these responses. In addition, in some instances, there is a need to integrate the concepts in these various literatures.

### *Models considering women's responses to discrimination*

First, results suggest a need for further conceptualization of how women, minorities, and other targets of discrimination attempt to address inequitable situations. Equity theory (Adams, 1965), organizational justice models (Greenberg, 1987), and social exchange theory (Blau, 1964) have considered why employees perceive unfairness and how they attempt to rectify it, suggesting that they are likely to try to restore equity by increasing their outcomes or lowering their performance and other work behaviors. The results of the present study indicate these models need more development to capture the complex difficulties women and minorities face in trying to obtain equity in organizations largely tolerant of inequity. For instance, these models do not specify how individuals choose among strategies when some are high risk or personally costly (Kanfer, 1990). The present study suggests that women's attempts to restore equity are sequential, beginning with strategies they believe are likely to be the most effective with the least likelihood of further harm. They repeat attempts, sometimes taking greater risks,

especially when the organization is fairly non-responsive to their initial appeals.

Results also have implications for the literature on silence and voice as well as the literature on sexual harassment and discrimination in organizations. For instance, although voice is thought to be graduated (Hirschman, 1970), many examinations of harassment and discrimination have used the dichotomous measure of formally reporting or not formally reporting (Rudman et al., 1995). However, the present study suggests that this misses an important part of the picture – women may have few hopes for formal reports of discrimination and spend much of their effort informally trying to address their situations. Also, whereas past research has noted that organizational voice systems often fail (Harlos, 2001), the present results suggest that future research should examine the informal routes workers try to take when the formal systems are known to be ineffective. In addition, results suggest that previous typologies in the literature on sexual harassment focusing on dimensions such as whether responses are self- or initiator-focused and whether they seek the support of others (Knapp et al., 1997) are incomplete. The types of persuasion and risk-minimizing methods used are other dimensions that should be considered in the classification of employee responses to sex discrimination.

### *Models considering organizational responses to complaints*

The present study confirmed the existence of deaf ear syndrome (Harlos, 2001) as well as social and work retaliation (Cortina & Magley, 2003; Fitzgerald et al., 1995b) as university responses to informal and formal complaints of discrimination. Deaf ear syndrome and retaliation have tended to be discussed in separate literatures, but the present results suggest that they should be studied in a single framework in any consideration of organizational responses to complaints of unfair treatment. One framework that could incorporate these various responses was proposed by O'Day (1974), who suggested that managers often use indirect methods to invalidate and exhaust the complainant before they try more direct methods. His concept of 'nullification' includes deaf ear syndrome as well as additional behaviors. In nullification, superiors create the perception that the organization takes the complaint seriously while no real investigation occurs, the reformer is stalled, and cover-ups are initiated. The delays in responses the women in the present study experienced, the feeling many of them had that the problem was never properly acknowledged, as well as the comments of others that the women were being oversensitive all indicate that the women were subjected to nullification. Additionally, the various social and work

victimization behaviors the women experienced are indicative of the second indirect and two direct tactics O'Day (1974) discussed. Many of the women experienced 'isolation,' which involves separating the complainant from other workers and restricting her freedom of movement and allocation of organizational resources (O'Day, 1974). Recall that several of the women were thrown out of their laboratories and that N was not allowed to do scholarly travel. Also, the women's discussions of blame-shifting behaviors, such as being labeled dishonest or a troublemaker, indicated several experienced 'defamation,' which includes attacks on the reformer's character and the distortion of events (O'Day, 1974). Recall, for instance, the interviewee who was told she would be reported for rules violations she did not commit. Finally, many of the interviewees experienced 'expulsion' – the response of last resort when nullification, isolation, and defamation fail (O'Day, 1974). This included administrators' acceptance of previous decisions not to tenure or hire the women, decisions to reject the women's reapplications for promotions or jobs after they were told to go through the process again, and blocking of the women's attempts to get into other departments, programs, and laboratories. In the present study, the first three types of intimidation tactics – nullification, isolation, and defamation – began with the informal appeals and continued with the women's formal appeals, whereas expulsion usually occurred only after the formal appeal had been filed. O'Day's (1974) conceptualization ultimately may or may not be the best framework for considering the behaviors found in the present study. However, for our purposes, it illustrates that future research should consider organizational responses as a whole and over time. As O'Day's (1974) model and the present study suggest, responses may change depending upon a manager's or organization's objectives as well as the reactions of the complainant to previous responses.

The organizational responses identified in the present study also suggest that the examination of the legal masking of discrimination could be extended (Bisom-Rapp, 1999; Edelman et al., 1999). Results are consistent with arguments that legal decisions based on whether internal policies were established and used regardless of whether those mechanisms were effective may unintentionally have resulted in perpetuating discrimination (Bisom-Rapp, 1999; Edelman et al., 1999). However, the present study suggests that both parties – complainants and organizations – may try to make it appear to the legal system that they sought to address the situation internally. Thus, future discussions in the legal literature should examine these various aspects of the charade being put on for the legal system.

### **Limitations**

The results of the present study contain the strengths and weaknesses of qualitative research. The data are richer than data from quantitative studies, but conclusions about causality are tentative and generalizability can be difficult to establish due to the small sample. For instance, it should be kept in mind that the conclusions made in the present study concerning internal appeals processes in universities were based on interviews with women who had become frustrated enough that they sought outside avenues for achieving justice. It is not expected that these observations necessarily represent the experiences of the typical woman at the typical university. In addition, the present study relied on self-report data. Results do not tell us about the actual appeals processes at universities, but about the perceptions of those processes. Still, these perceptions raise important theoretical and practical issues concerning complaint processes in organizations, particularly with respect to discrimination at universities.

### **Conclusion**

Although various literatures have suggested that organizations, including universities, discourage the addressing of discriminatory situations, few studies have directly examined how women seek to address the discriminatory situations they find themselves in at universities and what goes wrong when they do. Thus, despite some limitations, the results of the present study are valuable for understanding women's informal and formal attempts to restore equity at their universities, particularly when these processes have been frustrating. Although the women interviewed repeatedly tried to address, both informally and formally, the discriminatory situations they found themselves in, their attempts were often thwarted with a variety of poor responses from university personnel, such as non-response, denial, delayed and biased procedures, blame-shifting, and retaliation. Future research is needed to build upon this initial examination. Theoretical models that account for these dynamics are needed as are quantitative studies examining diverse groups of women and institutions. This area of research warrants continued examination for many reasons, including the fact that discrimination is illegal, universities purport to be egalitarian, universities model behaviors for students who later join other organizations, and costs of discrimination are high for everyone involved.

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