

ABSTRACT

STAINBACK, KEVIN. Politics, Environmental Uncertainty and Organizational Change: Race and Sex Workplace Opportunity in the Post-Civil Rights Era, 1966-2002. (Under the direction of Donald Tomaskovic-Devey.)

Government intervention in capitalist labor markets has been a controversial issue throughout the history of the U.S. Political debates surrounding the appropriate reach of the Federal government culminated with the passage of the Civil Rights Act of 1964 and subsequent Affirmative Action mandates. The effectiveness of equal opportunity legislation and mandates, however, remains contested. Changes in the institutional bases that maintained inequality in the United States undoubtedly led to cultural shifts in the actions, behaviors and practices of work organizations, but race and sex employment equality, a central goal of the legislation, remains unachieved. Contemporary stratification research continues to illuminate the individual level correlates of race and sex economic inequalities and the extent to which inequality exists across the U.S. economy; however, it typically ignores the institutional bases that maintain and reinforce boundaries around status group distinctions. It continues to show that discrimination remains ubiquitous, but fails to explain the contemporary or historical circumstances leading to change.

This study addresses several weaknesses of previous research by applying new institutional theory, a theory of organizations rather than individuals, and using unique longitudinal data collected at the establishment level from 1966 to 2002. The theory suggests that organizations change their routines and structure in response to uncertainty in their institutional environments. I explore a specific component of the

institutional environment – uncertainty stemming from the political environment – on changes in race and sex workplace inequality in the post-civil rights era. It is my position that the passage of laws and mandates, by itself, is unlikely to bring about employment opportunities for women and racialized minorities. It is the degree of uncertainty generated by the passage of ambiguous state and Federal laws and regulatory compliance that pressures organizations to change (Edelman 1990, 1992; Edelman and Petterson 1999; Dobbin et al. 1993; Sutton et al. 1994). This research takes a structural approach by contextualizing changes in workplace opportunities for African Americans and women within industrial, spatial, and community contexts, as well as historical processes unique to race and sex.

POLITICS, ENVIRONMENTAL UNCERTAINTY AND ORGANIZATIONAL
CHANGE: RACE AND SEX WORKPLACE OPPORTUNITY IN THE POST-CIVIL
RIGHTS ERA, 1966-2002

By

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BIOGRAPHY

Kevin Mark Stainback was born and raised in Kinston, North Carolina. His unbridled passion for sociology emerged as he grappled with understanding his own experiences of growing up on the privileged side of a southern rural town that was socially and economically segregated by race. It is these early experiences that continue to drive his teaching and research interests. He earned a BS in Sociology from Appalachian State University in 1999 and enrolled in the sociology graduate program at North Carolina State University the following year. He successfully completed his Masters degree in 2002 and continued working toward his doctorate at North Carolina State University. On June 28th, 2005 he successfully defended his dissertation. In the fall of 2005 he accepted a two-year visiting assistant professor position at the University of Massachusetts–Amherst where he continues to work on numerous research projects in the areas of work, gender and race/ethnic inequality, organizational sociology, and political economy.

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CHAPTER ONE

INTRODUCTION

1.1 Introduction

The passage of the Civil Rights Act of 1964 made discrimination on the basis of race, color, religion, sex and national origin illegal in hiring, promotion, and compensation practices.¹ The effectiveness of this legislation, however, remains contested. Changes in the institutional bases that maintained inequality in the United States undoubtedly led to cultural shifts in the actions, behaviors and practices of work organizations, but race and sex employment equality, a central goal of the legislation, remains illusive. The passage of law, by itself, is unlikely to bring about employment opportunities for women and racialized minorities without political support for equal opportunity emanating from Federal and state levels.

Previous studies of race and sex workplace inequality in the post-civil rights era have relied on theories of discrimination, human capital, industrial shifts and social organization as plausible explanations for the persistence of social inequality. This scholarly research continues to document race and sex disparities in workplace outcomes, such as income and wages (Cancio, Evans and Maume 1996; Cotter,

¹ Title VII of the Civil Rights Act of 1964 makes it illegal for an employer to “(1) fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or (2) limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin” (SEC. 2000e-2. [Section 703a]).

Hermesen, Ovadia and Vanneman 2001; England 1992; Grodsky and Pager 2001; Thomas, Herring and Horton 1994), access to positions of authority (Kanter 1977; Cohen, Broschak and Haveman 1998; G. Wilson 1997a, 1997b; R. Smith 1997, 1999, 2002; Jolly, Grimm and Wolzniak 1990), and segregation (Bellar 1984; Carlson 1992; Jacobs 1989, 1999, 2001; Kmec 2003; King 1992; Peterson and Morgan 1995; Reskin and Roos 1990; Tomaskovic-Devey, Zimmer, Robinson, Taylor, McTague and Stainback 2005). We continue to know little, however, about the specific mechanisms that influence inequality outcomes *within* work organizations and *between* organizations and regulatory structures (the State) across time and place (Reskin 2003; Reskin, McBriar and Kmec 1999).

While the extant research continues to find race and sex inequities, it also documents declines in race and sex workplace inequality in the U.S. since the 1960s (Fossett, Galle and Kelly 1986; Fossett, Galle and Burr 1989; Carlson 1992; King 1992; Jolly, Grimm and Wolzniak 1990; Baunach 2002). Interestingly, the research also suggests that the changes in race and sex inequality have been intermittent and uneven across time (Cancio, Evans and Maume 1996; Stainback, Robinson and Tomaskovic-Devey 2005), geography (Cotter, DeFiore, Hermesen, Kowalewski and Vanneman 1997; Cotter, Hermesen and Vanneman 2003; Cohen and Huffman 2003; Huffman and Cohen 2004; Stainback, Robinson and Tomaskovic-Devey 2005), industries (Tomaskovic-Devey et. al. 2005) and firms (Carrington and Troske 1998b; Tomaskovic-Devey 1993a, 1993b). This temporal and spatial unevenness suggest that federal and local politics likely influence the pace of change. While organizational theories often explain change and persistence in workplace structure and action as a result of organizational

environments, the role of federal political eras and local politics has been, for the most part, ignored by sociologists. Can the unevenness of change since the passage of the Civil Rights Act be attributed to the ebb and flow of political support for anti-discrimination legislation?

1.2 Theoretical Orientation

I conceptualize workplace inequality as a politically mediated process (S. Collins 1997; Stainback, Robinson and Tomaskovic-Devey 2005). This approach is related to the theoretical and empirical work in organizational sociology that currently falls under the rubric of new institutionalism. New institutionalism is an organization-environment theory that seeks to explain the increasing homogeneity among organizations in structure and practice, which results, at least in part, from organizational responses to uncertainty in their environments. For example, previous work in this area examines the adoption and diffusion of organizational programs, policies and procedures in response to anti-discrimination legislation (Dobbin and Sutton 1998; Edelman 1990, 1992; Edelman and Petterson 1999; Sutton and Dobbin 1996; Sutton, Dobbin, Meyer and Scott 1994). In each of these studies organizations sought to stabilize their uncertain regulatory environment by experimenting with programs and policies that spread rapidly once they were deemed legitimate mechanisms of compliance by enforcement agencies and the courts. This theoretical perspective has primarily focused on the adoption of policies and programs and not been applied as well to actual changes in workplace inequality.

The political process and the new institutional literatures both see governments as playing a central role in defining institutional environments, not always in the coercive sense described by the early new institutionalism (e.g., DiMaggio and Powell 1983), but also as potentially “administratively weak but normatively strong” actors (Dobbin and Sutton 1998:441). The key departure between the political and institutional perspectives is the outcome of interest. New institutional research primarily examines the diffusion of organizational policies and procedures, whereas politically mediated approaches center their attention on inequality outcomes. I combine these perspectives to explain how uncertainty in an organization’s environment not only results from the passage of law, but also by the changing political pressures to support and extend legal mandates, and that this in turn has real implications for race and sex workplace inequality. In this study, I draw from both of these perspectives to explain Female-Male and Black-White workplace integration and access to managerial employment for women and racial minorities in the post-civil rights era.

Early sociological institutional perspectives on organizational structure suggested that organizations do not necessarily respond rationally to their environments, but rather they internalize the cultural norms of the wider society (Selznick 1957, 1969). Subsequent theory and research built upon these ideas to discuss the “ceremonial adoption” of organizational structure and process based on “myths” in the organizational environment rather than the drive for efficiency and rationality (Meyer and Rowan 1977). The core argument is that organizations are not only

motivated by the pursuit of profits, but also “for political power and institutional legitimacy, for social as well as economic fitness” (DiMaggio and Powell 1983: 150).

Institutional theory has been effectively applied to explain the adoption and diffusion of programs, policies and procedures across organizations in response to anti-discrimination legislation (Dobbin et al. 1993; Dobbin and Sutton 1998; Edelman 1990, 1992; Edelman and Petterson 1999; Sutton and Dobbin 1996; Sutton, Dobbin, Meyer and Scott 1994). While previous theory and research continues to examine how organizations “ceremonially adopt” structures, few scholars have focused on how organizational inequality is influenced by the wider institutional environment. Institutional arguments concerning changes in race and sex workplace inequality suggest that changes do not simply emerge from direct coercive pressures emanating from government mandates, but from the introduction of uncertainty in the organizational environment which these mandates and their political support or lack thereof produce. A host of political processes can produce uncertainty. Lawsuits (Skaggs 2002), legislation (Edelman 1990, 1992), and social movements (Burstein 1979, 1985, 1999; S. Collins 1997) are all likely to introduce uncertainty into the organizational environment, and therefore, organizations are likely to adopt and implement programs, policies and procedures to reduce this uncertainty among internal and external constituencies as they move toward their natural state – inertia. This research centers on the factors affecting stability and change in race and sex workplace inequality originating from national and state level political environments.

To date Beggs (1995) provides one of the few comprehensive examinations of institutional environments and social inequality. He uses U.S. census data to examine

how the normative institutional environment in which labor markets are embedded impacts race and sex inequalities in wages and access to white-collar jobs. He incorporates over 130 measures at the state level to capture the level of egalitarianism in the institutional environment. His findings indicate that institutional environments supportive of equal opportunity reduce inequality. The shortcomings of this research come in the form of a relatively broad conceptualization of the institutional environment. He uses a variety of time varying measures to construct his index, although it is used cross-sectionally. The index includes the passage of state level laws as well as measures of public sentiment. In contrast, I examine one central component of the institutional environment – the political – on changes in the economic opportunities of African Americans and women in the post-civil rights era.

Whichever constitutive element of the institutional environment we choose to examine should be embedded in temporal, spatial and historical context. Institutional environments are historically constructed and therefore are best understood over time. The central question this research addresses is how do national and local level political environments impact changes in race and sex workplace inequality? I draw heavily from the historical record concerning changes in national and state level legislation and political environments to contextualize over thirty years of data collected at the workplace level.

This research has implications for current theory and research as well as policy. Contemporary stratification research continues to illuminate the individual level correlates of race and sex economic inequalities; however, it tends to ignore the institutional bases that maintain and reinforce boundaries around status group

distinctions. It continues to show that discrimination remains ubiquitous, but fails to explain the contemporary or historical circumstances under which change takes place. This research takes a structural approach by contextualizing changes in workplace opportunities for African Americans and women within industrial, spatial, and community contexts, as well as historical processes unique to race and sex.

1.3 Overview of Research

The impetus for this research emerged from two recent developments in sociology. The first involves changes in how we think about social inequality issues in our data and research. Reskin (2003) insists that we must push sociological analyses to uncover the specific mechanisms responsible for producing and reproducing inequality, rather than simply documenting the extent to which inequalities exist. Isolating “proximate causes” allows us to ask questions about how inequality is produced and recreated rather than why it exists, which alters our focus from a static documentation of inequality to a more dynamic view of inequality as social process. She also provides some directives for future data collection. Traditionally, we have relied on national surveys of individuals in our research. This strategy for collecting data ignores the fundamental principle of our discipline – that social action is embedded within social context.² This has hampered our research linking workplace inequality to organizational environments since we have been reliant on individual survey and aggregate

² Some researchers are incorporating the notion of context into their data collection strategies. Several researchers have collected data from employees and from their respective employers in an attempt to lodge individuals within concrete workplaces (e.g., see the National Organizations Survey (NOS) or the Multi-City Study of Urban Inequality (MCSUI)).

occupational data. Several researchers have recently discussed both the relevance and the rarity of gaining access to data collected at the workplace level (e.g. see Kmec 2003 and Robinson, Taylor, Tomaskovic-Devey, Zimmer and Irwin 2005).

Second, researchers have begun to understand the importance and implications of place in understanding the spatial dimensions of social inequality (Gieryn 2000; Lobao and Hooks 2003; Lobao, Rulli and Brown 1999; Lobao and Saenz 2002; Lobao 2004; McCall 2001). Researchers have made great strides in documenting spatial inequality and are beginning to uncover what it is about place that increases or reduces social inequality (Beggs, Villemez and Arnold 1997; Cohen 2001; Cohen and Huffman 2003; Cotter et. al. 1997; Tomaskovic-Devey and Roscigno 1996).

Following these recent developments, I contextualize *workplaces* within time and place in order to focus on how race and sex workplace inequality is amplified or diminished by the political environments in which organizations are embedded. I focus on specific mechanisms that construct institutional environments at federal and state levels. Specifically, I ask “how do Federal and local politics impact workplace inequality over the post-civil rights era?” To answer this question, I use establishment level data collected annually by the Equal Employment Opportunity Commission (EEOC) since 1966. These data contain information concerning the race and sex composition of occupations within workplaces for all private sector employment firms in the U.S. with 100 or more employees (50 or more prior to 1983). These data reflect the population of large private U.S. firms since 1966. The data also contain detailed industrial classifications, and geographic location and whether or not the firm is a federal contractor. These characteristics make it possible to overcome limitations of

previous work since it becomes possible to embed workplaces within their temporal, geographic, industrial, and federal contractor contexts.

1.4 Outline of Subsequent Chapters

In chapter two I provide national trends in Black-White and sex workplace segregation and access to managerial positions for White and African American men and women from 1966 to 2002. This inspection reveals that 1) Black-White segregation is uneven over time compared to the nearly linear Female-Male trend; 2) women and African American men have made gains into managerial positions, but that this gain has not eroded white male privilege across U.S. labor markets; 3) addressing race and sex inequality as mutually exclusive phenomena may lead to incorrect interpretations of progress in the post-civil rights era; and 4) while sex segregation declines nearly linearly and Black-White segregation flattens in the 1980s and does not improve in the 1990s, African American men and women managerial representation slows in the 1980s, but picks up again in the 1990s. White women on the other hand make continued managerial gains throughout the entire period and the trends for white men show initial gains, but a flattening from the early 1970s through 2002.

In chapter three I examine the historical development of anti-discrimination legislation and mandates in the United States since the 1940s. The historical overview suggests numerous reasons to suggest that equal opportunity is likely to be impacted by both national and local (state) politics. It also provides the social, political and economic context for understanding the descriptive time trends in race and sex

workplace inequality documented in chapter two. The discussion highlights the shortcomings of previous research that either implicitly or explicitly conceptualizes the Civil Rights Act of 1964 as the only significant anti-discrimination effort since reconstruction. By 1964, over twenty-years of federal and state level legal advances had already taken place. It is likely that these early national and state level efforts are the source of some of the spatial and temporal variation in equal opportunity progress throughout the 20th century.

In chapter four, I discuss the theory, data and methods used in this research. First, I combine organizational theory with the historical overview in chapter three to define four clearly distinct political eras from 1966 to the present. I argue that uneven change since 1966 is the result of organizational responses to the ebb and flow of pressures emanating from the political environment. These political eras become central to the analyses of race and sex workplace inequality found in chapters five through seven. I then describe the data, measurement of variables and modeling strategy. The examination of the effects of political environments on organizational change is accomplished through the use of rich time series data, which allow for the contextualization of workplaces owned by large private sector U.S. firms in their temporal, geographic and industrial context. Data are pooled by the political era, and a fixed effect modeling strategy is used to control for the stable characteristics of industry and local labor markets over time. The inclusion of these fixed effects allow us to gauge the extent to which causal estimates are best represented as occurring across all organizations or within specific spatial and industrial contexts.

In chapter five I examine sex segregation in large private sector U.S. workplaces since 1966. The chapter examines the effects of federal and state political pressures on organizations to desegregate for each of the political eras discussed in chapter three. The central findings indicate that sex desegregation is slow during the first political era (1966-1972), most pronounced in the second era (1973-1980) and continued over the later two eras albeit at a slower rate than era II. Second, firms that engage in business transactions with the federal government, and are therefore subject to affirmative action mandates, display differing levels and trajectories of sex integration compared to non-contracting firms. Finally, state level measures of political environments are not shown to significantly impact sex workplace integration consistently over time.

In chapter six I turn my attention toward an examination of Black-White workplace segregation across political eras. I center the analysis around the effects of national political eras, federal pressures and founding effects of pre-civil rights legislation (Fair Employment Practice laws) and citizen political ideology on changes in Black-White workplace integration. The results show that Black-White workplace integration was taking place most rapidly in political era I (1966-1972), the era of minimum enforcement and maximum uncertainty. Black-White desegregation then slows in political era II (1973-1980) and comes to a virtual standstill over the later two eras. The effects of federal contracting status vary across era consistent with the historical record. Pre-1964 anti-discrimination laws also impact the trajectories of Black-White integration over the 1966 to 2002 period.

In chapter seven political environments are used to explain trends in managerial representation for African American and white men and women. The results indicate

white women, and African American men and women have made gains into managerial jobs, but that white males have maintained a stable advantage in access to managerial jobs compared to these status groups over the entire 1966-2002 period. However, the end of the 1966 to 2002 period does appear to be showing a small erosion of this advantage. Political environments provide mixed results on changes in workplace inequality over time.

In the concluding chapter, I summarize the central findings concerning the effects of national and local political environments on race and sex inequality in the post-civil rights era. Then I discuss the contributions and limitations of this research. I conclude by addressing policy implications, possibilities for future research, the current state of political support for EEO/AA measures and what this suggests for future equal opportunity progress in U.S. workplaces.

CHAPTER TWO
RACE AND SEX WORKPLACE INEQUALITY
IN THE POST-CIVIL RIGHTS ERA

2.1 Introduction

How effective was the Civil Rights Act in reducing employment inequality? This question has received considerable attention from scholars across a variety of disciplines. Researchers often examine changes before and after the passage of the 1964 Act and find that progress for African Americans was substantial during the decades preceding the monumental legislation. These researchers argue that progress in racial workplace equality took place before the Civil Rights Act and that this change would probably have come about without federal law due to the “Great Migration” of African Americans to the North and relative declines in the Black-White education gap (Smith and Welch 1984, 1989). Others find that enormous advances for African Americans were taking place in the 1940s well before the landmark Civil Rights Act of 1964 (W. Collins 2001b). Does this mean that the Civil Rights Act was insignificant for improving the quality of life for previously excluded groups? What explains change in race and sex employment opportunities across time?³

³ There are a host of potential causes affecting workplace inequality over time. Changes in race and sex human capital discrepancies (Becker 1964; Smith and Welch 1984, 1986), shifts in the industrial structure (Bound and Holzer 1993; Kasarda 1989; Tomaskovic-Devey et al 2005; W.J. Wilson 1987), employer-employee skill mismatch (Holzer 1996, 1998; Moss and Tilly 2001), employer-employee spatial mismatch (Kasarda 1985), social network exclusion (Burt 1998), individual aspirations and preferences (Becker 1985; England and Browne 1992; Polachek 1979), public attitudes toward women (Cotter, Hermsen and Vanneman 2004; Simon and Landis 1989), racial

In this chapter, I describe trends in race and sex *workplace* inequality in the post-civil rights era. Specifically, I use workplace level data to document trends for Black-White and Female-Male integration and access to managerial positions from 1966 to 2002. Since segregation is the primary mechanism by which resources are differentially distributed, workplace integration tells a part of the story of equal opportunity progress. Access to managerial positions within workplaces signals a different component of progress since these jobs offer the highest level of remuneration, authority and autonomy. For this reason managerial jobs are likely to be the most valued and therefore, most difficult for non-whites and non-males to attain. Access to managerial jobs explains not only increasing access to jobs, but access to quality employment. The managerial analysis takes an intersectionality approach by examining the trends in access to managerial positions for African American men and women, and white men and women. Rather than considering changes in the proportions of these groups in managerial positions, I develop a measure of managerial representation that accounts for the race and sex composition of the local labor market.

This chapter unfolds in two distinct stages. First, I briefly review the literature on race and sex segregation, followed by a discussion of trends in race and sex segregation in large private U.S. firms. In the second section of this chapter, I examine the literature on access to managerial positions and then describe managerial access trends from 1966 to 2002. Segregation and access to management trends show distinctively different patterns and trajectories for each status group over the period

minorities (Schuman et al. 1997), civil rights and EEO/AA policies (Steeh and Krysan 1996), and normative environments concerning race and gender equality (Beggs 1995; Burstein 1985) are all likely to impact change over time.

under study. These results raise questions concerning the universality of equal employment opportunities in the post-civil rights era and what factors drive organizational change.

2.2 Race and Sex Workplace Segregation

Race and sex employment segregation have received a great deal of attention in sociological studies of inequality over the past three decades. This trend reflects the historical importance of the Civil Rights Act of 1964 and associated social movements, lawsuits, and changes in organizational personnel practices toward equal opportunity goals. Segregation remains, perhaps, the most important mechanism for constructing and maintaining inequality. Not only does segregation allow for the distribution of resources to vary across categorically defined groups, it also highlights and magnifies the boundary between status group distinctions providing legitimation for the unequal distribution of resources between categorical pairs (Tilly 1998).

A clear finding in the literature is that race and sex occupational segregation has declined in the U.S. since the 1950s (Baunach 2002; Beller 1984; Carlson 1992; Fossett, Galle and Burr 1989; Fossett, Galle and Kelly 1986; King 1992; Weeden 1998). These previous studies explore trends in segregation between Census *occupational* titles, and therefore, never directly examine changes in Black-White or Female-Male *workplace* segregation since the Civil Rights Act. An exception is found in the work of Tomaskovic-Devey and colleagues (2005). They examine changes in workplace race and sex segregation from 1966 to 2000 using data from eight points in time. They focus on changes in segregation as a function of industrial and employment

shifts in labor markets. Their findings indicate that about one third of the decline in race and sex segregation can be attributed to changes in the economic structure and the spatial relocation of work across local labor markets. While previous research provides estimates of race and sex workplace segregation at the occupational and workplace level, with the exception of the focus on industrial and labor market shifts examined in the Tomaskovic-Devey et al. (2005) paper, we continue to know little about factors that impact change in workplace inequality over time.

In the descriptive analyses that follow, I use establishment level data collected annually by the EEOC. These data, known as EEO-1 Information Reports, contain employment counts of sex by five race/ethnic groups distributed across nine broad occupational categories at the establishment level. In order to make data handling easier, I draw a 20 percent simple random sample from the EEO-1 files for all available years⁴ and limit analyses to the 48 contiguous U.S. states from 1966 to 2002. This results in a sample size of 938,296 workplace observations.

2.3 Trends in Race and Sex Workplace Integration, 1966-2002.

In the trends that follow, I use the index of dissimilarity (D) to capture race and sex integration.⁵ This index is the most widely used in workplace and residential

⁴ Data are unavailable for the following years: 1967-1970, 1974, 1976-1977. For years with missing data, I include predicted values in the visual depictions based on the average change between missing years of data.

⁵ (D) is computed across occupations within establishments as follows:

$$\text{Index of Dissimilarity } (D) = \left(\frac{1}{2} \sum_{oe=1}^{N_{oe}} |P_{oex} - P_{oey}| \right) \times (100)$$

segregation research. It ranges from 0 (total integration) to 100 (total segregation) and describes the evenness of the distribution of a categorically defined pair (Female to Male, Black to White, etc.) across a defined set of positions. The index of dissimilarity (D) can be interpreted as the percentage of workers in one status group (e.g., female) who would have to switch jobs to create full workplace integration.⁶ It is important to understand that 1) these trends are observed desegregation trends for large private sector workplaces in the continental United States; 2) that these observed trends are likely to underestimate the actual segregation based on the limitations of the EEO-1 reports; and 3) that I will correct for this and other sources of measurement error in the multivariate analyses of national and local environments. The yearly means for Black-White and Female-Male segregation used to construct the figures that follow are presented in Table 2.1.

where P_{oex} and P_{oey} are the proportions of group x and y , respectively, within an occupation in an establishment, and N_{oe} equals the number of occupations in each establishment, status group distributions are then summed across all occupations within an establishment.

⁶ In the chapter appendix, I also describe trends and present visual depictions of 1) the percentage of EEO-1 reporting establishments that are race and sex homogenous (Section A); 2) have no white male, white female, African American female, or African American male managers (Section B); and 3) in Section C I examine the degree to which these race-sex status groups are isolated from *all other groups* (including other race ethnic distinctions, such as Hispanic, Asian/Pacific Islander, American Indian/Alaskan Native) These trends could be examined as dependent variables in their own right. For example, a series of models could be centered on predicting establishments with no female, male, or African American employees. I intend to focus on these trends in future research.

Table 2.1. Segregation and Access to Managerial Jobs, 1966-2002.

| Year | Index of Dissimilarity (D) ^a | | Access to Management ^b | | | |
|-------|---|-------------|-----------------------------------|--------------|------------|--------------|
| | Black-White | Female-Male | White Male | White Female | Black Male | Black Female |
| 1966 | 52.08 | 68.86 | 1.51 | 0.31 | 0.33 | 0.06 |
| 1967* | 50.84 | 67.91 | 1.53 | 0.31 | 0.31 | 0.07 |
| 1968* | 49.60 | 66.96 | 1.55 | 0.31 | 0.30 | 0.08 |
| 1969* | 48.37 | 66.01 | 1.57 | 0.32 | 0.28 | 0.09 |
| 1970* | 47.13 | 65.06 | 1.59 | 0.32 | 0.27 | 0.10 |
| 1971 | 45.89 | 64.11 | 1.61 | 0.33 | 0.25 | 0.10 |
| 1972 | 44.68 | 62.70 | 1.61 | 0.35 | 0.32 | 0.13 |
| 1973 | 43.26 | 61.19 | 1.63 | 0.37 | 0.34 | 0.12 |
| 1974* | 42.76 | 60.34 | 1.62 | 0.40 | 0.36 | 0.14 |
| 1975 | 42.27 | 59.49 | 1.61 | 0.42 | 0.39 | 0.16 |
| 1976* | 41.33 | 57.90 | 1.61 | 0.46 | 0.40 | 0.17 |
| 1977* | 40.43 | 56.32 | 1.62 | 0.49 | 0.40 | 0.17 |
| 1978 | 39.45 | 54.74 | 1.62 | 0.49 | 0.40 | 0.17 |
| 1979 | 38.71 | 53.39 | 1.61 | 0.53 | 0.46 | 0.22 |
| 1980 | 38.45 | 52.64 | 1.62 | 0.54 | 0.46 | 0.22 |
| 1981 | 38.41 | 52.04 | 1.60 | 0.57 | 0.47 | 0.23 |
| 1982 | 37.99 | 50.95 | 1.59 | 0.58 | 0.53 | 0.26 |
| 1983 | 37.73 | 49.91 | 1.59 | 0.61 | 0.52 | 0.29 |
| 1984 | 36.68 | 48.16 | 1.59 | 0.64 | 0.48 | 0.28 |
| 1985 | 36.14 | 47.23 | 1.59 | 0.66 | 0.48 | 0.29 |
| 1986 | 35.91 | 46.18 | 1.59 | 0.66 | 0.48 | 0.31 |
| 1987 | 35.60 | 45.19 | 1.60 | 0.69 | 0.49 | 0.29 |
| 1988 | 35.48 | 44.71 | 1.61 | 0.69 | 0.50 | 0.30 |
| 1989 | 35.72 | 43.93 | 1.59 | 0.72 | 0.52 | 0.30 |
| 1990 | 35.58 | 42.77 | 1.60 | 0.73 | 0.49 | 0.33 |
| 1991 | 35.30 | 42.16 | 1.59 | 0.73 | 0.52 | 0.33 |
| 1992 | 34.97 | 41.45 | 1.59 | 0.75 | 0.55 | 0.37 |
| 1993 | 35.05 | 40.56 | 1.59 | 0.76 | 0.56 | 0.31 |
| 1994 | 34.70 | 39.51 | 1.59 | 0.78 | 0.55 | 0.33 |
| 1995 | 34.77 | 38.74 | 1.59 | 0.79 | 0.55 | 0.33 |
| 1996 | 34.29 | 37.82 | 1.59 | 0.81 | 0.57 | 0.36 |
| 1997 | 34.40 | 37.54 | 1.58 | 0.83 | 0.58 | 0.36 |
| 1998 | 34.15 | 36.61 | 1.58 | 0.84 | 0.59 | 0.35 |
| 1999 | 33.83 | 35.86 | 1.59 | 0.85 | 0.60 | 0.39 |
| 2000 | 33.96 | 35.41 | 1.59 | 0.87 | 0.60 | 0.38 |
| 2001 | 34.12 | 35.42 | 1.58 | 0.87 | 0.61 | 0.40 |
| 2002 | 33.85 | 34.92 | 1.59 | 0.87 | 0.61 | 0.41 |

Source: Equal Employment Opportunity Commission EEO-1 Reports 1966-2002.

* Average change is calculated for missing years.

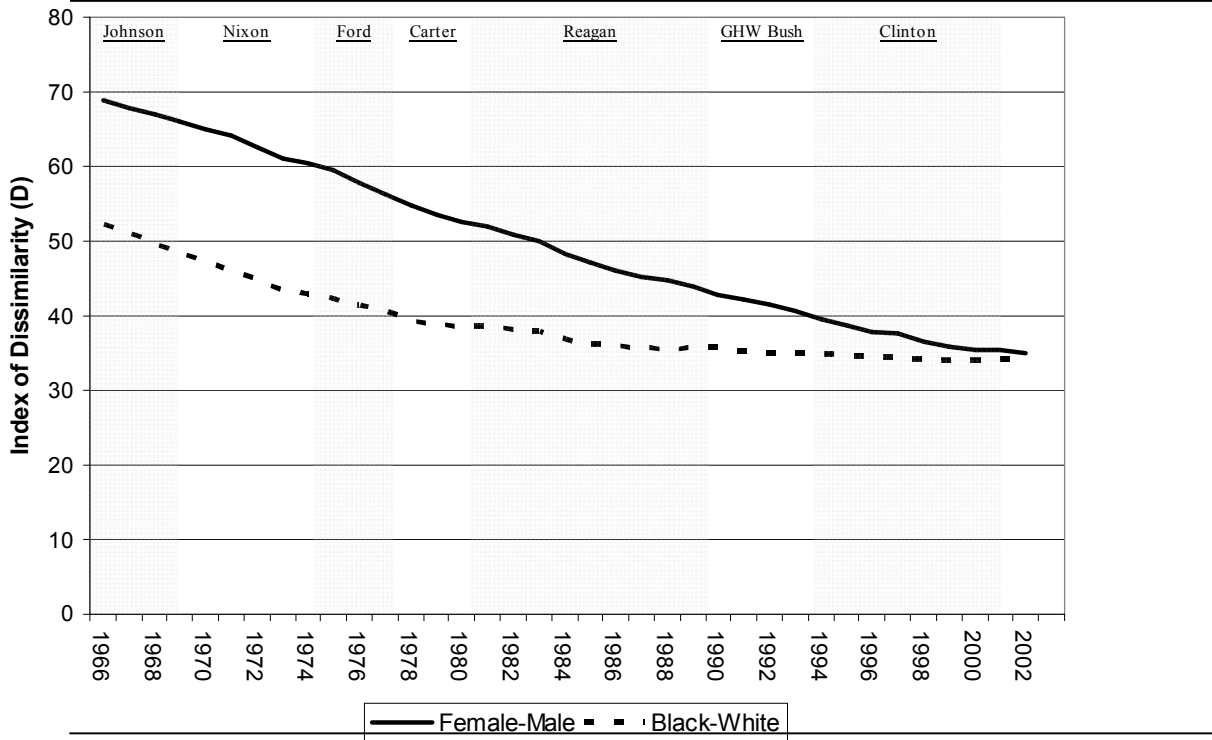
^a The index of dissimilarity ranges from 0 (total integration) to 100 (total segregation).

^b Managerial representation is an unbounded measure of managerial representation based on the race and sex composition of the local labor market. A value of 1 is proportional representation, a value over 1 is overrepresentation and less than one is underutilization.

In Figure 2.1 I display trends in race and sex segregation in large private sector U.S. firms. The trends in Female-Male workplace segregation illustrate continuous progress in sex integration in large private U.S. workplaces. The trend exhibits a nearly linear decline over the entire period. The index of dissimilarity (D) for sex segregation starts near 70 in 1966, which means that seventy-percent of women would have to change occupational categories within workplaces to achieve full integration. In 2002, sex segregation is reduced by 50% compared to 1966 segregation levels, reaching a value of around 35. These results strongly suggest that continued progress has taken place for workplace sex integration in since 1966.

Black-White segregation tells an extraordinarily different story of progress and change. The early years following the civil rights act suggest marked Black-White workplace integration. This trend then slows coming to a virtual standstill in the 1980s and has not changed appreciably since. For Black-White workplace integration, progress stops in the 1980s and does not change in the 1990s. These results are consistent with previous research that finds worsening or stagnating employment conditions for African Americans in the 1980s (Cancio, Evans and Maume 1996; J. Smith 1993; R. Smith 1999; Thomas and Hughes 1986; G. Wilson 1997a, 1997b).

Figure 2.1. Trends in Black-White and Female-Male Workplace Integration in Large Private U.S. Firms, 1966-2002



Source: Equal Employment Opportunity Commission EEO-1 Reports 1966-2002.

2.4 Access to Managerial Jobs

Scholars interested in race and sex inequality have also paid great attention to discrepancies in access to positions of authority and the unequal returns to authority in the workplace since the passage of the Civil Rights Act of 1964 (see R. Smith 2002 for a review). Increasing access to managerial positions for previously excluded groups is an important indicator of progress, since this is the occupational category that receives the greatest financial and psychological rewards. From this literature, several core findings emerge.

First, white men have greater access to positions of authority compared to African American males (Kluegal 1978; McGuire and Reskin 1993; Mueller and Parcel 1986; Mueller, Parcel and Tanaka; R. Smith 1999; Tomaskovic-Devey 1993; Wilson 1997a), as well as African American females and white females (D'Amico 1986; EEOC 2004; Jacobs 1992; Reskin and Roos 1990; McGuire and Reskin 1993).

The second decisive finding shows that when racial minorities and females gain access to positions of *supervisory* authority, their authority is likely to be over workers with similar status characteristics (Mueller et al. 1989; Reskin and Ross 1992; Reskin and McBrier 2000; Elliot and Smith 2001, 2004; Smith and Elliot 2002; Mitra 2003; Stainback, Taylor and Tomaskovic-Devey 2005). Similarly, when African American males make gains into *managerial* authority positions they are less likely than white males to control monetary resources (R. Smith 2001) and African Americans, generally, are often guided into “racialized jobs” providing services and support to other minority group members, such as Affirmative Action compliance administrators (S. Collins 1989, 1997).

Third, within positions of managerial/supervisory authority, white men have greater span of responsibility, span of control and occupy positions higher in the organizational hierarchy compared to other categorical groups (Federal Glass Ceiling Commission 1995; Jacobs 1992; Mitra 2003; Mueller, Parcel and Tanaka 1989; Reskin and Ross 1992; Smith 1999; Wilson 1997a; Wilson, Sakura-Lemessy and West 1999).

Fourth, whites receive greater monetary compensation for their authority than other groups (Kluegal 1978; Smith 1999; Wilson 1997b) and this effect is more pronounced at higher levels of authority (Smith 1999; Wilson 1997b).

This research also shows that gains are being made for women and racial minorities in access to managerial jobs, but these gains are not occurring as quickly in the private sector as in government, nor in access to high level managerial positions (Federal Glass Ceiling Report 1995; Wilson 1997a; Wilson, Sakura-Lemessy and West 1999). Although the vast majority of these studies are cross-sectional, most conclude that women and racial minorities have made gains in access to managerial positions. We continue to know very little about trends or how advances into managerial positions coincide with the political environment in which firms are embedded at the national and local level.

2.5 Trends in Access to Managerial Positions, 1966-2002

To gain insight to changes in managerial access over time, I develop a managerial representation (*MR*) measure.⁷ I use MR rather than the more common measure of proportional change. Because the size and status composition of the labor force has changed it is inappropriate to assess managerial representation as simply

⁷ This measure is calculated as:

$$\text{Managerial Representation} = (X_{mit} / T_{mit}) / \sum (X_{ijt} / \sum T_{ijt})$$

Where X_{mit} is the number of status group members (e.g., white males) in the managerial occupational category within an establishment in a given year. T_{mit} is the total number of individuals in the managerial occupational category (m) within establishment (i) in a given year (t). $\sum (X_{ijt})$ is the total number of status group X members in commuting zone $_j$ in a given year $_t$ and $\sum (T_{ijt})$ is the sum of employment across all establishments in commuting zone $_j$ for a specific year $_t$. Commuting zones are aggregations of counties, not confined to state boundaries, which are calculated based upon decennial census surveys documenting the distance individuals travel to work from where they live (Tolbert and Sizer 1996). Therefore, they describe local labor markets. Since these boundaries can change every ten years, I impose 1990 commuting zones on all years of data in these analyses for consistency purposes.

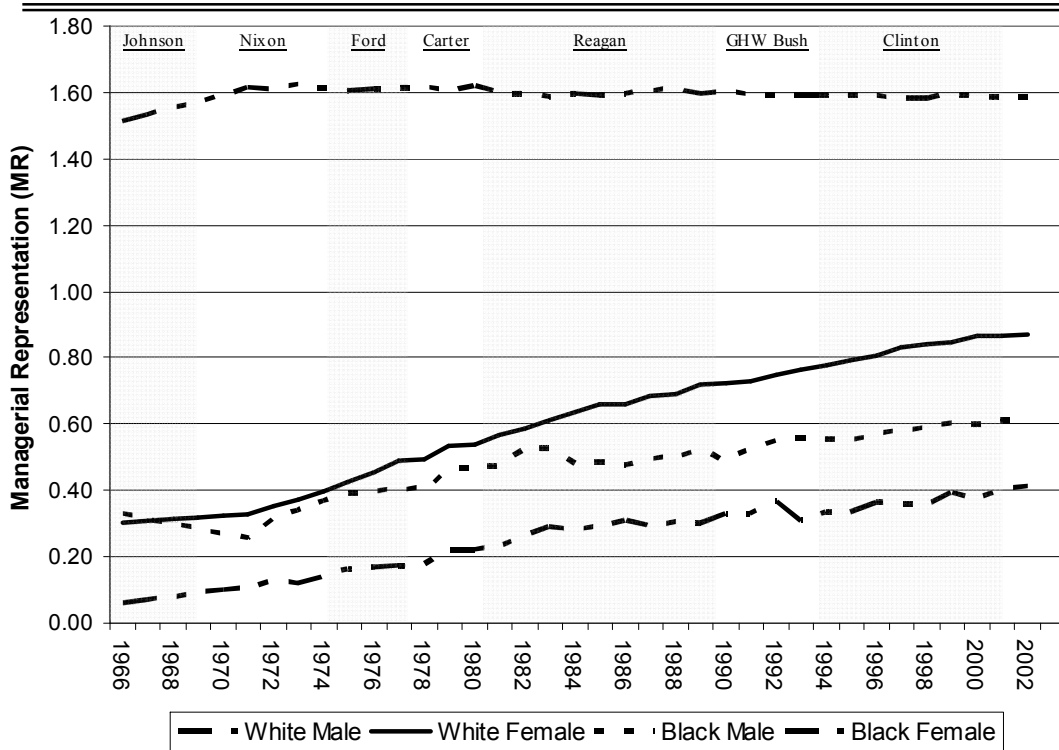
changes in the proportion of managers in various status groups. The observed declines in white males as a proportion of all managers documented in past research are likely to, at least in part, represent the decline in white males as a proportion of the labor force. It is more appropriate to evaluate time trends in status group access to managerial jobs by adjusting for the supply of status groups. The labor supply of different groups can be expected to vary both temporally (e.g. increased female labor force participation) and spatially (the uneven local and regional distribution of race/ethnic groups).

The solution to the problem of changing proportions of status groups in the labor force is to measure the representation of status groups in managerial jobs relative to their representation in local labor markets. The measure asks, “how different is the observed managerial distribution of status group x in this workplace from what we would expect based on the race-sex composition of the local labor market?” A value of one means that there is a perfect fit between a status groups managerial representation and their composition in the local labor market. Values less than one indicate underutilization and values over one mean that the categorical group is over represented in managerial jobs compared to their representation in the local labor market.

In Figure 2.2 I examine trends in white male, white female, Black male, and Black female access to managerial jobs relative to their representation in local labor markets. The unit of analysis is workplaces, so these figures represent the national average managerial representation in establishments owned by large (over 100 employees) private sector firms. A surprising finding is that white male advantage in access to managerial jobs in EEO-1 reporting firms actually increased in the initial

period after the Civil Rights Act of 1964. Even more striking is that white males' advantaged access to private sector managerial positions has not declined at all since the 1970s. White males are on average over represented in private sector managerial jobs at a stable 160% of their representation in the labor force.

Figure 2.2. Access to Managerial Jobs in Large Private U.S. Firms, 1966-2002



Source: Equal Employment Opportunity Commission EEO-1 Reports 1966-2002.

In 1966 white women, Black men, and Black women were severely under represented in managerial jobs in private sector EEO reporting firms. White women's representation in managerial jobs has climbed steadily across the period and by 2002 was .87 approaching proportional representation (1.0). Black men initially lose representation in managerial jobs from 1966 to 1971. Previous research shows that

African American males gained access to employment in the late 1960s and early 1970s, but not higher level and higher skilled positions until the early to late 1970s (Leonard 1984a, 1984b; Heckman and Wolpin 1976). This is likely driving the initial decline for Black men and increase for white men since Black men begin to make up a larger proportion of the EEO-1 labor force, but continue to be excluded from managerial positions.

African American managerial representation improved through the 1980s, stalled during that decade, and began to inch up again in the 1990s. By the year 2002, however, Black male representation was still 40% lower than their representation in the labor force of these private sector EEO reporting firms and Black female representation was 60% below their overall employment levels.

The stability of white male advantage even in the face of gains by the other groups is striking and at first glance somewhat perplexing. How can all groups gain? The answer is in the change in the industrial structure of managerial jobs as well as the race/sex composition of the labor force over time. Because white males make up a declining proportion of a growing economy they can maintain their advantages, even as other groups make gains. This is not to say that the gains of other groups are uniform across the economy. On the contrary, integration and access to managerial positions are strongly tied to shifts in the economy from goods to service production (Tomaskovic-Devey et al. 2005; Stainback, Taylor and Tomaskovic-Devey 2005).⁸

⁸ In the appendix of this chapter (Section D), I discuss and display managerial representation trends by broad industrial sector for White males and females and African American Males and females from 1966 to 2000.

While we continue to know very little about the mechanisms responsible for workplace segregation and integration in the U.S. (Reskin 2003; Reskin, McBrier and Kmec 1999; Robinson et al. 2005), the different trends for race and sex suggest a different set of mechanisms, since sex desegregation is happening continuously across time, space, and industry. It could also be the case that both race and sex workplace inequality is politically mediated. My sense is that the mechanisms underlying these processes are likely the same; it is the histories that are different.

2.6 Chapter Summary

In this chapter I examined national trends in race and sex workplace inequality from 1966-2002. This inspection reveals that 1) Black-White segregation is uneven over time compared to the nearly linear Female-Male trend; 2) women and African American men have made gains into managerial positions, but that this gain has not eroded white male privilege across U.S. labor markets; 3) addressing race and sex inequality as mutually exclusive phenomena may lead to incorrect interpretations of progress in the post-civil rights era; 4) While sex segregation declines nearly linearly and Black-White segregation flattens in the 1980s and does not improve in the 1990s, African American men and women managerial representation slows in the 1980s, but picks up again in the 1990s. White women on the other hand make continued managerial gains throughout the entire period and the trends for white men show initial gains, but a flattening from the early 1970s through 2002.

The differing trajectories of progress for sex and race segregation and race-sex managerial access underscore the need to examine changes in workplace inequality in

light of historical processes. This research examines the role of organizational uncertainty emanating from the political environment as the key source of organizational stability and change. In the following chapter I provide a detailed historical overview of the development and implementation of anti-discrimination law in the U.S. and the political context in which these decisions were made. I start with a discussion of changes in the opportunity structure for workers in the World War II period and follow the development, implementation and expansion of laws and mandates and the social, political and economic environment shaping organizational behavior. The history provides rich and ample examples of how uncertainty has been introduced into the political environment and how organizations have in turn responded. It also demonstrates the importance of embedding this analysis in historical detail to elucidate similar patterns within the political environment over time and how these periods coincide with equal opportunity progress or stagnation.

2.7 Chapter Appendix

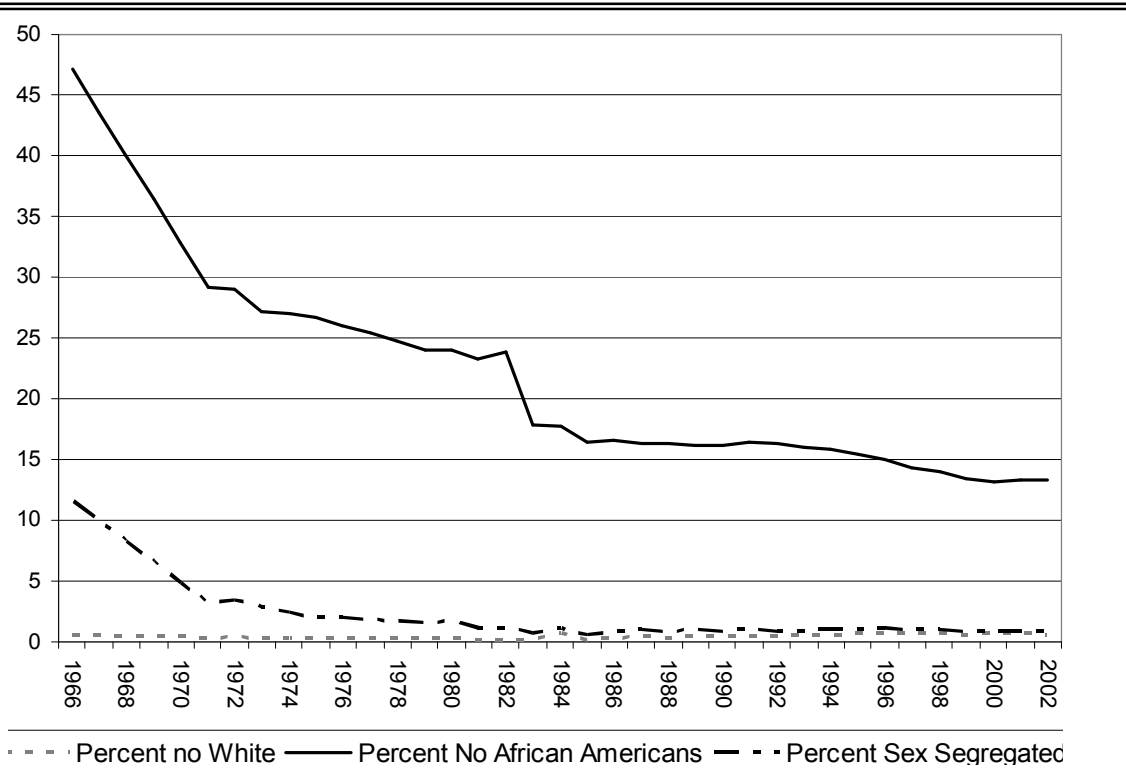
A. Race and Sex Workplace Homogeneity in Large Private Sector U.S. Firms

In Figure 2.3, I present trends for race and sex homogenous workplaces. This trend is important to keep in mind since the segregation trends in this chapter do not include these workplaces. If you will recall, the index of dissimilarity (D) is defined as the distribution of two status groups (i.e., female to male, Black to white) across a defined set of positions (i.e., jobs, occupations) within a workplace. If one of the comparison groups is missing from the establishment, then the segregation index is undefined. These workplaces are likely to be: 1) the site of the most discriminatory employers who refuse to hire certain status group members or 2) non-discriminatory, but a function of local labor supply (e.g., a firm with no African American employees in a geography without any African Americans is not necessarily discriminatory).

These results show that nearly half of all large private sector U.S. firms had no African American employees in 1966. Between the years of 1966 and 1971 the percentage of EEOC reporting firms without any African American employees plummets to just under thirty percent. After 1971, the trend continues to decline in workplaces with no African American employees albeit at a slower rate of change. Around 1983 the trend begins to level off until about 1994, when modest declines in the percentage of EEOC reporting firms with no African American employees resume. It should be noted that the large decline in the percentage of workplaces with no African American employees from 1982 to 1983 reflects the change in reporting requirements

beginning in 1983. Firm size reporting requirements rose from 50 to 100 employees. African Americans tend to work in larger firms in the private sector. The percentage of establishments with no whites fluctuates over the period, but never exceeds 0.75 %.

FIGURE 2.3 Percent of EEO-1 Reporting Establishments with No Whites, African Americans and Sex Homogeneous.



Data Source: Equal Employment Opportunity Commission EEO-1 Reports 1966-2002.

The trend for sex homogenous workplaces is similar to workplaces with no African American employees, although less dramatic. By sex homogenous workplaces, I mean workplaces where all employees are either male or female. Over eleven percent of establishments are sex homogenous in 1966. By 1971 just over three percent of

EEO-1 reporting establishments were sex homogenous. The percentage of sex homogenous workplaces falls over time and in 2002 less than one percent of establishments were sex homogeneous.

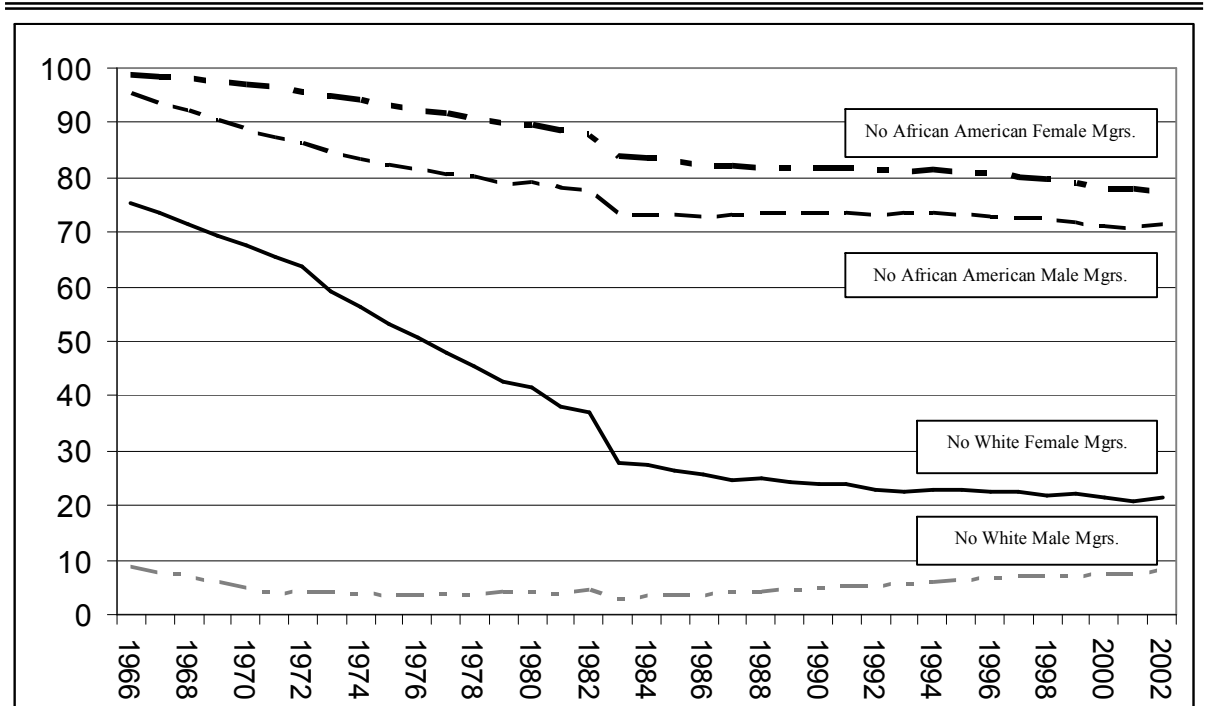
Whether the rapid increase in firms hiring African Americans and females in the early post-civil rights period is the direct result of the Civil Rights Act is unknown. These results do suggest, however, that race and sex segregation were not only happening within organizations but between them as well. While I cannot compare this trend with pre-civil rights era trends, I believe that the removal of legal discrimination improved the employment of racial minorities and women, but this does not necessarily lead to progress since workers may continue to be segregated within organizations and often placed in lower level positions based on invidious status distinctions.

B. Managerial Homogeneity in Large Private Sector U.S. Establishment, 1966-2002

In Figure 2.4, I examine the percentages of large private sector establishments in the U.S. that have no African American or White managers. In 1966, over 98 percent of large U.S. private sector establishments contained no African American females in managerial positions. African American males did not fair much better (95%). Similar to the segregation trends, I find increasing access into workplaces generally. A slow decline in the percentage of EEO-1 reporting firms with no African American managers continues until around 1983 when the trend begins to level off at around 84% and 73% for African American females and males respectively. This number falls by an

additional six percent for African American females and less than two percent for African American males by 2002.

Figure 2.4 Percentages of Large Private Sector U.S. Establishments without African American or White Males and Females in Management, 1966-2002.



Data Source: Equal Employment Opportunity Commission EEO-1 Reports 1966-2002.

White females appear to make striking advances in the early 1966 to 1972 period. In 1966, white women managers could not be found in 75% of large private sector establishments. By 1972 this falls by over ten percent. The 1972 to 1983 trend is even more dramatic falling 35%. In 1983 the trend continues to decline, but at a slower rate. The 1983 to 2002 period only sees an additional six and one-half percent change. In 2002, there are no white female managers in just over one in five large private sector U.S. workplaces.

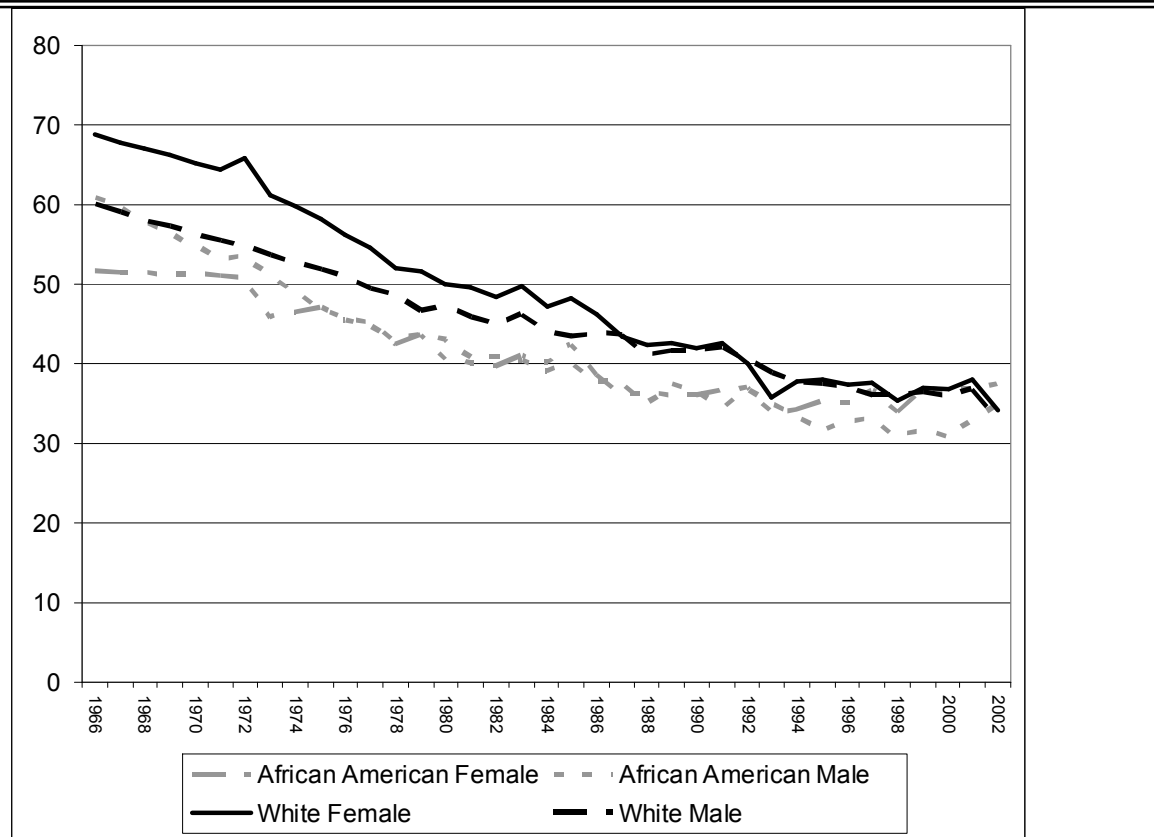
White male managers are found in over 90% of large private U.S. establishments in 1966. By 1983 fewer than three percent of large private U.S. firms were without any white male managers. The percentage of firms without any white male managers in 2002 had risen to near 1966 levels (8%).

C. Status Group Isolation in Large Private Sector U.S. Establishment, 1966-2002

In Figure 2.5 I examine the degree to which white males, white females, Black males and Black females are isolated from *all other groups* (including all other sex-race-ethnic distinctions, such as Hispanic, Asian/Pacific Islander, American Indian/Alaskan Native). For this measure an index of dissimilarity (D) is calculated for each race-sex status group compared to all other status groups.

In 1966 white women were the most socially isolated group. Nearly seventy percent of all white women would have to switch jobs to achieve a sex/race balanced workplace. They remain the most socially isolated until the late 1980s and early 1990s, when their trend begins to converge with Black and white males. In 1966 Black and white males start with an isolation index just above sixty, which is nearly ten points lower than white females' 1966 level. Both Black and white males become less isolated over time. The Black male trajectory is more marked than the trajectory for white males. African American females are consistently the least isolated group. Although it appears that they are beginning to converge with the other observed status groups.

Figure 2.5 Status Group Isolation in Large Private Sector U.S. Establishment, 1966-2002



Source: Equal Employment Opportunity Commission EEO-1 Reports 1966-2002.

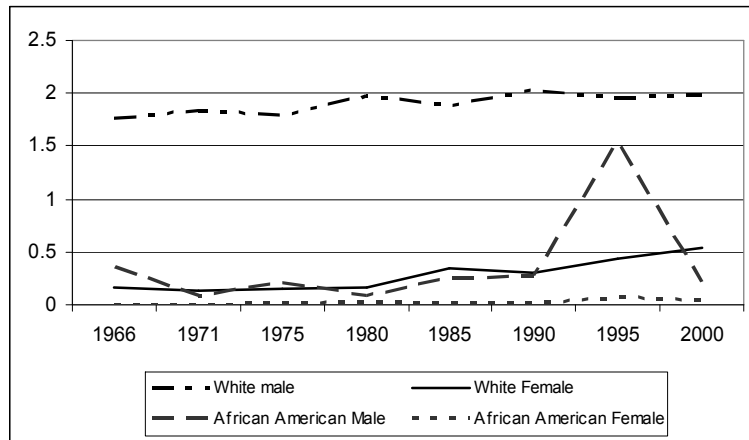
D. Managerial Access in Large Private Sector U.S. Firms by Industrial Sector

In Figure 2.6 managerial representation for white and African American men and women are shown for eleven broad industrial sectors. In panels a, b and c, I examine trends for the Agriculture, Forestry and Fishing, Mining, and Construction sectors respectively. In each of these sectors, white males are over-utilized in managerial jobs and this gross over-representation has actually *increased* since 1966. Occurring simultaneously with this increased access to managerial employment for white males are limited gains for women and African Americans. White males are between 1.5 and 2.5 times more likely to be managers in these industries compared to our expectations based on the race and sex composition of the local labor force. White women and African American men and women are about half as likely to occupy managerial jobs in these industries compared to their distributions across local labor markets across all years.

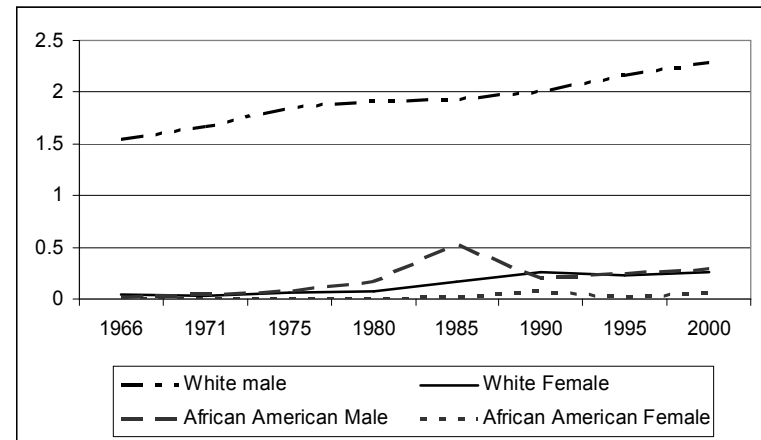
In panel d I present the observed trend for non-durable manufacturing. For white males, the trend is similar to the other sectors discussed thus far. They make small but steady gains in managerial jobs over the entire period. White women and African American men make significant gains over time, although they remain well below the expected distribution if they were not at a status disadvantage. Managerial representation for African American females remains abysmally low.

Figure 2.6 Sector Specific Time Trends in White Male, White Female, Black Male, and Black Female Managerial Representation in Large Private Sector Workplaces Relative to Local Labor Market Representation, 1966-2000.

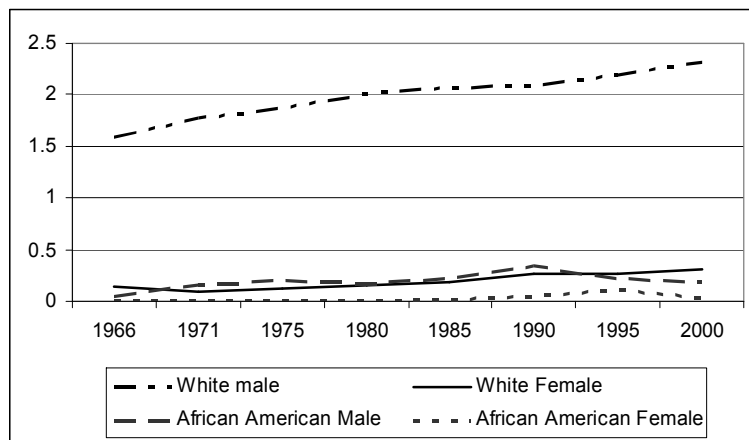
a. Agriculture, Forestry and Fishing



b. Mining and Extractive



c. Construction



d. Non-Durable Manufacturing

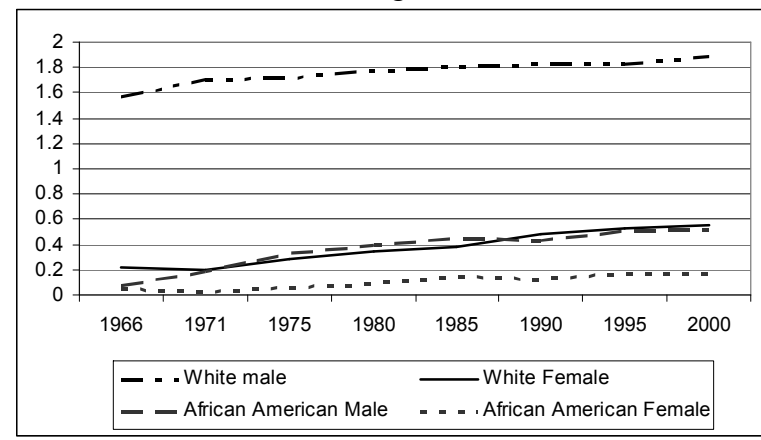
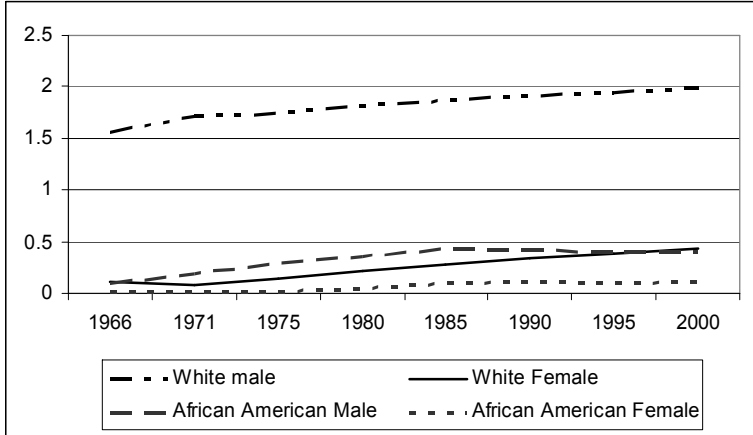
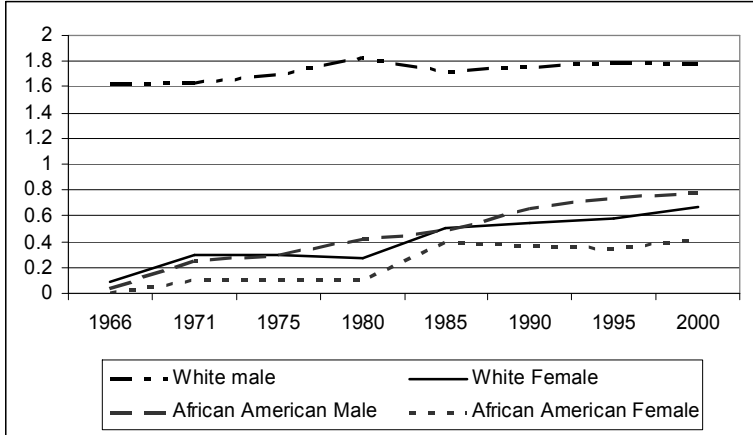


Figure 2.6 Cont. Sector Specific Time Trends in White Male, White Female, Black Male, and Black Female Managerial Representation in Large Private Sector Workplaces Relative to Local Labor Market Representation, 1966-2000.

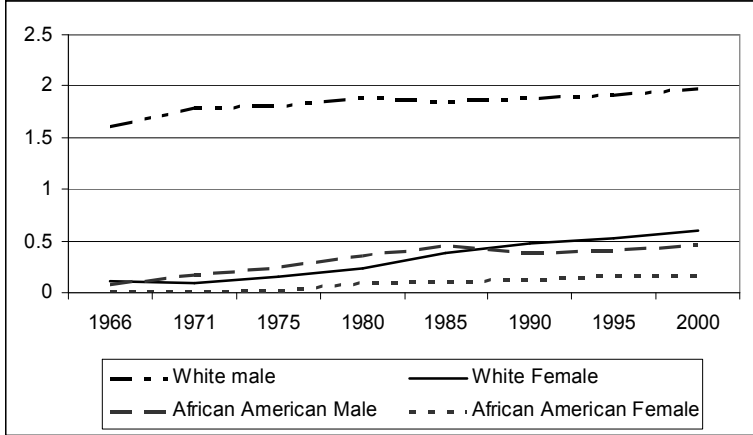
e. Durable Manufacturing



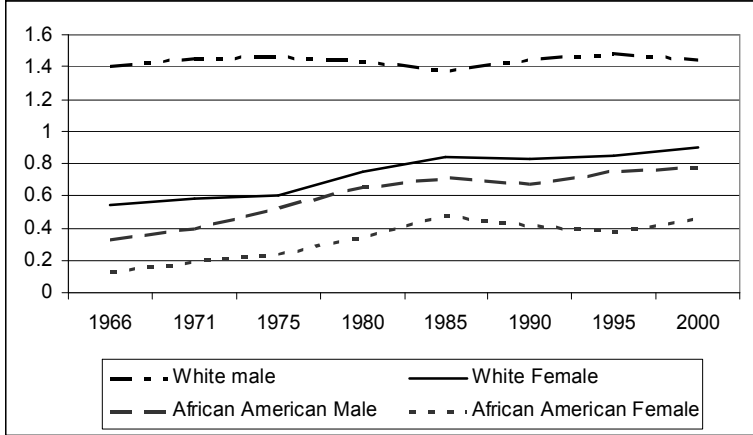
f. Transportation, Communications and Utilities



g. Wholesale



h. Retail

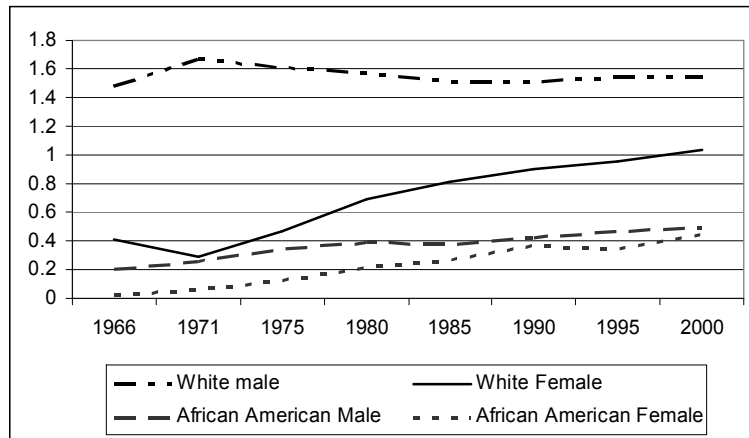


The trends for durable manufacturing (panel e) are similar to the first four industrial sectors. White men increase their representation in management in durable manufacturing from 1.5 to 2 times greater than their private sector EEO reporting firm local labor market distributions. White females and African American males access to managerial jobs in durable manufacturing trend upward from 1966 to 2000. White females appear to make continued gains in this industry, while African American males made gains until the 1980s when they begin to lose access to managerial employment in durable manufacturing. Both white females and African American males are about half as likely to be in managerial jobs in durable manufacturing as we would expect and African American females are scarcely represented in the managerial ranks in this sector. The wholesale sector (panel g) provides nearly identical trends.

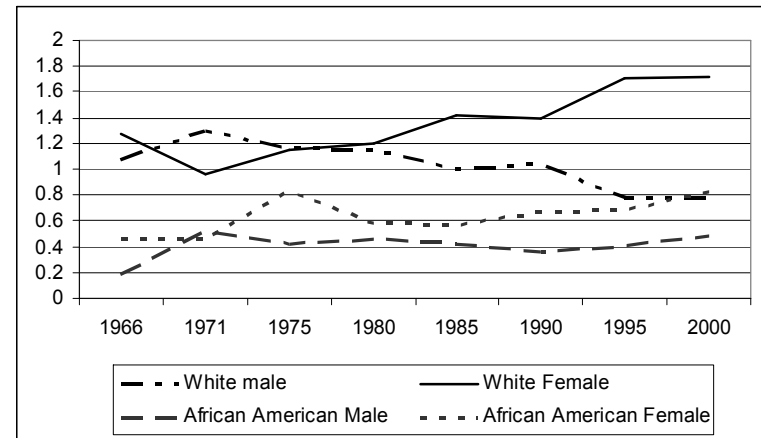
The retail industry (panel h) has a stable over-utilization of white males over time. Considerable gains for white women and African American males and females are found. White women are approaching their expected managerial representation by 2000 and African American males are not far behind. African American females, while making progress from 1966 to the early 1980s have actually lost some managerial representation in the retail sector since 1985. They continue to be grossly underrepresented compared to other groups.

Figure 2.6 Cont. Sector Specific Time Trends in White Male, White Female, Black Male, and Black Female Managerial Representation in Large Private Sector Workplaces Relative to Local Labor Market Representation, 1966-2000.

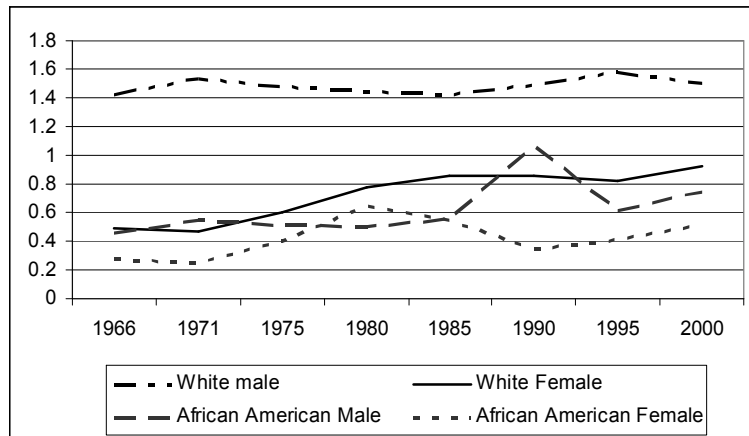
i. Producer Services



j. Social Services



k. Personal Services



Panels i, j, and k exhibit the trends in the various service sectors, where women and minorities are expected to make the greatest gains. Producer services (panel i) show a relatively stable white male advantage in managerial representation. White women make the most striking gains. They initially lose a portion of their managerial representation from 1966 to 1971, but then make continued gains and becoming slightly over represented by 2000. African American men and women continue to be underrepresented. In 2000 they remain about half as likely to hold managerial positions in this industry compared to their labor market representation. The personal services sector (panel k) shows a similar pattern to producer services with white males maintaining a stable advantage. White females make enormous gains, nearly reaching proportional levels, with African American males not far behind. African American females, however, make steady gains until 1980 when they begin to lose substantial representation and then begin to rebound in the 1990s although they remain less represented in managerial jobs in personal services than they were in 1980.

Finally, the social services sector is displayed in panel j. This is the only sector to show clear declines in managerial representation for white males. White men begin the period slightly overrepresented, increase their representation by about 25 percent from 1966 to 1971, and then fall over time, becoming underrepresented in the 1990s. In 2000, white females are about 1.7 times more likely to be in managerial positions than expected based on their labor force participation in local labor markets. African American males make initial gains from 1966 to 1971 and then their trend becomes

fairly stable from 1971 to 2000 remaining about half as likely to hold managerial jobs in this industry compared to their labor market representation. African American females make gains from 1971 to 1975 and then begin to lose their representation, which levels off in the 1980s and begins to increase slowly in the 1990s. By 2000, African American females reach their 1975 representation level in private sector social services, ending the century slightly higher than white men.

Taken together, these observed trends demonstrate how sectoral shifts and labor force growth can impact status group proportions, but not erode the privileged position of white men in the labor force. White women, Black men, and Black women all had better access to managerial jobs in the growing service sectors. The entrants of new workers in the labor force coupled with emergence of new industries and the contraction and expansion of existing ones created an environment hospitable to creating a variety of higher wage, high-tech, as well as low-wage, low-skill jobs. As show in Figure 2.6 the integration of managerial ranks is most likely to occur in industries where there are fewer valuable resources and less likely to occur where resources are greater. White male's advantaged access to private sector managerial jobs is remarkably stable across industrial sectors and time, showing erosion only in the social service sector. White females approach parity in a few sectors, Black males in only one. Black females are severely under-represented in managerial positions in all sectors. In many sectors, Black males' advances stagnated in the 1980s and Black females actually lost access to managerial positions during this period.

CHAPTER THREE

POLICY AND POLITICS OF ANTI-DISCRIMINATION IN THE U.S.

3.1 Introduction

In this chapter I present the post-World War II history of Civil Rights and gender equality legal and legislative politics. It is these laws, legislative discussions and court rulings that I treat as the political sources of uncertainty in the workplace analyses found in subsequent chapters of this research.

Scholars interested in the effects of the Civil Rights Act of 1964 have focused on rates of change in earnings inequalities, employment and occupational advancement before and after the passage of the Act to gauge the effectiveness of the legislation. This area of research has produced divergent results concerning whether the changes that have taken place since the passage of the act resulted from the act itself or whether the changes were already taking place earlier (e.g., see W. Collins 2001b; Donohue and Heckman 1991; Leonard 1984a, 1984b, 1989, 1990; Smith and Welch 1984, 1986). This line of reasoning potentially obfuscates the mechanisms of change. Previous research suffers from three central problems. First, understanding change is limited by the assumption that the Civil Rights Act was the only significant piece of anti-discrimination legislation since reconstruction. Therefore, researchers tend to assume that all change that has transpired since the passage of the Civil Rights Act must be the result of Title VII. This ignores the fact that federal and state level anti-discrimination laws and mandates existed for quite sometime prior to the passage of the Civil Rights Act of 1964. In addition, overlooking these previous laws leads some researchers to

conclude that the Civil Rights Act did not produce change since progress was taking place well before the passage of the Civil Rights Act of 1964.

A second problem is the way in which laws are treated by this line of research. Laws, once implemented, are treated as and assumed to be constants. Laws in themselves, however, do very little. As Mbatia (1978: 259) stated, "... a law without enforcement is no law at all." It is the uncertainty that these laws introduce and their enforcement that promote change and regulatory enforcement is an inherently politically mediated process. Thus, the effects of laws on organizational (in)action are politically contingent.

Third, research often assumes that organizations only respond to direct coercive pressures. In this scenario organizations subject to additional federal pressures, such as federal contractors, are more likely to comply with equal opportunity law and mandates. This view suggests that organizations are rationally responding to the threat of losing a contract (monetary loss). Organizations, however, are as likely to respond to environmental uncertainty emanating from ambiguous state and federal mandates as they are to direct coercive pressures. Following various strands of organizational theory, my sense is that after the creation of laws, leader organizations seek to define the field of EEO/AA compliance to stabilize the regulatory environment. After a legitimate form of compliance emerges, other firms mimic this form and the number of adopters increases. The regulatory environment then reaches stability as policies, programs and offices that demonstrate regulatory compliance diffuse across organizations. For change to continue, enforcement of EEO laws must be strong, or new uncertainty must enter the regulatory environment. I suspect that lawsuits may be

one form of continuous uncertainty, exerting effects that are both direct and diffuse, operating in some organizational environments (e.g., see Skaggs (2002) examination of the food-retail industry).

While the Civil Rights Act of 1964 was important for improving equal employment opportunities for women and racial minorities (Bound and Freeman 1989; Donohue and Heckman; Leonard 1989), it was not the only significant anti-discrimination mandate since reconstruction. A series of federal mandates and state level laws emerged starting in the 1940s providing employment opportunities for Blacks, primarily Black men. Women, on the other hand, received scant attention in anti-discrimination movements and legislation until the passage of the Equal Pay Act of 1963, which stated that women and men working in the same job should receive the same pay. While an Equal Rights Amendment (ERA) was proposed to congress as early as 1923, no legislation ever came about granting women equal opportunity, and employment discrimination against women, with the exception of pay, remained for the most part legal everywhere until the passage of the Civil Rights Act of 1964. Blankenship (1993) argues that the U.S. government has taken a bifurcated approach to the development and implementation of race and sex civil rights advancement in U.S. workplaces, with equal opportunity measures designed for racial minorities and equal pay policies targeted at women.

The primary goal of most early legislation was to provide increasing employment opportunities for racial and ethnic minority men (Blankenship 1993). Early legislative efforts arose in the 1940s in response to social movements and continued through the 1970s (McAdam 1982; Piven and Cloward 1977). The political

pressures exerted by these movements led the Federal government to develop and implement anti-discrimination legislation and enforcement, not necessarily to improve the opportunities or quality of life for racial minorities, but as an appeal to mollify dissent (Burstein 1979, 1985, 1999; Dahl 1967; Morris 1984, 1999) and control the public image of the U.S. abroad (McAdam 1982; Piven and Cloward 1977; Sitkoff 1993; especially see Skrentny (1998) for a detailed theoretical and historical discussion). The importance of political environments for changes in race and sex inequality is illustrated in the follow section through an historical overview of social movements, early federal and state anti-discrimination legislation, court rulings, the economy and political environment since the 1940s.

3.2 Anti-Discrimination Policies and Political Environments, 1941-1963

In January of 1941, Civil Rights leader A. Phillip Randolph began organizing a movement to pressure President Franklin D. Roosevelt for Federal intervention in Black employment opportunities, especially within federal contractor firms in the defense industry, as well as the integration of the armed services. After it appeared that the President was not going to get involved in legislating employment equality for African Americans, Randolph organized a mass march on Washington to take place on July 1, 1941 if the president failed to create an anti-discrimination policy for the defense industry (Garfinkel 1969; Kesselman 1948; Reed 1980). The Roosevelt administration made numerous unsuccessful attempts to stop the march well into June, but finally, on June 25, 1941, days before the march was to take place, Roosevelt issued Executive Order 8802, which restricted employment discrimination on the basis of race and

religion, but not sex, in federal government and in firms and unions with government contracts.

This order created the Fair Employment Practice Committee (FEPC), which was overseen by the War Manpower Commission (WMC). This temporary federal agency was charged with receiving and processing discrimination complaints and overseeing compliance by federal agencies and defense contractors. Some scholars note the inability of the commission to create positive change due to the politics of the WMC, as well as the federal politics surrounding the FEPC (Brazeal 1951; Ruchames 1953; Reed 1980). For instance, Reed notes that the organization was chiefly concerned with “production for the war effort, indifferent and sometimes hostile to the problems of job discrimination” (1980: 44). In the first few years, the committee held little power and received little political support – materially or rhetorically.

The organization became more important in advancing employment opportunities after its reorganization in 1943 under Executive Order 9346. Under this change, the organization was reconfigured as an independent agency. It was removed from the WMC’s control and placed under the control of the executive office of the president. Several historians note the increased capacity and efficiency of the organization after 1943 resulting from improvements in financial resource allocation, which allowed the organization to set up regional offices across the country. This greatly enhanced the FEPC’s ability to monitor and investigate organizations, especially federal agencies. The federal agencies, while far from willingly compliant,

were more responsive than private sector government contractors.⁹ This is a function of inter-organizational relations. For example, if a federal agency did not respond to the FEPC's demands, the FEPC could go to higher levels of the federal agency. In effect, bureaucratic politics was more effective than environmental pressure. For defense contractors, the FEPC's only recourse was to go to the War Manpower Commission (WMC). While the WMC formally agreed with the FEPC to fully enforce non-discrimination in the defense industry, they remained concerned with wartime production and were "generally unsympathetic toward racial problems," and "they often became adversaries rather than agents of FEPC" (Reed 1980: 47). Norgren and Hill (1964) claim that the organization was ineffective since it was charged with accepting and processing claims of discrimination and lacked the power to bring charges or investigate claims; however, other researchers find that even with these weaknesses the FEPC was not totally ineffectual; some positive changes were taking place (Ruchames 1953).

⁹ It is interesting to note that one of the methods of gaining compliance from private sector federal contracting firms was public embarrassment (Reed 1980). This was somewhat helpful for pressuring organizations to modify their pre-existing patterns of discriminatory behavior. Organizational theory suggests that organizations are responsive to internal and external constituencies in order to maintain social legitimacy. For instance, new institutionalism claims that organizations strive to maintain "social as well as economic fitness" (DiMaggio and Powell 1983: 150) and population ecologists see organizations as seeking social legitimacy in order to maintain or increase resources to ensue survival. For these organizations, however, the social legitimacy imperative did not lead organizations to desire a positive public image, in which they were cast as a fair employer, as it might be today, but rather they were avoiding a negative public image where they might be accused of impeding the war effort – unpatriotic. The general public was not concerned with racial equality, they were, however, concerned with companies that might hold up war production.

In 1945 the war was coming to an end. The Japanese had not yet surrendered, but wartime production was slowing and defense contracts were being reduced. As the wartime economy waned and African Americans were no longer needed for production, FEPC halted compliance checks. At the close of the war, the FEPC was “practically powerless because of attacks from Southerners in Congress, dwindling funds, and depleted staff, all of which made the regional offices little more than bookkeeping operations from the end of the war until the summer of 1946 when FEPC went out of existence” (Reed 1980: 50). Congress never wholly supported Roosevelt’s executive order creating the FEPC. Vehement opposition to the FEPC in congress since the agency’s creation¹⁰ and a lack of support among the vast majority of whites ensured the programs demise in 1946.

The issuance of Executive Order 8802 was not based on the benevolence of the Roosevelt administration, nor reflective of public opinion. The Roosevelt administration tried to avoid politics around race by initially ignoring pressures from social movements and subsequently trying to circumvent Randolph’s march on Washington. The order was issued as a direct response to political pressures within a wartime economy. Roosevelt did not integrate the military as Randolph had hoped, citing that his military advisors felt it would impede the war effort, but he was willing

¹⁰ Political struggle ensued within congress each year as the budget for the agency was proposed, which led to reductions in the budget needed for the organization to function. A series of struggles and political maneuvers led to a final budget appropriation in 1945 that was ½ of the allocated budget from the previous year. Congress also outlined time lines for the program’s dissolution and specific conditions under which the organization could receive funding. Brazeal (1951: 379) notes that congress “specifically voted that FEPC could not receive money from other agencies whose jurisdiction in part enabled them to combat discrimination. Not being able to get money FEPC finally collapsed.”

to make concessions to social movement organizations by increasing employment opportunities for racial minorities in a time of war. Therefore, some of the initial 20th century progress in African American employment opportunities was the result of conventional political processes, but it was the intersection of the economic and political pressures that promoted the policy change. William J. Collins (2001b) remarks that the FEPC “would probably have been *politically unsustainable* were it not for the imperatives of the wartime economy” (:273 emphasis added). The FEPC clearly lacked power. It did not bring about the eradication of racial discrimination in federal agencies or among defense contractors. It did, however, create some initial changes in employment opportunities.

Franklin D. Roosevelt passed away on April 12, 1945 relinquishing the presidency to his vice president, Harry S. Truman. Some civil rights advances did transpire during Truman’s presidency (1945-1953). On July 26, 1948, Truman issued Executive Order 9981 which called for the gradual integration of the U.S. military. Although, this was initially one of the demands from Randolph’s March on Washington Movement in 1941, it was seven years later before the military was instructed to end segregation and it was not until September 30, 1954 that the last all Black military unit was dismantled. Historian Harvard Sitkoff discusses Truman’s precarious position trying to balance a positive stance on civil rights issues without losing his democratic base in the South. According to Sitkoff (1971: 599):

Truman at first hesitated to do anything that would offend the southern whites in his party. It appears he hoped liberal gestures would compensate for the lack of action. He publicly supported a permanent Fair Employment Practice Committee in 1945 when it had little chance of passage, but he failed to battle for appropriations for the temporary committee created by Roosevelt.

The Dwight D. Eisenhower administration (1953-1961) witnessed many challenges to the racial status quo in the United States. For instance, The Supreme Courts ruling on *Brown v. Board of Education* (1954) as well as Rosa Parks refusal to give up her seat on a bus to a white man (1954) leading to the Montgomery Bus Boycott, which lasted for over a year.

The previous administration issued an Executive Order calling for the desegregation of the U.S. military, however, it was largely voluntary, and the sluggish rate of integration led Eisenhower to reiterate Truman's call to desegregate the military (E.O. 9981). Many researchers claim that this was a symbolic move to improve the negative civil rights image of the U.S. in Europe, Russia and Africa (McAdam 1982; Morris 1984; Piven and Cloward 1977; Skrentny 1999).

During this time the landmark *Brown v. Board of Education* (1954) case was decided by the Supreme Court, in which the court ruled that the segregation of children on the basis of race was unconstitutional in public schools. This ruling was not accepted everywhere. On September 2, 1957, the day before the start of a new school year, Arkansas Governor Orval Faubus publicly announced that Central High School, a previously all white school located in Little Rock, would not allow African Americans to enter, and that white students were not to enter Horace Mann, the previously all Black high school. He called in the Arkansas National Guard to keep nine African American students from entering Central High. Faubus stated that "blood would run in the streets" if the African American students tried to enter Central High.

On September 20, Faubus removed the National Guard troops after an order by a Federal Judge, and replaced them with Little Rock police officers who continued to deny the African American students access to the school. On September 25, 1957 Eisenhower sent in 1,000 Army troops to desegregate Central High. This event captured not only the attention of the U.S. public, but the world. In an internationally public speech broadcast on television and radio on September 24th, 1957, Eisenhower commented on the situation in Little Rock:

In the South, as elsewhere, citizens are keenly aware of the tremendous disservice that has been done to the people of Arkansas in the eyes of the nation, and that has been done to the nation in the eyes of the world.

At a time when we face grave situations abroad because of the hatred that Communism bears toward a system of government based on human rights, it would be difficult to exaggerate the harm that is being done to the prestige and influence, and indeed to the safety, of our nation and the world.

Our enemies are gloating over this incident and using it everywhere to misrepresent our whole nation. We are portrayed as a violator of those standards of conduct, which the peoples of the world united to proclaim in the Charter of the United Nations. There they affirmed faith in fundamental human rights and in the dignity and worth of the human person, and they did so without distinction as to race, sex, language or religion (Eisenhower 1957).

Several scholars have noted the federal government's need to control its international image was as important as social movements for bringing about civil rights inspired progress (McAdam 1982; Morris 1999; Piven and Cloward 1977; Sitkoff 1993; Skrentny 1998). Change is likely due to a combined set of social conditions, not simply social movements or public opinion. It is my sense that movements alone are ineffective, it is the context or political opportunity structure in which they are embedded which makes them successful or not. Morris claims that

the politics of the Cold War was an additional factor making Black protest a viable option. The United States and the Soviet Union were locked in an intense battle to win over newly independent Third World countries, especially those in

Africa. The issue of American racism was an impediment to an American foreign policy bent on persuading African nations to align themselves with America. Racism and democracy were opposing ideologies, and Black leaders were aware that America's treatment of Blacks could be a stumbling block in America's quest to become the major superpower. Wide-scale Black protest, therefore, stood a good chance of exposing the contradiction between racism and democracy (1999: 522).

In another example, Burk (1984) examines the Eisenhower presidency and civil rights and claims that Eisenhower was quite reluctant to take a strong stand on civil rights issues and that the majority of his actions were symbolic and largely in the interest of fighting communism. Skrentny (1998: 249) notes,

Since the armed services had an international presence, military integration was an early focus of concern. The use of integrated forces in the Korean War could make Soviet propaganda unconvincing. Defense Department officials considered integrated forces to be a symbol to the world of democracy in action.

In 1961 President Kennedy issued Executive Order 10925, which was more expansive in scope than Roosevelt's EO 8802. It required all government contractors to take "affirmative action" in hiring and promoting racial minorities. Its enactment and enforcement along with the previous attempts to integrate various aspects of society may provide additional pieces of the racial integration story taking place prior to the Civil Rights Act of 1964. Previous research that negates the importance of the Civil Rights Act of 1964 due to significant changes in racial employment relations prior to 1964 fail to consider the politics that took place earlier in time. Another political factor further contributing to organizational uncertainty was the political elites' promulgation of patriotism and an anti-communist ideology. It is likely that organizations began experimenting with compliance during these early years due to the introduction of uncertainty into the organizational environment resulting from dramatic events,

political rhetoric and ambiguous meanings of “affirmative action” and regulatory compliance.

Another key piece of legislation passed just prior to 1964, was the Equal Pay Act of 1963,¹¹ which applied to sex inequality. The core component of the law was about paying for work equally regardless of sex, specifically compensating men and women equally in the same job with comparable skills, experience, etc., but not equal employment opportunity (access to jobs).

Businesses were for the most part not interested in the passage of an equal pay law since they felt that there are legitimate reasons for pay differentials and the federal government should not be involved in capitalist labor markets; Organized labor, however, felt that an equal pay bill would provide job security, since women would not be able to undercut male wages (see Blankenship 1993 for discussion). Interestingly, the law passed with exemption clauses, which business wanted, and so did not apply to a host of industries and occupations. The original act “exempted employers in agriculture, hotels, motels, restaurants and laundries, as well as professional, managerial, and administrative personnel, outside sales workers and private household

¹¹ The Equal Pay Act (1963), 77 Stat. 56, 3, 29 U.S.C. 206 (d) (1), states that, "no employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex: Provided, that an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee."

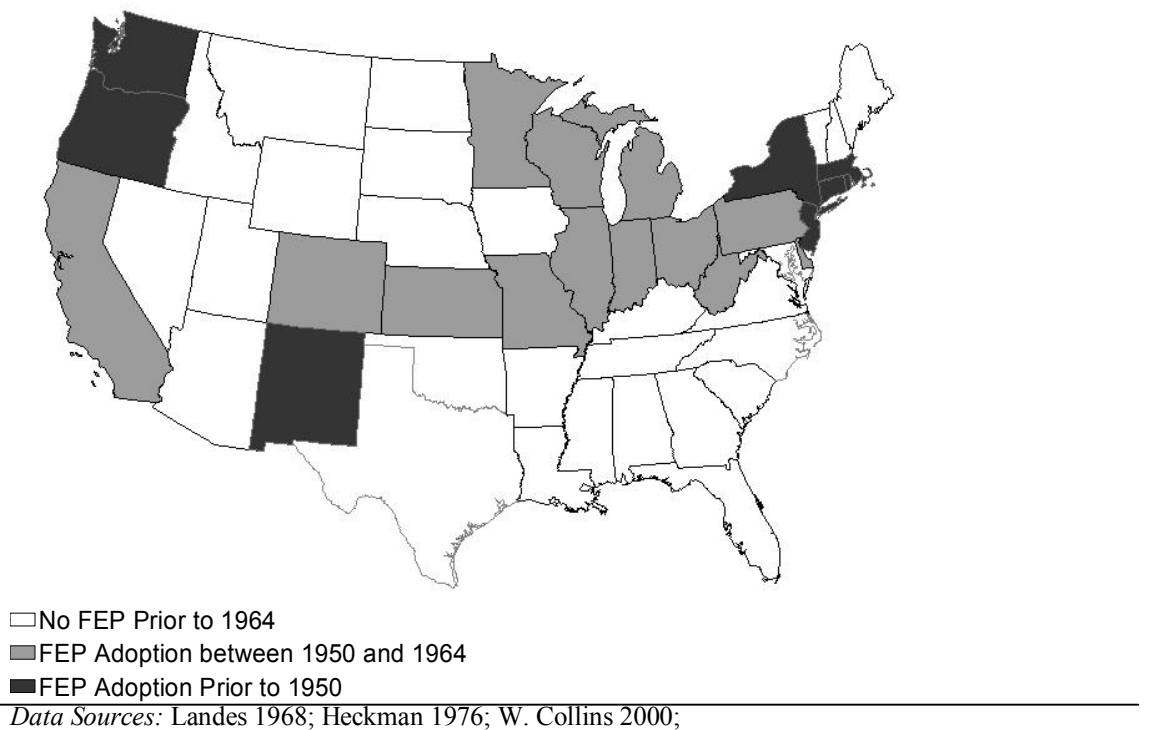
workers” (Blankenship 1993: 215). The occupational exemptions were removed when the law was amended in 1972. Blankenship (1993) suggests that due to the widespread sex segregation of industries and occupations in the 1960s, the law only provided protections to about two-thirds of white women and between one-third and one-fourth of women of color. These estimates, however, are based on aggregate occupation and industry data – not job level data. The act only applied to workers in the same job and since the jobs were almost totally segregated by sex during the 1960s (Bielby and Baron 1986), in actuality the act probably covered less than seven percent of white women and between two and four percent of women of color in the 1960s.

In addition to early Federal efforts by the executive branch, many states acted to reduce racial workplace inequality by implementing enforceable EEO laws, called Fair Employment Practice (FEP) laws, prior to the passage of the Civil Rights Act of 1964 (Chay 1998; W. Collins 2000, 2001a; Heckman 1976; Landes, 1968; Moreno 1997). Nearly half of all U.S. states enacted enforceable laws restricting racial discrimination in employment opportunities prior to the implementation of Title VII (Figure 3.1). In 1964 these state level laws provided legal protections to four out of ten African Americans in the U.S. and nearly all African Americans living outside of the South (W. Collins 2001a; Moreno 1997).

With few exceptions (see W. Collins 2001a; Heckman 1976; Landes 1968), previous research emphasizes the effects of Federal Civil Rights legislation while ignoring the reality that, in addition to federal mandates, many states enacted enforceable laws restricting racial discrimination prior to the passage of Title VII. These articles devote their attention to the 1940 to 1960 pre-civil rights period and find

that states with FEP laws provide greater employment, wage and occupational opportunities to African Americans than states without such laws (W. Collins 2001a; Heckman 1976; Landes 1968).

Figure 3.1. Fair Employment Practice Laws and their Adoption 1945 to 1964



The underlying premise for each of these articles is that individual employers discriminate, either in the “taste” for discrimination or statistical discrimination traditions. These articles center on the effectiveness of FEP laws, however, they make the same mistake as the research addressing the effects of Federal legislation. They conceptualize the South as the last bastion of racism, thus the South is inherently more

discriminatory than the North, and therefore, Federal legislation came about to change the South.

This research will reconsider this conceptual approach to understanding regional effects on racial inequality. Research typically portrays the South as an exemplar of a region with high levels of racial discrimination, but this conceptualization potentially obscures the institutional bases that maintain racial inequality. Specifically, I seek to uncover the influences of pre-civil rights state policies outlawing discrimination on Black-White inequality in the U.S. after the Civil Rights Act. Previous research concluding that discrimination was higher in the South than the non-South missed an important political reality – that anti-discrimination politics were unfolding differently across places.

An obvious objection to this claim is that states with more favorable public opinion toward racial equality will adopt legislation more rapidly than states where public opinion is less hospitable to racial equality (Burstein 1985, 1998; Page and Shapiro 1983); therefore, public opinion research becomes central to understanding the historical changes in African American employment opportunities in the U.S. There is, in fact, tremendous support for the effects of public opinion on a variety of public policy issues. The evidence appears so clear that in a recent review and analysis of previous research examining this relationship, Burstein (2003: 36) claims that “public opinion affects policy three-quarters of the times its impact is gauged.” There is, however, compelling evidence suggesting that the enactment of specific types of laws and policies may not reflect public sentiment (see Burstein (2003) or Manza and Cook (2002)). Moreover, some research suggests that the relationship between public opinion

toward racial equality and the adoption of Civil Rights policy is tenuous at best (W. Collins 2001a; Santoro 2002).

Santoro (2002) finds no relationship between public opinion and the passage of Civil Rights legislation before 1964. Instead, initial legislation passed due to “dramatic events” that were not tied to public opinion. His results indicate that initial Civil Rights legislation passes, often without public support; however, there is a relationship between public opinion and the passage of later legislation. This perspective is congruent with a vast literature that suggests that whites are likely to support the idea of racial equality in principle; however, they are unlikely to support the necessary policies and measures that would bring it about (Bobo 1998; Bobo and Smith 1994, 1998; Bobo, Kleugel and Smith 1997; Schuman, Steeh, Bobo and Krysan 1997; Steeh and Krysan 1996; Wellman 1993). If this is the case, even if opinion polls show support for equal employment opportunity, change in law or other policy may not reflect these attitudes. It is my position that attitudinal research informs our perceptions of differences in normative environments across place, but is likely to tell us very little about the institutions that maintain and reproduce sex and racial inequality.

My sense is that the implementation of regulatory mandates and laws exerts significant effects on equal employment opportunities because they introduce uncertainty into the organizational environment and laws also produce change, however modest, in the cultural/normative and organizational environment over time (Edelman, 1990). Structural shifts require cultural adaptation, a need to make the seemingly irrational appear rational; however, the path of adaptation to these changes and their effects on inequality are historically contingent. The more ambiguous laws are, the

more unpredictable the cultural shift, since actors at various levels are seeking to stabilize their *institutional fields* by imposing meanings and limits on regulatory law. Hence the implementation of Civil Rights laws, even before the creation of regulatory institutions, exerts a significant impact on racial integration; not due to an organizations' desire to comply with government mandates, but because organizations seek to anticipate and capture the regulatory process so that these laws are not overly intrusive on routine employment practices.

3.3 The Civil Rights Act of 1964 and Subsequent Legislation

The passage of the Civil Rights Act of 1964 extended access to accommodations, voting, education and employment to previously excluded groups. Title VII of this act created The Equal Employment Opportunity Commission (EEOC) to monitor and enforce EEO law in private sector firms. Shortly thereafter, the Johnson administration issued Executive Order 11246, which established the Office of Federal Contract Compliance (OFCC later OFCCP, Office of Federal Contract Compliance Programs) to monitor and enforce equal opportunity in firms with federal government contracts. This order required federal contractors to “take affirmative action” in the hiring and promotion of racial minorities. Affirmative Action for women, however, was not added to the Executive Order until 1967.

In 1968, the OFCCP began requiring government contractors and subcontractors with a federal contract of \$50,000 or more, and 50 or more employees to develop and maintain annual affirmative action reports with employment goals, plans, time tables and progress reports for achievement. Although affirmative action reports are held

within the files of the firm, the OFCCP can conduct compliance reviews on any federal contractor. Contracting firms face penalties for non-compliance, including loss of federal contracts and possible debarment from future federal contracts. Past research suggests that federal contractors are particularly responsive to EEO/AA laws, especially those who experience compliance reviews (Leonard, 1984a, 1984b).

The EEOC was created as an independent regulatory agency; however, much like the FEPC created in the early 1940s, its policies and enforcement philosophy are directly subject to political manipulation. Political institutions have historically played a pivotal role in the capacity of regulatory agencies to monitor and enforce legislation. For the EEOC this control comes in the form of budget allocations and presidential appointments. Changing presidential administrations and their support or lack thereof for EEO/AA law deeply influence the effectiveness of EEO/AA enforcement since the top administrators dictating the organization's enforcement and litigation philosophies are presidential appointees (Boris and Honey 1988; Wood 1990). Historically, the appointees' enforcement philosophies mirror the presidential administration's position on EEO/AA law. Political elites have had the power to directly manipulate the structural, and therefore ideological, position of these organizations since they influence the direction of EEO/AA enforcement, which in turn allows for the manipulation of public opinion.

Presidential administrations, Congress, and the Supreme Court provided differing support for Civil Rights legislation and enforcement throughout the 20th century (Amaker 1988; Blankenship 1993; Bryner 1981; Costain and Majstorovic 1994; Shull 1999; Tucker 2000; Wasby 1993). African Americans' civil rights advancement

emerged from the executive and judicial branches from the 1940s through the early 1960s, and then through legislative action in the mid- to late-1960s. These gains slowed dramatically in the decades that followed. For women, political visibility remained high from the late 1960s through the present. Though most pronounced in the 1970s when the women's movement was most active and visible. Public and political debate surrounding women and work continued into the 1990s. Specifically, issues of pregnancy discrimination in the late 1970s and into the 1980s, comparable worth policies in the 1980s, sexual harassment in the 1980s and 1990s and "sex-neutral" family leave policies throughout the 1990s. In this section, I provide a review of the historical record concerning politics and sex and race workplace inequality in the post-civil rights era.

Political Parties and the Politics of Race and Sex in the Post-1963 Period

Historically, the Republican Party was more supportive of civil rights than the Democratic Party. The series of protests and events occurring from the 1940s through 1960 led to a rough convergence of republican and democratic ideologies concerning civil rights issues. Race issues were a centerpiece of the 1960 presidential race between John F. Kennedy and Richard M. Nixon, both candidates espoused positive rhetoric concerning the advancement of civil rights in the U.S. The 1964 election, however, was a defining moment in history for understanding the relationship between political parties and support for civil rights (Carmines and Stimson 1989). Johnson maintained his pro-civil rights rhetoric and publicly asserted that the federal government should intervene in matters of racial inequality, such as the desegregation of public schools.

His opponent Barry Goldwater disavowed the use of federal force for such ends. As a congressman (Az) he voted against the Civil Rights Act of 1964 stating that the act violated the appropriate reach of the federal government. He pursued a staunch states' rights approach to civil rights issues, which gained him a large following in the South and led to a gradual shift in southern politics over time away from the Democratic Party and toward the Republican Party. This began a strong shift in the ideological position of the Republicans – the ushering in of a neo-conservative era for the party. Goldwater was, at the time, too conservative for most Americans and Johnson would win the election taking over 60% of the popular vote.

During the Johnson presidency (1963-1969), the Executive and Legislative branches of government maintained a strong commitment to Civil Rights advancement, spurring the most active round of legislative activity in history. A host of legislation and executive orders were passed and issued concerning civil, voting and housing rights for African Americans (e.g., the Civil Rights Act of 1964, Voting Rights Act of 1965, and the Fair Housing Act of 1968). Most notably the passage of the Civil Rights Act of 1964 outlawed discrimination on the basis of race, color, religion, sex and national origin in hiring, promotion, and compensation practices. Interestingly, the inclusion of sex as an illegal basis for employment discrimination was not intended to extend rights to women, but rather a tactic employed by southern democrats to thwart the passage of the Civil Rights Act (Blankenship 1993; Bryner 1981; Burstein 1985; Deitch 1993). Historical accounts document that the suggestion to include “women” as a protected category into proposed legislation invoked laughter from members of Congress (Deitch 1993). Since supporters and opponents of the initial legislation were not supportive of

the inclusion of “sex” into the law, opponents could attempt to prevent the passage of the law by including sex into the proposed legislation, and claiming that without including sex, “white, Christian women would be treated unfairly” (Deitch 1993:190). Others note that the opponents of the act were concerned that the addition of sex to the act “would have far reaching implications for the place of women in society” (Morris 1999: 528). This line of reasoning in congress follows the stance of early labor protective labor legislation, which placed restrictions on women’s working conditions.

The inclusion of women into the Civil Rights Act of 1964 provided the necessary requisites for a Women’s movement that would emerge and flourish during the 1970s. The unintended consequences of their addition to the act provided the political context, or opportunity structure, which allowed them to make legitimate claims on a variety of equality issues. In addition, the African American civil rights movement provided the blueprint for future movements. Several scholars have noted that without the initial civil rights movement, the anti-war movement, women’s rights movement and environmental movement may not have occurred (Gamson 1992; Morris 1999; Morris and Herring 1987).

The responsibility of EEO/AA enforcement during this time fell to over twenty different federal agencies, although the EEOC and OFCCP were the primary regulatory agencies. These agencies often had overlapping regulatory functions, but interestingly, they also had different views on compliance and signals of EEO violations. Bryner (1981) notes that employer behavior could be deemed compliant by the EEOC and non-compliant by the OFCCP during these early years, which is likely to yield a high level of uncertainty among EEOC reporting organizations.

The women's movement re-emerged during this time. With the new protections afforded in the Civil Rights Act of 1964 and the Equal Pay Act of 1963, supporters of gender equality were poised for progressive change. Many women's rights groups emerged (e.g., the National Organization for Women (NOW) developed specifically to pursue the passage of the ERA) for the purpose of acting collectively to achieve gender equality on a variety of social, political and economic dimensions. While discrimination on the basis of sex was now illegal, women were not the intended targets of the initial legislation and enforcement, which was largely directed toward increasing opportunities for minority men. The women's movement would develop greater capacity to make change in the 1970s.

In the 1968 presidential election the position of political parties on civil rights for African Americans became increasingly polarized. President Johnson's waning popularity for his treatment of the Vietnam War led him to not seek re-election in 1968. The Democratic Party was bitterly divided on a variety of issues including the war and civil rights. Vice President Hubert Humphrey, a long-time civil rights advocate, was nominated as the Democratic presidential candidate at the democratic national convention in Chicago amid war protests, which were suppressed with force, injuring both protestors and police officers. The Democrats were increasingly blamed for the situation in Vietnam and the republican candidate, Richard M. Nixon, would win the election with promises to end the war and reduce support for many civil rights measures developed during the Johnson administration. Staunch segregationist and former governor of Alabama, George Wallace, ran as an independent in the presidential race. His strong views against civil rights measures gained him support from many Southern

whites, who traditionally voted Democrat, but connected with Wallace's view on states rights. He received over 13% of the popular vote and won in five Southern states. Nixon's successful election was due, in part, to Wallace's ability to take away democratic votes from Humphrey in the South.

During the 1968 presidential campaign, Nixon was less supportive of civil rights issues than he had expressed in the 1960 presidential race. He appeared to show some positive views toward the principle of civil rights, especially in the economic domain, but openly denounced the use of some federal programs to eliminate racial inequality (e.g., busing). Even more revealing of the conservative turn in the Republican Party was Nixon's "Southern Strategy" where he realized that if he focused on getting the votes of conservative southern whites who historically voted Democrat, he could concede the Black vote altogether, especially if he could appeal to and harness the growing "white backlash"¹² to African American gains from Civil Rights legislation. According to Sitkoff (1993: 212) "Nixon rode the backlash into the White House."

¹² The term "backlash," which Webster's dictionary defined as "a snarl in that part of a fishing line wound on the reel," carried no *political* meaning until the 1964 U.S. presidential election. The term became widespread, primarily in the popular press, appearing in articles focusing on the presidential campaigns of two candidates – Barry Goldwater and George Wallace. Stern (1956) finds that the term appears in various forms that appear to be interchangeable – *backlash*, *white backlash* and *civil rights backlash*. A 1964 article appearing in a popular magazine described the term this way: "‘This Thing’ was the now famous backlash, a word long used by sports fishermen. The angler casts his lure, watches it fly in a silver arc across the water. Suddenly the lure stops and whips backward toward the fisherman, while a snarl of line fouls his reel... The sun might set and the first platoon of mosquitoes attack his flesh while he struggled, in frustrated fury, to untangle his line. The backlash had ruined his day... Transferred to the world of politics, the white backlash aptly describes the resentment of many white Americans to the speed of the great Negro revolution, which has been gathering momentum since the first rash of sit-ins in early 1960" Knebel (1964: 34, 36; as cited in Stern (1965)).

Nixon focused on framing the election around the war in Vietnam, civil rights issues, and crime. Specifically, Nixon sought to capitalize on the rhetoric of equal opportunity, while invoking the image of African Americans, not as peaceful protestors being attacked by police, which may have led to positive sentiment toward racial equality among whites in the early 1960s, but rather Nixon painted a portrait of African Americans as undeserving and unappreciative of the changes wrought by federal legislation. The framing of the increasingly visible Black urban riots by the media and the Nixon campaign are likely to have had a negative impact on whites' perceptions of racial equality. In his acceptance speech of the Republican nomination for president Nixon stated,

As we look at America, we see cities enveloped in smoke and flame. We hear sirens in the night. We see Americans dying on distant battlefields abroad. We see Americans hating each other; fighting each other; killing each other at home.

And as we see and hear these things, millions of Americans cry out in anguish: Did we come all this way for this? Did American boys die in Normandy and Korea and in Valley Forge for this? Listen to the answers to those questions.

It is another voice, it is a quiet voice in the tumult of the shouting. It is the voice of the great majority of Americans, the forgotten Americans, the non shouters, the non demonstrators. They're not racists or sick; they're not guilty of the crime that plagues the land; they are Black, they are white; they're native born and foreign born; they're young and they're old... They're good people. They're decent people; they work and they save and they pay their taxes and they care (Nixon 1968)

During this period we also witness a shift in how politicians begin to more subtly attack previous civil rights legislation. This sets the stage for the continuing ideological polarization between Democrats and Republicans in the United States; an issue that would be pursued as color conscious among Democrats and color-blind by Republicans. This is evident in Nixon's rebuke of color-conscious programs and

policies, which was well received by many white Americans. In his Republican acceptance, he asserted,

Black Americans - no more than white Americans - do not want more Government programs which perpetuate dependency. They don't want to be a colony in a nation. They want the pride and the self-respect and the dignity that can only come if they have an equal chance to own their own homes, to own their own businesses, to be managers and executives as well as workers, to have a piece of the action in the exciting ventures of private enterprise.

I pledge to you tonight that we shall have new programs which will provide that equal chance. We make great history tonight. We do not fire a shot heard round the world, but we shall light the lamp of hope in millions of homes across this world in which there is no hope today (Nixon 1968).

After entering office Nixon began to seek the support from the Southerners who voted for Wallace in an attempt to gain reelection in 1972 by opposing many civil rights measures, such as busing, as well as trying to “defeat the fair housing enforcement program and the extension to the voting rights act of 1965” (Sitkoff 1993: 213). Nixon did support some measures that would aid in providing access to skilled jobs for African American men in the construction industry. For example, the “Philadelphia Plan” (1969) called for the use of quota system to ensure access to trade unions for Black males in OFCCP reporting firms. The goal was to break down the rigid barriers guarding access to more skilled and therefore, higher compensated jobs and occupations.

During this time the *Griggs v. Duke Power* (1971) case was an important advance for workplace equality. In this case, the Supreme Court maintained that employers could be held responsible for unintentional, as well as intentional discrimination. Under this ruling, the Court maintained that employers were liable for

policies, practices and procedures that lead to differential outcomes (*disparate impact*) for different status groups whether intentional discrimination is implicated or not.

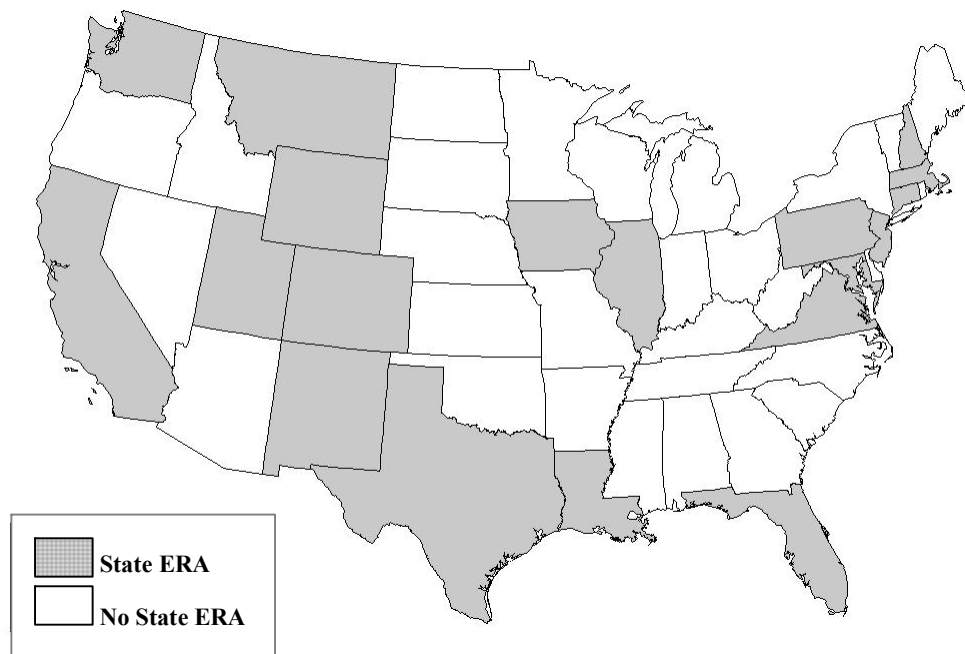
Nixon supported and signed the Equal Employment Opportunity Act of 1972, which provided additional provisions to strengthen the capacity of civil rights enforcement agencies, such as the EEOC and OFCCP, to monitor and enforce title VII. The EEOC gained the power to bring lawsuits against employers, whereas prior to 1972 the organization could only receive and process complaints. The 1972 presidential election was easily taken by Nixon with over 60% of the popular vote and all electoral votes except for Massachusetts and the District of Columbia. His challenger, Democratic nominee George McGovern's campaign was too liberal for the mounting Republicanism in the South. Nixon continued his Southern strategy campaign and it paid off in the 1972 election. After Nixon's resignation in 1974, Vice President Gerald Ford took office. The Ford Administration maintained similar positions on civil rights as Nixon through the remainder of the term.

The Women's movement became increasingly active during the early 1970s, especially concerning the proposal of an Equal Rights Amendment (ERA). The national amendment would guarantee sex equality under the law. The ERA, initially introduced in congress in 1923, reemerged as a public issue during the late 1960s and early 1970s – the height of the women's rights movement. Interestingly, it was the Republicans who first supported the ERA followed by the Democrats in the early 1940s, but labor opposed the measure instead favoring protective labor legislation. In addition, just like the opponents of adding "sex" to the civil rights act of 1964, some politicians felt that the amendment would have negative effects on women in society.

Congress passed the ERA in 1972 with support from congress and labor unions (most notably the UAW and AFL-CIO) and sent it to the states for ratification. The passage of the ERA required ratification by 38 states. The addition of an equal rights amendment to the U.S. constitution never took place. Many states, however, implemented their own ERAs beginning in the early 1970s.

States with ERA laws in 2003 are shown in Figure 3.2. State data concerning the status and timing of the ratification of the National Equal Rights Amendment and the adoption of state level ERAs are shown in table 3.1.

Figure 3.2 State Level Equal Rights Amendment Laws, 2003.



Data Source: <http://www.house.gov/maloney/issues/era/status.html>. See Table 3.1.

Table 3.1. Ratification of Federal and Adoption of State ERAs

| <u>State</u> | <u>Ratified ERA?</u> | <u>State ERA?</u> | <u>State</u> | <u>Ratified ERA?</u> | <u>State ERA?</u> |
|---------------------|-----------------------------|--------------------------|---------------------|-----------------------------|--------------------------|
| AL | NO | NO | MT | YES,1974 | Yes,1973 |
| AK | YES, 1972 | YES, 1972 | NE | YES, 1972 | NO |
| AZ | NO | NO | NV | NO | NO |
| AR | NO | NO | NH | YES, 1972 | YES, 1975 |
| CA | YES, 1972 | YES, 1879 | NJ | YES, 1972 | YES, 1974 |
| CO | YES, 1972 | YES, 1972 | NM | YES, 1973 | YES, 1973 |
| CT | YES, 1973 | YES, 1974 | NY | YES, 1972 | NO |
| DE | YES, 1972 | NO | NC | NO | NO |
| FL | NO | YES, 1998 | ND | YES, 1975 | NO |
| GA | NO | NO | OH | YES, 1975 | NO |
| HI | YES, 1972 | YES, 1968 | OK | NO | NO |
| ID | YES, 1972 | NO | OR | YES, 1973 | NO |
| IL | NO | YES, 1971 | PA | YES, 1972 | YES, 1971 |
| IN | YES, 1977 | NO | RI | YES, 1972 | NO |
| IA | YES, 1972 | YES, 1998 | SC | NO | NO |
| KS | YES, 1972 | NO | SD | YES, 1973 | NO |
| KY | YES, 1972 | NO | TN | YES, 1972 | NO |
| LA | NO | YES, 1974 | TX | YES, 1972 | YES, 1972 |
| ME | YES, 1974 | NO | UT | NO | YES, 1986 |
| MD | YES, 1972 | YES, 1972 | VT | YES, 1973 | NO |
| MA | YES, 1972 | YES, 1976 | VA | NO | YES, 1971 |
| MI | YES, 1972 | NO | WA | YES, 1973 | YES, 1972 |
| MN | YES, 1973 | NO | WV | YES, 1972 | NO |
| MS | NO | NO | WI | YES, 1972 | NO |
| MO | NO | NO | WY | YES, 1973 | YES, 1980 |

Source: Taken from <http://www.house.gov/maloney/issues/era/status.html>

In the presidential election of 1976, Ford tried to take Nixon's strategy of capturing the conservative white Southern vote.

Given the surge of Republicanism in Dixie, Ford had looked to the South to help him win... but the Democrats foiled him by nominating Jimmy Carter of Georgia... [who] speaking in the rhythm and idiom of African-American Christianity, and stressing his endorsement by Dr. King's family and closest associates, Carter successfully reached out to the newly enfranchised African-Americans in the South (Sitkoff 1993: 214).

Carter narrowly won the election (50.1% of the popular vote compared to Ford's 48%), but he did receive most of the Southern electoral votes. Carter did not attempt to use racial politics to fear and inflame whites like the Nixon and Ford Administrations, and he publicly embraced the ideals of racial equality, however, his record of rhetorical and legislative support for equality measures are mixed. For instance, in his 1976 campaign, he supported the maintenance of racially segregated residential areas, claiming that the government should not try to dissolve "ethnic purity" and that some areas should have the right to remain segregated on the basis of race (Lydon 1976a). He later issued a formal apology, but stated that he would never "use federal force" to desegregate neighborhoods (Lydon 1976b). Carter did not take firm positions on issues such as Affirmative Action or school busing to achieve racial integration, but he did appoint many African Americans to cabinet positions, federal judgeships and as White House aides. Significant changes in the structure of EEO/AA enforcement resulted from President Carter's 1978 reorganization plan, which reduced the number of government organizations responsible for the administration of equal opportunity policies from over twenty organizations to three (Bryner 1981), with the

vast majority of responsibility falling to the EEOC and OFCCP.¹³ This reduced much of the incongruities of EEO enforcement between different regulatory agencies.

A series of conservative Supreme Court interpretations of Title VII, deeming affirmative action to be “reverse discrimination” against whites, were responsible for nurturing a clear ideological shift in the late 1970s, which continued throughout the 1980s (see *Regents of the University of California v. Bakke* 1978). The Republican Party seized upon the further opportunity to antagonize and capture the white vote.

The election of 1980 was a watershed in the conservative movement of the Republican Party. Democratic incumbent Jimmy Carter’s vague politics concerning civil rights and the increasing white resistance toward policies aimed at eradicating racial inequality led to Reagan’s clear victory in the 1980 presidential election. Taking a clear and unambiguous position against busing to achieve integration, affirmative action and welfare, and building on whites’ concerns over “reverse discrimination,” the Reagan-Bush administration was able to fuel the racial fears of whites, specifically white men, and mobilize white voters to win three presidential elections.

Similar to the Republican Party presidential platform of in 1964, the Goldwateresque platform of the Reagan-Bush administration promulgated an openly hostile stance toward Civil Rights issues, especially those addressing issues of racial inequality claiming that the federal government should shift greater responsibilities for governance to the states – the dawning of the new federalism. President Reagan,

¹³ The EEOC and OFCCP become responsible for administering all equal opportunity policies except the enforcement of title VII and EO 11246 for state and local government employees, which remained the responsibility of the Department of Justice.

...opposed the Civil Rights Act of 1964, denouncing it as a “bad piece of legislation,” and the Voting Rights Act of 1965, opining that “the Constitution very specifically reserves control of voting to local governments. Additional legislation is unnecessary” (Omi and Winant, 1994:133).

In addition to the strong rhetorical stance against affirmative action, the Reagan-Bush administration also reduced funding and resources to Civil Rights enforcement agencies (duRivage 1985; Wood 1990). In her study of the OFCCP under the Reagan administration, duRivage (1985) finds that due to budget cuts, personnel was reduced by 52% between 1979 and 1985; compliance reviews fell by over 38% in 1982 alone; and back pay awards were reduced by 77% between 1980 and 1982.

During this time, the Supreme Court ruled more conservatively on Civil Rights cases, due in part, to the many conservative Reagan-Bush appointments to the Supreme Court.¹⁴ In addition, the number of class action lawsuits, which have traditionally been most effective in changing employers’ actions fell from 1,106 in 1975 to just 51 in 1989 (Donohue and Siegalman 1991). This rapid decline is likely to be related to more conservative court rulings. In addition, winning cases against employers became more difficult as the responsibility for proving discrimination shifted from employer to plaintiff.

Ronald Reagan was the first president to openly oppose an Equal Rights Amendment to the U.S. constitution. What was initially an amendment proposed by Republicans in 1923 and officially supported by the Republican Party in 1941, was now becoming central point of difference between the Republican and Democratic parties.

¹⁴ Under Reagan, Nixon nominee Associate Justice Rehnquist was appointed Chief Justice. In addition Reagan appointed Kennedy, Scalia and O’Connor as new Supreme Court Justices. G.H.W. Bush appointed Justices Souter and Thomas to the high court.

Major legislation aimed at eradicating racial inequality essentially stopped in the 1970s and definitely did not pick up under the Reagan administration. However, even with presidential opposition to an ERA, women have made continued legislative gains over time.

A clear divergence around the politics of race and the politics of sex began in the late 1970s. This period gave rise to Supreme Court legitimacy of reverse discrimination claims (see *Regents of the University of California v. Bakke* 1978) and more open racial hostility, but for women new legislation amending Title VII, the 1978 Pregnancy Discrimination Act, made employment discrimination on the basis of pregnancy illegal in U.S. workplaces. The 1978 amendment to Title VII was congress's response to the *General Electric v. Gilbert* (1976) Supreme Court ruling, in which the high court ruled that pregnancy was a legitimate basis for discrimination. The 1978 amendment redefined pregnancy as a temporary disability, and therefore, pregnant women were afforded the same rights as disabled persons.

Throughout the 1980s women continued to make gains. These gains are likely to be the result of the introduction of continued uncertainty into the regulatory and legal environments, especially from the increase in sexual harassment and pregnancy discrimination cases. In 1976 a lower court ruled for the first time that quid pro quo sexual harassment was a violation of title VII (*Williams v. Saxbe*, 413 F. Supp. 654, 657 (D.C. Cir. 1976)). In 1980 the EEOC developed guidelines for sexual harassment (quid pro quo and hostile work environment), and considered it a form of sex discrimination. The Supreme Court did not rule on a sexual harassment case until 1986, when following the lower courts and the EEOC's definition of the conditions under

which sexual harassment violates title VII, the Supreme Court ruled that sexual harassment was a clear violation of title VII regardless of whether an “economic” or “tangible” loss was incurred (see *Meritor Savings Bank v. Vinson* 1986).

In the 1988 presidential election, Vice President George H.W. Bush ran against the democratic governor from Massachusetts, Michael Dukakis. G.H.W. Bush followed his predecessor’s position on most issues and fueled white racial antagonisms with his blatant use of racist imagery in his political advertisements. Nixon’s 1968 campaign made a connection of crime and disorder to race in an effort to enrage whites and win elections, the Bush campaign would employ a similar strategy to win the 1988 election. The Reagan administration had already primed American racist ideology and Bush would capitalize on it. Bush was falling far behind Dukakis in the polls when the “Willie Horton” event became the buzz of political conversation.¹⁵ William J. Horton, Jr. was an African American man who was convicted of murder and serving his sentence in a Massachusetts prison. Horton was released for furlough, but did not return. He was later arrested in Maryland, charged with assault, kidnap and rape of a white couple. The Bush campaign blamed Dukakis for the crime and made sure that the image of Horton was implanted in the minds of Americans. The campaign would later run the “weekend passes” television ads showing prison inmates moving in and out of prison through a revolving door and claiming Dukakis was sending dangerous criminals

¹⁵ According to O’Reilly’s account, Horton was never personally referred to as “Willie.” O’Reilly claims that Lee Atwater, Bush’s campaign strategist, invoked the use of “Willie” to “get more racial mileage.” While the Bush campaign vehemently denied the overt use of racism, some research suggests that the ad brought forth racial prejudice rather than an increased fear of crime (Mendelberg 1997).

back on the streets to commit violent crimes.¹⁶ The Bush campaign denied accusations of racism and claimed that the commercial was about Dukakis's record on crime and had nothing to do with race. Dukakis fell in the polls and Bush would win the election. (For more detail concerning William J. Horton Jr. and the 1988 presidential election see O'Reilly 1995.)

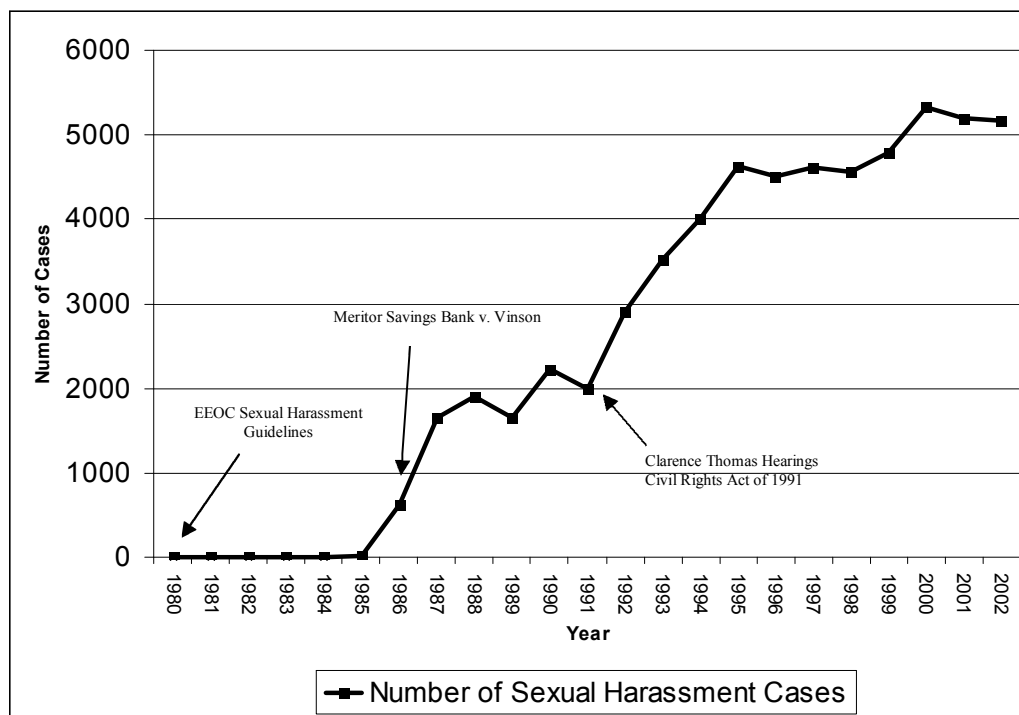
Over a decade after the amendment to Title VII in 1978, Congress remained relatively unsupportive of Civil Rights measures. This changed when Congress proposed the Civil Rights Act of 1990 seeking to override several conservative Supreme Court decisions (e.g., *Wardscove Packing v. Antonio* 1989¹⁷). President G.H.W. Bush vetoed the initial act calling it a quota bill, but the Congress passed the legislation in the following year as the Civil Rights Act of 1991. This Act reinstated many of the rights taken away by the courts in the late 1980s. Contemporaneously, sexual harassment became the centerpiece of the Clarence Thomas's 1991 judicial nomination process. Thomas was accused of sexually harassing Anita Hill when he was in charge of the EEOC and she was an employee. The media coverage elevated public awareness, which coupled with the passage of the Civil Rights Act of 1991 may have led to the increase in the number of sexual harassment cases filed with the EEOC. In Figure 3.3, I display the trends for the total number of sexual harassment cases filed

¹⁶ Campaign television ads from 1952 to 2004 are archived by the American Museum of the Moving Image in a collection entitled: *The Living Room Candidate: Presidential Campaign Commercials 1952-2004*. The Infamous "Weekend Passes" television ad can be found at the following URL: <http://livingroomcandidate.movingimage.us/index.php>

¹⁷ In *Wardscove Packing v. Antonio* (1989) the ruling favored business interests by making it more difficult for a plaintiff to win a case. With this ruling the plaintiff must identify the specific practice, or mechanism, that produced the unequal outcome (disparate impact) not simply rely on numeric justifications.

with the EEOC from the year the EEOC developed guidelines in 1980 to 2002. Once sexual harassment becomes defined as a violation of title VII by the courts and its visibility as a problem increases, it is likely to introduce uncertainty into the regulatory environment as organizations seek to isolate appropriate mechanisms of compliance.

Figure 3.3. Total Number of Sexual Harassment Charges Filed with the EEOC, 1980-2002



Data Source: Equal Employment Opportunity Commission (EEOC). Aggregate charge data are available from the EEOC's Website: <http://www.eeoc.gov/stats/harassment.html>

Figure 3.3 shows few complaints to the EEOC from 1980 until 1986 when the Supreme Court rules that sexual harassment is a violation of title VII in *Meritor Savings Bank v. Vinson* (1986). Sexual harassment complaints to the EEOC rise following the *Meritor* ruling and then level off through 1991. It is likely that the increasing rights granted to plaintiffs as a result of the Civil Rights Act of 1991, the visibility of sexual

harassment in the widely publicized Clarence Thomas hearings, or some combination of the two are responsible for the rapid increase in sexual harassment cases from 1991 to 1995. The trend then levels off and picks up again in the late 1990s, followed by a decline in sexual harassment complaints from 2000 to 2002. This visual depiction suggests periods of uncertainty vary over time and are likely to coincide with changes in workplace inequality.

Compared to the 1988 election, the 1992 presidential election between G.H.W. Bush, William J. Clinton and Ross Perot was fairly void of racial or gender politics. The state of the economy, Bush's raising taxes after pledging not to in his 1988 campaign and loss of conservative votes to independent candidate Ross Perot, all played apart in Clinton's 1992 presidential election.

In 1993, President Clinton entered the presidential office with more supportive race and sex equality rhetoric than the previous administration and signed the Family Medical Leave Act shortly after entering office. This Act required private sector establishments with 50 or more employees within 75 miles of the establishment to offer leave for childbirth, family medical or personal health issues.¹⁸ The act does not require that the employer pay the employee during her/his absence, but the employer must continue to maintain health benefits as if the employee was continuing to work. Employers are also required to provide the employee a job that is the same or comparable when they return to work. There is, however, a provision that states that employers are not required to provide the same or comparable employment to

¹⁸ For workers to be eligible they must have worked for the employer for at least one year prior to leave. In addition, within that year they must have worked at least 1250 hours.

employees in high level positions (salaried jobs with pay in the top 10% of all employees).

Edwards (1996) finds that during the early 1990s, women were successful in using EEO law to “shift the responsibility of pregnancy accommodation onto employers” (:247). He argues that this culminated with the passage of the Family Leave Medical Act. Rhum’s (1997) findings do not indicate that much of a shift in pregnancy accommodation took place with the passage of the FLMA. He estimates that once all exempt organizations and individuals are taken into account, the law applies to, at most, 50 to 55 percent of workers, and just 19 percent of new mothers. Moreover, he argues

the enactment of the Family and Medical Leave Act has considerable symbolic importance by demonstrating the emergence of a widespread consensus regarding the need to balance the competing interests of work and family. However, the actual provisions of the act are modest. The leaves are short and unpaid. Only about half the workforce is eligible under the law, and most of them would receive at least some time off the job even without the legislation... Given its limited scope, the FMLA has probably not had a strong impact on either workers or employers (:184).

While Clinton’s overall demeanor appeared congruent with a equal opportunity for racial minorities and women, a counter political rhetoric in Congress opposing EEO/AA measures, especially in federal contracting emerged. During this period, Republican members of the House and Senate unsuccessfully introduced several bills seeking to end the use of affirmative action in various public and private spheres of work and federal contracting. In 1995, Senator Jesse Helms (R-NC) unsuccessfully introduces the “Civil Rights Restoration Act of 1995.” The Act was intended to amend the Civil Rights Act of 1964, making affirmative action an unfair labor practice and the use of affirmative action illegal in federal contracting as well as public and private

sectors of employment (see S. 26 and S. 318. see similar bills in the House, e.g., see H.R. 1764 and H.R. 1840).

Clinton's support for Affirmative Action was somewhat ambiguous and EEO/AA enforcement agencies budgets were not substantially increased during his term. When affirmative action became the center of public discourse, Clinton responded with his 1996 "mend it don't end it speech," which claimed that the intended purpose of affirmative action mandates has not been achieved, but that we should work to correct problems, oppose quotas, use strict evaluation in its implementation and make sure that job candidates are qualified for positions.

3.4 Chapter Summary

This chapter provides an overview of the post-World War II history of Civil Rights and gender equality legal and legislative politics. It is these laws, legislative discussions and court rulings that I treat as the political sources of uncertainty in the workplace analyses found in subsequent chapters of this research. Moreover this historical context reveals the importance of political eras for understanding change in workplace inequality regimes.

In the early post-civil rights era, the greatest employment gains appear to be made for African Americans, rather than women. Beginning in the late 1970s, the politics and employment progress by race and sex took decidedly different paths. For the first time gains in the courts and from legislation appeared to benefit women more than African Americans. Throughout the 1980s women continued to make gains in the courts concerning employment discrimination. Moreover, while states develop EEO

laws as early as 1945 to ensure that African Americans receive equal employment opportunities, it is not until the early 1970s when states began to adopt state level legislation granting equal rights under the law to women. The difference in national and local politics may be affecting the very starting points and trajectories for race and sex workplace segregation seen in chapter 2. The history of race and sex politics coincides with what we already know about levels of race and sex desegregation over time. In 1966 sex segregation is much higher than Black-White segregation. The historical contingencies around race and sex suggest different effects of state level laws. Since many states already had laws against racial discrimination prior to the civil rights act, these state level laws may explain the state level race trajectories over time. The Equal Pay Act (1963) and the Civil Rights Act of 1964 were the first significant pieces of anti-discrimination legislation for women. Therefore, state level ERA laws developed after these acts may introduce new uncertainty, but it is unlikely that these laws will have impacts on sex segregation as large as Title VII since they introduce no new uncertainty and were largely symbolic in character. The ERA ratification and state level adoption do not fundamentally alter the social relations within local labor markets, therefore, they are likely to be more symbolic than real in their consequences for changes in sex workplace inequality. The historical record indicates that race and sex workplace inequality are subject to political pressures, but that they happen at different times. It also suggest the need to contextualize and embed these mechanisms within historical processes unique to race and sex inequality. In the following chapter I discuss the theory and methods used in light of the historical discussion in this chapter.

CHAPTER FOUR

THEORY, DATA AND METHODS

4.1 Introduction

Studies of workplace inequality have relied on theories of discrimination, human capital, industrial shifts and social organization as plausible explanations for the persistence of social inequality in the United States. These studies use aggregate census data, data collected from individuals, and in rare cases surveys of organizations. It is even more uncommon to obtain data collected from organizations over time. Organizational theories typically apply to populations of organizations embedded in both competitive and institutional environments. Since scholars have not had access to these types of data in the past, we have continued to let our available data dictate our theoretical positions. We have been unable to appropriately examine how organizational theories explain persistence and change in workplace inequality regimes – not because of our lack of theory, but rather a lack of appropriate data. I suspect that it is for these reasons that organization-environment theories have been largely neglected in prior examinations of change in workplace inequality.

In this chapter I discuss the theory, data and methods used in this research. Drawing from political process perspectives and new institutional theory, the central argument is that organizations are most responsive during historical moments of uncertainty. Uncertainty emerges from a variety of sources, including state and federal politics (Stainback, Robinson and Tomaskovic-Devey 2005), ambiguous laws (Edelman 1990; 1992), lawsuits (Skaggs 2001), and legitimacy threats from internal

and external constituencies (Burstein 1979, 1985; McAdam 1982). While capturing all of these events would prove impossible, the history discussed in chapter three suggests that there are specific periods of support for change originating from the political environment. These periods of uncertainty can be defined by key historical moments suggesting the conditions under which change is likely to occur. It is my position that the passage of equal opportunity laws and mandates, by themselves, are unlikely to bring about increased employment opportunities for women and racialized minorities. It is the degree of uncertainty generated by the passage of state and Federal laws, political support for these measures and regulatory enforcement over time that pressure organizations to change (Edelman 1990, 1992; Edelman and Petterson 1999; Dobbin et al. 1993; Sutton et al. 1994). While organizational theories have been used to explain change and persistence in workplace structure and action resulting from external environments, the roles of federal political eras and local politics have not.

I use establishment-level data from large private firms (all U.S. firms with 100 or more employees, 50 or more employees before 1983) collected since 1966. The richness of these data allows for an examination of stability and change in race and sex workplace inequality by placing organizations within their political, industrial and geographic contexts. In this research, I specifically center my analysis on the effects of political environments on race and sex workplace opportunities in the post-civil rights era. Can the unevenness of change since the passage of the Civil Rights Act be attributed to the ebb and flow of political support for anti-discrimination legislation?

This chapter proceeds as follows. First, I describe new institutional theory. This theoretical perspective and the historical contingencies surrounding the passage,

enforcement and interpretation of law discussed in the previous chapter will be used to explain the trends in workplace inequality documented in chapter two. Then, I define four clearly distinct political eras, which will become central to the analysis plan. Similar to other research in the new institutionalism, I examine institutional environments through time-period effects and federal contractor status (Dobbin et al 1993; Edelman 1990, 1992; Sutton et al 1994; Dobbin and Sutton 1998). Finally, I describe the EEO-1 data used in the analyses followed by a discussion of the measurement of variables and modeling strategy.

4.2 Theoretical Orientation

Organization and organization-environment theories of stability and change have been central to understanding variance and homogeneity in organizational structure and practice. However, these theories have not been applied as well to examinations of social inequality. One of the few exceptions is found in the work of Baron, Mittman and Newman (1991) where they state, “although students of complex organizations have become increasingly interested in organizational adaptation and change, they have devoted little attention to changes in the organization of employment and opportunity per se” (:1364). Nearly fifteen years later social inequality has not evolved into a major concern for organizational sociologists. The division of labor and social demography of an organization are central components of its structure and therefore, these theories are potentially powerful for understanding how a particular part of an organization’s structure, the race and sex composition of jobs, is impacted by

external influences. However, our efforts are primarily hampered by the lack of comprehensive workplace data collected at the population-level over time.

Over the past twenty-five years organization-environment theories have moved away from adaptation theories of organizations responding to the demands of their technical environments, such as customers, competitors, and suppliers (Pfeffer and Salancik 1978; Thompson 1967) toward organizational response to institutional environments, which include the rules, norms, and expectations of the wider society (Meyer and Rowan 1977; DiMaggio and Powell 1983). I conceptualize workplace inequality as a politically-mediated process (S. Collins 1997; Stainback, Robinson and Tomaskovic-Devey 2005). This approach is related to the theoretical and empirical work in organizational sociology that falls under the rubric of new institutionalism. I will briefly highlight each.

Sharon M. Collins (1989, 1997) asserts that the federal government impacts changes in Black economic opportunities, therefore, changes in racial inequality are “politically-mediated.” Her case study of African American corporate managers illustrates the role of political institutions in market processes.¹⁹ The degree of monetary and rhetorical support for equal opportunity enforcement, federal contractor enforcement, contract set-aside programs, and federally-funded social welfare policies are always politically-mediated. Previous research clearly shows reduction in federal

¹⁹ Collins more clearly examines the emergence of the Black middle class as a result of the civil rights era. Specifically, she argues that administrative jobs created in response to federal laws and mandates were where African Americans gains were made, such as human resource and affirmative action administrators. These professional and managerial jobs aided in creating a black middle class. However, these were the same jobs that were cut when EEO/AA enforcement was reduced in the 1980s.

support for these regulatory agencies, programs and policies during the Reagan administration, which coincides with stagnating or declining employment opportunities for African Americans in the U.S. (Amaker 1988; Bergman 1996; Bound and Freeman 1992; Cancio, Evans and Maume 1996; S. Collins 1993; Leonard 1990; Shull 1993, 1999; R. Smith 1997, 1999; G. Wilson 1997).

Cancio, Evans and Maume (1996), although not explicitly taking a “politically-mediated” approach to racial inequality, suggest that the reversal of government support for affirmative action initiatives in the 1980s stalls racial wage progress. In fact, they estimate that Black-White wage disparity increases during the period between 1976 and 1985 controlling for racial differences in human capital. Other researchers assert that early EEO/AA enforcement coincides with the development of equal opportunity personnel practices (Dobbin, Sutton, Meyer and Scott 1993; Edelman 1990, 1992; Sutton, Dobbin, Meyer and Scott 1994), increases in the hiring of minority workers (Leonard 1984a, 1984b, 1990), and African American gains in access to managerial positions (S. Collins 1997; R. Smith 2002; G. Wilson 1997) all of which seem to slow or stop in the 1980s. The basic conclusion from this perspective is that “racial desegregation is an ongoing politically mediated process, not a natural or inevitable outcome of early civil rights movement victories” (Stainback, Robinson and Tomaskovic-Devey 2005: 1223). My sense is that status inequalities, generally, are politically mediated; the processes are the same, it is the histories that are different.

New institutionalism is an organization-environment theory that seeks to explain the increasing homogeneity among organizations in structure and practice,

which results, at least in part, from organizational responses to uncertainty in their environments. Early institutional perspectives on organizational structure suggested that organizations do not necessarily respond rationally to their environments, but rather they internalize the cultural norms of the wider society (Selznick 1948). Subsequent theory and research built upon these ideas to discuss the “ceremonial adoption” of organizational structure and process based on “myths” in the organizational environment rather than the drive for efficiency and rationality (Meyer and Rowan 1977). The core argument is that organizations are not only motivated by the pursuit of profits, but also “for political power and institutional legitimacy, for social as well as economic fitness” (DiMaggio and Powell 1983: 150).

Institutional theory has been effectively applied to explain the adoption and diffusion of programs, policies and procedures across organizations in response to anti-discrimination legislation (Dobbin et al. 1993; Dobbin and Sutton 1998; Edelman 1990, 1992; Edelman and Petterson 1999; Sutton and Dobbin 1996; Sutton, Dobbin, Meyer and Scott 1994). In each of these studies organizations sought to stabilize their uncertain regulatory environment by experimenting with programs and policies that spread rapidly once they were deemed legitimate mechanisms of compliance by human resource/management “specialists”, enforcement agencies and the courts.

While theory and research has continued to examine how organizations “ceremonially adopt” structures, few scholars have focused on how organizational inequality is affected by the wider institutional environment. Institutional arguments applied to changes in race and sex workplace inequality would suggest that changes do not simply emerge from direct coercive pressures emanating from government

mandates, but from the introduction of uncertainty in the organizational environment which mandates and their political support or lack thereof produce. A host of political processes can produce uncertainty. Lawsuits (Skaggs 2001), legislation (Edelman 1990, 1992), and social movements (Burstein 1979, 1985, 1999; S. Collins 1997) are all likely to introduce uncertainty into the organizational environment, and therefore, organizations are likely to adopt and implement programs, policies and procedures to reduce this uncertainty among internal and external constituencies as they move toward their natural state – inertia. These various factors should also produce change in the race and sex composition of jobs. This research centers on the factors affecting stability and change in race and sex workplace inequality which originates from national and state level political environments.

The political process and the new institutional literatures both see governments as playing a central role in defining institutional environments, not always in the coercive sense described by the early new institutionalism (e.g., DiMaggio and Powell 1983), but also as potentially “administratively weak but normatively strong” actors (Dobbin and Sutton 1998: 441). The state is administratively weak in the sense that it lacks the capacity to effectively monitor and sanction organizations; it is normatively strong in that it introduces uncertainty and potentially the political meanings surrounding race and sex equality. The key departure between the political and institutional perspectives is the outcome of interest. New institutional research primarily examines the diffusion of organizational policies and procedures, whereas politically mediated approaches center their attention on inequality outcomes. I combine these perspectives to explain how uncertainty in an organization’s

environment not only results from the passage of law, but also by the changing political pressures to support and extend legal mandates, and that this in turn has real implications for race and sex workplace inequality.

Another potentially important factor is the normative institutional environment. Beggs (1995) provides one of the few examinations of normative institutional environments and social inequality. He uses census data to examine how the institutional environment, which he constructs at one point in time, in which labor markets are embedded, affects race and sex inequalities in wages and access to white collar jobs. His findings indicate that more egalitarian values lead to greater race and sex equality. In Skaggs (2001) study of managerial access in the supermarket industry, she creates a measure of the normative institutional environment – at the region level – based on General Social Survey questions concerning race and sex equality. She also finds some support for the idea that more egalitarian environments foster greater access to managerial positions. Along these lines other research claims that shifts in cultural beliefs around sex equality are likely to change over time. As women enter and account for greater proportions of the labor force they produce normative change (Burstein 1985). Attitudinal research consistently demonstrates a more supportive climate for gender equality over the post-civil rights period (e.g., see Cotter et al 2004; Simon and Landis 1989).

Whichever constitutive element of the institutional environment we choose to examine should be embedded in temporal, spatial and historical context. Institutional environments are historically constructed and therefore are best understood over time. The central question this research addresses is how do national and local level political

environments impact changes in race and sex workplace inequality? I draw heavily from the historical record concerning changes in national and state level legislation and political environments to contextualize over thirty years of data collected at the workplace level.

This research has far reaching implications for current theory and research as well as policy. Contemporary stratification research continues to illuminate the individual level correlates of race and sex economic inequalities; however, it tends to ignore the institutional bases that maintain and reinforce boundaries around status group distinctions. It continues to show that discrimination remains ubiquitous, but fails to explain the contemporary or historical circumstances under which change takes place. This research takes a more structural approach by contextualizing changes in workplace opportunities for African Americans and women within industrial, spatial, and community contexts, as well as historical processes unique to race and sex.

While I cannot directly test this assertion, it is likely that organizational theory that pushes the issue of power also plays a pivotal role in understanding this process. For instance, Perrow (2002) critiques new institutional theory for overemphasizing culture (*institutional logics*) and ignoring what he calls *organizational interests*²⁰. For Perrow power is paramount; organizations do not simply respond to their cultural environments – they actively shape them. I believe that the effect of the implementation of law has both *interest* and *logic* components. The implementation of state or federal

²⁰ Kelly (2003) makes a similar argument, but focuses on specific actors. She modifies the existing new institutionalist view that organizational actors respond only to ambiguous law. She claims that even clear, well defined legislation (she examines employer sponsored childcare) is subjected to manipulation by interested parties.

laws force firms to pursue new *organizational interests* – the stabilization of their regulatory environment. In response to legislation, organizations negotiate regulatory compliance with the government and in the courts. Once indicators of compliance are seen as legitimate, they spread as organizations respond to *institutional logics* – legitimacy imperatives. I suspect that the most important mechanisms creating further changes in racial workplace equality after the implementation of a law are sustained enforcement and continued change in normative social pressures, both of which generate new uncertainty in terms of legitimate indicators of compliance.

4.3 Defining Political Eras

In this section, I define four distinct political eras since 1966. These eras are classified in light of the historical development of the EEO/AA enforcement agencies as well as changes in political climates, rather than simply presidential eras. However, it is evident that the two are closely related. In addition, historical pressures for equal opportunity vary by status group. These eras represent variation in political uncertainty and comparison of change across periods is used to gauge the impact of the political environment on changes in sex and race workplace inequality. I discuss specific expectations for each outcome at the beginning of each of the following three chapters.

The first political era (1966-1972) encompasses a portion of the Johnson and Nixon presidencies, and marks the earliest stage of EEO/AA enforcement, which some researchers claim should produce little change due to weak enforcement agencies (Smith and Welch 1984; Leonard 1984a, 1984b). The empirical research, however, suggests that the greatest gains in Black-White labor market equality occur during this

early period (Ashenfelter and Heckman 1976; Heckman and Wolpin 1976; Leonard 1984a, 1984b; Smith and Welch 1984, 1989). While the EEOC does not have the power to initiate litigation until the passage of the Equal Employment Opportunity Act of 1972, this early period is important for producing beneficial change for African Americans in numerous ways.

First, the passage of Title VII fundamentally altered social relations based upon status distinctions. The law did not force change to happen at once, but it was the biggest source of regulatory uncertainty in the post 1964 period. Unsure of how enforcement would proceed or how the courts would respond to discrimination cases, organizations are likely to have altered the race and sex composition of jobs in the process of experimenting with regulatory compliance. This uncertainty effect during the first political era is more likely to impact change in racial inequality than sex, since the intent of the law did not reflect increasing opportunities for women, even though the letter of the law stated otherwise.

Second, a number of important private lawsuits occur during this period (e.g., *Griggs v. Duke Power* 1971). Lawsuits introduce uncertainty into the organizational environment, which in turn pressures organizational actors to locate methods of regulatory compliance. In the *Griggs v. Duke Power* (1971) case the court maintained that employers could be held responsible for intentional and unintentional discrimination. Prior to this ruling, organizations may have increased African American and female employment as a symbolic gesture of compliance, but not in skilled and managerial jobs (Leonard 1989).

Third, during this period the OFCCP begins requiring federal contractors to maintain annual affirmative action reports. Contractors and non-contractors alike should be responsive to political pressures during this period, particularly due to the legal ambiguity in Title VII concerning compliance. Some organizational researchers argue that organizational action results from preemptive responses to ambiguous laws such as Title VII as well as responses to coercive environmental pressures (Dobbin and Sutton 1998; Edelman 1990, 1992; Edelman and Suchman 1997). McTague, Stainback, Tomaskovic-Devey and Zimmer (2005) find that organizations are more responsive to their institutional environments (i.e., industrial) than they are to the demands of OFCCP reporting.

Fourth, Burstein (1985) finds that public opinion favoring equal opportunity for racial minorities is highest during this period. Overall support and issue saliency declines in the late 1960s through the early 1970s. Public attitudes toward women in the workforce, however, have for the most part, become more liberal over time (e.g., see Cotter et al. 2004; Simon and Landis 1989). While I suspect that institutional bases maintaining inequality are more important than attitudinal differences and perceptions, they clearly interact and therefore it would be premature to dismiss the importance of public opinion completely.

Finally, as mentioned previously, numerous states enacted enforceable EEO laws prior to the passage of the Civil Rights Act of 1964 (Chay 1998; W. Collins 2001a, 2000; Moreno 1997; Newman et al. 1978). The politics of equality that took place across spatial units prior to the passage of the Civil Rights Act are likely to produce differing spatial trajectories for changes in race and sex workplace inequality.

In hindsight we can see that the EEOC and OFCCP were weak regulatory agencies during this era, however, the years from 1964 to 1972 witness landmark lawsuits, required employers to maintain annual governmental reports, and show the highest level of public support for EEO measures. These factors may have led organizations to seek compliance by ceremonially adopting, experimenting with, or seeking to define the rules of regulatory compliance. And, in the process of experimentation organizations may actually change their racial compositions. Due to the racial focus of these events and the uncertainty concerning the shape and form of future enforcement, this early period should produce significant political effects on the racial, but not sex, structure of work organizations.

The second political era is defined as the period between 1973 and 1980. This era comprises the heaviest enforcement stage for both the EEOC and OFCCP (duRivage 1985; Jones 1982). The Equal Employment Opportunity Act of 1972 provided the EEOC with the power to initiate lawsuits against private employers. In 1973, the EEOC actively investigated some of the country's largest employers, including General Motors, General Electric, Sears and Roebuck, and Ford Motor Company. Large monetary settlements were reached with these and other prominent companies providing compensation to workers who were discriminated against and forced changes in many employment policies and practices (EEOC 2004).

The Executive and Legislative branches continued to show support for equal opportunity in employment throughout this era, although the Supreme Court became antagonistic to EEO/AA policies in the late 1970s. This shift was seen in the 1978 landmark case *Regents of the University of California v. Bakke*, in which the Court's

ruling concretizes the “reverse-discrimination” rhetoric. The Supreme Court did, however, continue to rule in favor of the implementation of affirmative action in federal contracting throughout this period. Using EEO-1 reports for 1974 and 1980, Leonard (1984a, 1984b) finds that contractor firms increase Black employment at a faster rate than non-contractors between 1974 and 1980, suggesting that enforcement may be effective in changing Black employment opportunities during this era. Employment gains, however, are not the same as integration into comparable jobs within workplaces and we know very little about the impacts of this political era for access to managerial jobs.

In the next political era, 1981 to 1991, we witness drastic changes in the philosophy and capacity of enforcement agencies, as well as changes in EEO laws and their interpretation. The rise of the Reagan administration coincides with the near elimination of back pay awards and compensation award limitations (duRivage 1985). Prior to this time enforcement agencies pursued specific industries that engaged in systemic discrimination, the Reagan administration ended this practice and shifted enforcement from a class action/systemic discrimination approach to processing individual complaints (duRivage 1985; Wood 1990). In addition the burden of proof for discrimination lawsuits is shifted from the employer to the plaintiff. Federal resource allocation to EEO/AA regulatory agencies is also greatly reduced (Amaker 1988; Omi and Winant 1986). The appointment of social conservatives to head civil rights agencies led to a change in Federal support for EEO/AA enforcement (e.g., the appointment of Clarence Thomas as the chair of the EEOC).

During this era, the Reagan and Bush administrations openly denounced affirmative action policies and Civil Rights legislation. The Supreme Court delivered a series of blows to equal employment opportunity, including the use of “strict scrutiny” when evaluating the use of race in affirmative action in awarding federal contracts (see *City of Richmond v. J.A. Croson Co.* 1989), and opining against the 1971 *Griggs v. Duke Power* case on disparate impact (*Wardscove Packing v. Antonio* 1989).

This era should produce little political pressure on firms to desegregate (by sex or race) based on the lack of federal support legally, rhetorically and in the allocation of resources for EEO/AA enforcement. The OFCCP was effective in the 1970s in increasing African American and female employment and access to skilled and managerial jobs (Ashenfelther and Heckman 1976; Heckman and Wolpin 1976; Leonard 1984b); however, under Reagan budget cuts led to a 52% reduction in personnel between 1979 and 1985; a 38% decrease in compliance reviews in 1982 alone; and a 77% reduction in back pay awards between 1980 and 1982 (duRivage 1985).

During the most recent political era (1992-2002) we might see some influence of the Civil Rights Act of 1991, which reverses many of the judicial rulings unsupportive of EEO/AA law written during the Reagan-Bush period. The act authorizes the use of jury trials, restores back pay awards, reduces the plaintiff’s burden to prove discrimination, places caps on compensatory and punitive damages for intentional discrimination, and incorporates the *Griggs* decision from judicial precedent into law. On the other hand, during the late 1980s and early 1990s, the bulk of EEO

cases and complaints shift from primarily race and sex to include age and disability related issues (Wakefield and Uggen 2004).²¹

The Clinton years see few advances in EEO/AA legislation, yet more supportive presidential rhetoric in comparison to the Reagan-Bush presidencies. Funding for federal EEO/AA enforcement does not increase over the previous era and there is a counter political rhetoric in Congress opposing EEO/AA measures, especially in federal contracting. During this period, members of the House and Senate unsuccessfully introduce several bills seeking to end the use of affirmative action in various public and private spheres of work and federal contracting. In 1995, Senator Jesse Helms (R-NC) unsuccessfully introduces the “Civil Rights Restoration Act of 1995.” The Act was intended to amend the Civil Rights Act of 1964, making affirmative action an unfair labor practice and the use of affirmative action illegal in federal contracting as well as public and private sectors of employment (see S. 26 and S. 318. see similar bills in the House, e.g., see H.R. 1764 and H.R. 1840). In the following section I describe the data used in subsequent analyses.

4.4 EEO-1 Data

Research linking workplace inequality to organizational environments remains hampered and largely underdeveloped due to our continued reliance on occasional cross-sectional organizational surveys and aggregate occupational census data (Kmec 2003; Robinson et al. 2005). Not subject to these data limitations, I have access to data

²¹ These trends are displayed in the following chapter (Figure 5.1).

from the U.S. Equal Employment Opportunity Commission (EEOC) describing the population of large private work organizations in the U.S. since 1966.

In all of the analyses that follow, I use establishment level data, which were used to construct the trends displayed in chapter two. These data have been collected annually by the EEOC since 1966. Title VII of the Civil Rights Act of 1964 mandates that private sector employers submit yearly reports on the race/ethnic and sex composition of their employees to the EEOC. These reports, known as EEO-1 Information Reports, contain employment counts of sex by five race/ethnic (White, Black, Hispanic, Asian/Pacific Islander, American Indian/Alaskan Native) groups distributed across nine broad occupational categories at the establishment level. The occupational categories are officials and managers, professionals, technicians, sales workers, office and clerical workers, craft workers, operatives, laborers, and service workers. EEO-1 reports also include information on the establishment's parent company, industry, and geographic location. Finally, each record states whether or not the firm is a federal contractor (for a detailed discussion of these data see Robinson et al. 2005).

Coverage currently includes all private firms with 50 or more employees if federal contractors and 100 or more employees if non-contractors. Prior to 1983, contractor firms provided separate reports for establishments for firms with 25 or more employees and non-contractor firms with 50 or more employees. Firms do not include employment data for workers who are temporary or casual employees, but do include leased and part-time employees. In order to make data handling easier, I draw a 20

percent sample from the EEO-1 files for all available years and limit analyses to the 48 contiguous U.S. states.

4.5 Measurement of Variables

Dependent Variables

Two measures of workplace inequality, discussed previously, are included in the following analyses. The first is the traditional index of dissimilarity (D) used to measure the evenness of a distribution of two status groups across a defined set of units (jobs, occupations, blocks, neighborhoods, etc.). The other measure concerns access to quality jobs. Since managerial jobs tend to offer the highest remuneration, benefits, authority and autonomy, exploring differences in access to management suggests that gains in workplace inequality is not only about the evenness of distribution but also access to the most valued jobs within work organizations.

Index of Dissimilarity. I incorporate the index of dissimilarity (D) to grapple with understanding trends in workplace inequality since 1966. This index ranges from 0 (perfect integration) to 100 (total segregation) and describes the evenness of the distribution of two status groups across a defined set of positions. The interpretation of D is the proportion of workers in one status group who would have to switch jobs to create full integration. For example, a D value of 50 for sex segregation would mean that 50 percent of women would have to switch jobs to create a sex integrated workplace.

The index of dissimilarity (D) is computed across occupations within establishments as follows:

$$\text{Index of Dissimilarity } (D) = \left(\frac{1}{2} \sum_{oe=1}^{N_{oe}} |P_{oex} - P_{oey}| \right) \times (100)$$

where P_{oex} and P_{oey} are the proportions of group x and y , respectively, within an occupation in an establishment, and N_{oe} equals the number of occupations in each establishment. I then sum status group distributions across all occupations within an establishment.

Access to Managerial Jobs. As discussed previously, because the size and status composition of the labor force has changed it is inappropriate to assess managerial representation as simply changes in the proportion of managers in various status groups. The observed declines in white males as a proportion of all managers documented in past research is likely to at least in part represent the decline in white males as a proportion of the labor force. It is more appropriate to evaluate time trends in status group access to managerial jobs by adjusting for the supply of status group members in the local labor market. The labor supply of different groups can be expected to vary both temporally (e.g. increased female labor force participation) and spatially (the uneven local and regional distribution of race/ethnic groups). Following previous research, my solution is to measure the representation of status groups in managerial jobs relative to their representation in local labor markets (Stainback, Taylor and Tomaskovic-Devey 2005).

The measure is calculated as follows:

$$\text{Managerial Representation} = (X_{mit} / T_{mit}) / \sum (X_{ijt} / \sum T_{ijt})$$

Where X_{mit} is the number of status group members (e.g., white males) in the managerial occupational category within an establishment in a given year. T_{mit} is the total number of individuals in the managerial occupational category (m) within establishment (i) in a given year (t). $\sum (X_{ijt})$ is the total number of status group X members in commuting zone $_j$ in a given year $_t$ and $\sum (T_{ijt})$ is the sum of employment across all establishments in commuting zone $_j$ for a specific year $_t$. Commuting zones are aggregations of counties, not confined to state boundaries, which are calculated based upon decennial census surveys documenting the distance individuals travel to work from where they live (Tolbert and Sizer 1996). Therefore, they describe local labor markets. Since these boundaries can change every ten years, I impose 1990 commuting zones on all years of data in these analyses for consistency purposes.

A managerial representation value of 1 indicates that the race-sex allocation of managerial jobs at the establishment level perfectly matches the race-sex distribution of the labor market. A value under 1 means that the status group is underrepresented in management and a value over 1 means that a status group is over represented in managerial jobs based on the race-sex composition of the labor force. The measure essentially asks “how different is the observed distribution of status group x from what we would expect based on the race-sex composition of the labor market?”

Because EEO-1 reports are used to generate these measures we only observe the relative employment of managers to all workers in the large firm private sector portion of the economy. To the extent that women and minorities are more likely to work in the state and non-profit sectors or in small private sector firms I am understating white male advantage in access to private sector managerial jobs in the estimates that follow.

Independent Variables

Political Eras. The political eras I defined and discussed earlier in this chapter provide the context for my analyses. Given each era's historical specificity, I expect era specific change in Female-Male and Black-White workplace inequality even after controlling for changes in establishment size, labor supply, and stable characteristics of industrial and local labor market structure. Thus, I expect that workplace inequality levels and trends differ by political era. I provide more specific detailed expectations for each inequality outcome at the beginning of chapters 5, 6 and 7.

Similar to other research in the new institutional tradition, I examine institutional environments, specifically the political environment, through time-period effects (Dobbin et al. 1993; Edelman 1990, 1992; Sutton et al. 1994; Dobbin and Sutton 1998). To achieve this, data are pooled for each of the four political eras defined previously. This allows for all variables in the models to interact with political era. The first era includes data from 1966 to 1972; the second from 1973-1980; the third era begins in 1981 and runs through 1991; and the fourth political era starts in 1992 and ends in 2002. For brevity and parsimony, the tables for all analyses only report coefficients for the key independent variables. These variables include a measure of time, federal contractor status, state level anti-discrimination laws, and a measure of the political ideology of citizens at the state level. I will discuss the measurement of each of the key variables, as well as unreported control variables, in turn.

Political Effect (Time). Following institutional research using time periods as measures of environments (Dobbin et al 1993; Edelman 1990, 1992; Sutton et al 1994;

Dobbin and Sutton 1998), I create a variable to capture the rate of change, or slope, for each political era. The variable is simply a continuous measure of time within each political era. For each era I assign the first year a value of 1 and each subsequent year I add 1, thus an average yearly change is given by the political era coefficient. This also controls for variation between years within eras. This variable is allowed to interact with key political variables in the segregation and managerial access models presented in chapters five through seven.

OFCCP Reporting Firms. I include a binary variable for federal contractors (0,1) to determine whether or not the additional pressure that federal contractors face, such as the maintenance of affirmative action plans and the possibility of compliance reviews, affects workplace desegregation through increased uncertainty. Early research (e.g., see Ashenfelter and Heckman 1976; Leonard 1984) found that OFCCP reporting firms, which are subject to affirmative action law, increased African American employment compared to non-OFCCP reporting firms in the early years following the passage of the Civil Rights Act.

Fair Employment Practice (FEP) Laws. To capture the founding effects of pre-title VII state level anti-discrimination laws, I create a dummy variable for organizations embedded within states with enforceable FEP laws prior to 1950 and another for states adopting FEP laws after 1950, but before the passage of the Civil Rights act of 1964. This allows for an examination of how racial politics unfold differently across places. States without FEP laws in 1964 are the reference category.

Equal Rights Amendment (ERA) Variables. Since the Civil Rights Act of 1964 pre-dated the state level development of laws aimed at sex equality, I include two time-varying dummy variables to capture the effects of state level policies aimed at eradicating sex inequality. The first is whether or not a state has ratified the national ERA. The second measure indicates whether or not the state has developed a state level ERA. These variables, especially the ratification variable, are likely to capture some components of a normative institutional environment. Since these laws emerged after Title VII, they introduce little uncertainty. It is likely that these laws are largely symbolic since they do not alter social relations in any meaningful way.

Citizen Political Ideology. While previous research has grappled with conceptualizing a normative institutional environment (Beggs 1995; Skaggs 2001), two general problems emerge. First, the measure is often cross-sectional. This provides an enormous problem if we expect that changing environments lead to changing opportunities for women and racial minorities. Second, time-series measures allow normative environments to change over time; however, are often limited to regional or national normative environments. In this research I use a measure that more closely approximates my theoretical and conceptual approach – a measure of the political ideology of citizens. While it does not directly capture changing attitudes toward women and racial minorities, it does have several strengths. First, it is available annually over time (from 1960-2002). Second, it is measured at the state level, which is congruent with my analysis of local (state) politics. Third, since 1960 political parties have become increasingly polarized concerning equal opportunity measures (Carmines

and Stimson 1989). Thus, more liberal states should reflect more supportive environments of EEO measures compared to more conservative states.

This variable is a measure of the relative conservative-liberal ideology of citizens created at the state level from 1960-2002. The measure was originally developed by Berry, Ringquist, Fording and Hanson (1998). It ranges from 0 to 100 with higher values indicating more liberal political ideology among a state's citizens. These data are available from the Inter-University Consortium for Political and Social Research (ICPSR) under "Measuring Citizen and Government Ideology in the United States" (Study No. 1208). The original data were constructed from 1960 to 1993 and have been updated several times since. The measure is constructed annually based upon interest group ratings of each member of congress and the proportion of the electorate favoring the incumbent and the challenger by congressional voting district for each year. Thus a yearly score is created at the district level which is weighted by the proportion of the electorate supporting each candidate. These district scores are then used to calculate a yearly unweighted average citizen political ideology score for each state (for a more detailed discussion of the construction of this variable see Berry et al. 1998).

Establishment Size (ln) – A statistical control variable is included for organizational size since larger establishments are more likely to have centralized administrative systems and policies regarding hiring and promotion (Tomaskovic-Devey and Skaggs 1999; Villemez and Bridges 1988), which may tend to reduce racial and sex inequality within workplaces. Establishment size (*ln*) is measured with total

employment at the establishment level. This variable also controls for the 1983 size changes in reporting requirements to the EEOC.

Industry and Labor Market Fixed Effects

Industry. In these models, I include a fixed effect for industry, which is measured with the three-digit standard industrial classification (SIC3) code. In effect, the fixed effect captures all unobserved time invariant characteristics of industry from 1966-2002. All of the reported models that follow include this fixed effect. Therefore, I am modeling levels and changes within industry rather than across the economy as a whole. In another paper using these data (Tomaskovic-Devey et al. 2005), we find that changes in the industrial structure are extremely important for understanding changes in sex segregation over time.

Local Labor Markets. To take account of geographic shifts in employment over the period under study, I include a fixed effect for commuting zones as a proxy for local labor markets (Tolbert and Sizer 1996). Commuting zones are aggregations of counties, not confined to state boundaries, which are calculated based upon decennial census surveys documenting the distance individuals' travel to work from where they live. Therefore, they describe local labor markets. Since these boundaries can change every ten years, 1990 commuting zones are imposed on all years of data in these analyses for consistency purposes.

Control Variables for Race and Sex Segregation Models

Random-Probability of Integration (RIR). Smaller workplaces are likely to have higher levels of race and sex segregation since the baseline probability of segregation rises as employment size falls (Carrington and Troske 1995, 1997; Cotter, DeFiore, Hermsen, Kowaleski, and Vanneman 1997a, 1997b; Tomaskovic-Devey and Skaggs 1999). For instance, firms with one incumbent are sex segregated by definition. To account for this source of random error I follow previous research (Tomaskovic-Devey et al 2004) and use the Random Integration Ratio (RIR). This variable is a measure of the baseline probability that an establishment is integrated. This measure is calculated as follows:

$$RIR = ((N - 1) / (N + 1)) * 100$$

Where N refers to total employment at the establishment. The baseline probability of integration rises logarithmically with increasing employment size.

Gibbs-Martin Index of Heterogeneity (H). Measurement error in segregation estimates is also dependent on the degree to which the nine occupational categories in the EEO-1 reports actually mimic firm level divisions of labor²². Firms use job titles, not occupational groups, to make internal social and task distinctions (Strang and Baron 1990). The EEOC data capture workplace level between occupation segregation but

²² This variable, as well as other control variables, are clearly related to industry. In another paper using these data, Tomaskovic-Devey et al. (2005) find that about forty-one percent of the variation in the Gibbs-Martin index is stable between industry, while the remaining unexplained variance is within industry (e.g., changes in the division of labor within industry). They also find that the industry fixed effects does, in fact, contribute more to the total explained variance than other measurement error variables. The Gibbs-Martin index of heterogeneity (H) was the most powerful of the measurement error control variables.

miss within occupation job segregation. Thus the EEOC data will always underestimate true segregation, but that measurement error will vary across workplaces. Measurement error is higher when workers are observed in fewer of the nine EEOC occupational categories. Establishments with low occupational heterogeneity will also have low segregation because of the increasing disjunction between the EEOC occupational categories and actual divisions of labor. An occupationally heterogeneous workplace might have substantial employment in all nine occupational categories. As such, the chance of displaying high levels of segregation increases because there are more positions to distribute people across. A firm with all employment in one occupational category will have no racial segregation in the EEO-1 data. In the real world, however, this firm might make numerous job distinctions within that one occupational category and so have high segregation in practice. In the regression models, I adjust for this source of measurement error by controlling for observed occupational heterogeneity within establishments. I use the Gibbs-Martin index of heterogeneity to control for this source of underestimation in segregation (Gibbs and Martin 1962):

$$\text{Index of Heterogeneity } (H) = 1 - (\sum (P_{oe})^2) \times (100)$$

Where P_{oe} is the percent of establishment employment in each occupation. I then square these percents and sum across all nine occupations.

Race and Sex Labor Market Composition. I calculate the race/ethnic and sex composition of each commuting zone by totaling EEO-1 employment for each year, and then calculating the percent of the commuting zone labor force that is Black, Hispanic and female. Again, commuting zones are aggregations of counties, not confined to state boundaries, which are calculated based upon decennial census surveys

documenting the distance individuals' travel to work from where they live (Tolbert and Sizer 1996).

Control Variables for Managerial Models

For the managerial models (chapter 7), I include a couple of controls that are different from the segregation models. I do not include controls for the race and sex composition of the local labor market since this is taken into account in the managerial representation variable itself.

Percent Managers. I include a variable to capture the percent of workers at the establishment level who are managers. An increase in the percentage of managers in an establishment should increase the likelihood of managerial attainment for all status groups. On the other hand, establishments with many managers are also more likely to have managerial roles that have low spans of control and authority and multiple distinctions among managers. The previous literature would predict that these establishments would be exactly where we would be most likely to find women and minorities in managerial roles because they afford the opportunity for social distinctions and return differences in rewards among managers. This establishment level measure is simply calculated as:

$$Managers_{it} = [(managers\ at\ establishment_{it}) / (Employees\ at\ establishment_{it})] * 100$$

Random Integration Ratio (RIR). I also use a Random Integration Ratio (RIR) measure, calculated differently from the one used in the segregation models, to capture the random probability that individuals are integrated across the nine occupational categories in the EEO-1 data within commuting zones. Since the managerial representation measure is calculated based on the proportion of status group x in the

commuting zone, fewer status group members increases the random probability of low managerial representation since there are a limited number of individuals to be distributed across jobs within commuting zones. For example, imagine a commuting zone with only 45 Black female workers in ten EEO establishments (each with nine occupations). This means there are ninety possible employment destinations in that commuting zone and each occupation has a random chance of having ½ of a Black woman in it. But, of course, this is impossible, and so I would expect many occupations in that commuting zone to have no Black women in them merely as a function of the ratio of workers to positions. The random probability of integration rises as the number of status group X members within commuting zone_j increases and the number of establishments in commuting zone_j decreases. The measure is calculated as follows:

$$RIR = \frac{[(\text{status group}_x \text{ in } CZ_{it}) / (9 * \text{number of establishments in } CZ_{it})] - 1}{[(\text{status group}_x \text{ in } CZ_{it}) / (9 * \text{number of establishments in } CZ_{it})] + 1} * 100$$

4.6 Models

The basic modeling strategy is to regress workplace segregation and managerial representation on an indicator for time, federal contractor status (OFCCP), state laws, and political ideology. I also examine their interactions with political era by splitting models by political eras and controlling for two major alternative explanations – changes in the labor supply and industrial structure. This is accomplished through the use of pooled cross-sectional ordinary least squares (OLS) models for each political era. I estimate models within a fixed effects strategy, where I control for unobserved stable characteristics of industry (three digit SIC) and local labor markets (commuting zones)

over time. The fixed effects for industry and spatial location allow us to gauge the extent to which causal estimates are best represented as occurring across all organizations or within specific spatial and industrial contexts.

Controlling for establishment size, labor market, and industrial characteristics, the analysis is directed toward an examination of the effects of political eras, OFCCP enforcement, state laws and political ideology on race and sex workplace inequality since 1966. Interaction effects are then added between the rate of change within each era with federal contractor status and state anti-discrimination laws. The latter approach allows for an examination of change processes while the former approach is primarily about understanding average levels of inequality within and between eras.

Since the histories for race and sex workplace inequality appear different, I develop three distinct empirical chapters for examining changes in race and sex workplace inequality in the post-civil rights era. In the first chapter, I develop a basic modeling strategy to capture levels and change in Female-Male workplace segregation over time. In the second, I perform a similar set of models for Black-White workplace segregation and in the third chapter I develop a basic model for understanding the levels and trajectories of access to management for Black and White men and Women using a similar strategy. I will discuss the model strategy for each empirical chapter in turn.

Sex Workplace Segregation Models

In chapter five I study the effects of political eras, OFCCP enforcement, state level ratification and adoption of ERAs, and political ideology on changes in sex segregation for large private sector U.S. firms from 1966 to 2002. Models are run for

each of the four political eras described previously. This allows for an examination of different average rates of change across eras and allows all variables in the model to interact with political era. The sex segregation model takes the basic form:

$$\begin{aligned} DF-M_{it} = & \beta_1 SLOPE_t + \beta_2 OFCCP_{it} + \beta_3 NERA_{jt} + \beta_4 SERA_{jt} + \beta_5 POLID_{jt} + \\ & \beta_6 SLOPEXOFCCP_{it} + \beta_7 SLOPEXNERA_{jt} + \beta_8 SLOPEXSERA_{jt} + \\ & \beta_9 SLOPEXPOLID_{jt} + \beta_{10} S(ln)_{it} + \delta\beta_{11kt} + \beta_{12} RIR_{it} + \beta_{13} GIBBS_{it} + \\ & \alpha IND + \alpha LM + \varepsilon \end{aligned}$$

Where:

$DF-M_{it}$ = Female-Male segregation for establishment i at time t .

$\beta_1 SLOPE_t$ = A Continuous measure of time within political era.

$\beta_2 OFCCP_{it}$ = An indicator variable for OFCCP reporting firms for establishment i at time t .

$\beta_3 NERA_{jt}$ = an indicator variable for whether or not state j ratified the national ERA at time t .

$\beta_4 SERA_{jt}$ = an indicator variable for whether or not state j adopted a State level ERA at time t .

$\beta_5 POLID_{jt}$ = a continuous measure of citizens political ideology for state j at time t

$\beta_6 SLOPEXOFCCP_{it}$ = an interaction term between the era slope and OFCCP reporting status.

$\beta_7 SLOPEXNERA_{jt}$ = an interaction term between the era slope and the ratification of the national ERA for state j at time t .

$\beta_8 SLOPEXSERA_{jt}$ = an interaction term between the era slope and the presence of a state level ERA for state j at time t .

$\beta_9 SLOPEXPOLID_{jt}$ = an interaction term between the era slope and citizen political ideology for state j at time t .

$\beta_{10} S(ln)_{it}$ = The natural log of total employment for establishment i at time t .

$\delta\beta_{11kt}$ = A vector of variables capturing the race and sex composition of labor market k at time t .

$\beta_{12} RIR_{it}$ = Random integration ratio for establishment i at time t

$\beta_{13} H_{it}$ = The Gibbs-Martin Index of heterogeneity (H) for establishment i at time t .

αIND = A Fixed Effect for Industry at the three-digit SIC level.

αLM = A Fixed Effect for Local Labor Market

ε = disturbance term

In these models ERA ratification and adoption are incorporated into the model as time-varying covariates. With the exception of California, no state level laws would

be consistent with an ERA prior to the Civil Rights Act of 1964. Therefore, the first significant law addressing anti-discrimination on the basis of sex was the equal pay act of 1963 followed by the passage of the 1964 Act. The adoption of state level ERAs and the ratification of the national ERA, after the initial civil rights act, should produce new uncertainty in the political environment, although their effect is expected to be small, because of the effects of previous federal laws. The state level ERA variables are included in the models as time varying covariates.

Black-White Workplace Segregation Models

The difference in the modeling strategy chosen in chapter 6 (Black-White integration) reflects the historical contingencies and differences in the political mechanisms that produce uncertainty and in turn change in organizational demographic composition discussed in previous sections of this research. The FEP variables capture the effects of pre-existing anti-discrimination law on the intercepts and trajectories of Black-White workplace integration. This conceptualization focuses not on the effects of South vs. North, but rather the specific state-level institutional bases, or mechanisms, that drive the trajectories of change across sub-national spatial units. I would expect that states that adopt these laws earlier in time will exhibit lower initial levels of inequality in 1966 and display less steep slopes than states without FEP laws before 1964. Over time this effect should disappear as all states become subjected to the same legal environment. Since the histories are different, the model specification should also reflect this difference. FEP laws in many states pre-date the sweeping 1964 legislation. Therefore, the state level variation in FEP laws are treated as founding effects and

should explain differing intercepts and trajectories for Black-White segregation over time. The Black-White segregation model takes the basic form:

$$\begin{aligned} \text{DB-}W_{it} = & \beta_1\text{SLOPE}_t + \beta_2\text{OFCCP}_{it} + \beta_3\text{FEP1950}_j + \beta_4\text{FEP5064}_j + \beta_5\text{POLID}_{jt} + \\ & \beta_6\text{SLOPEXOFCCP}_{it} + \beta_7\text{SLOPEXFEP1950}_j + \beta_8\text{SLOPEXFEP5064}_j + \\ & \beta_9\text{SLOPEXPOLID}_{it} + \beta_{10}\text{S}(\ln)_{it} + \delta\beta_{11kt} + \beta_{12}\text{RIR}_{it} + \beta_{13}\text{GIBBS}_{it} + \\ & \alpha\text{IND} + \alpha\text{LM} + \varepsilon \end{aligned}$$

where:

$\text{DB-}W_{it}$ = Black-White segregation for establishment i at time t .

$\beta_1\text{SLOPE}_t$ = A Continuous measure of time within political era.

$\beta_2\text{OFCCP}_{it}$ = An indicator variable for OFCCP reporting firms for establishment i at time t .

$\beta_3\text{FEP1950}_j$ = an indicator variable for whether or not state j adopted a FEP law prior to 1950.

$\beta_4\text{FEP5064}_j$ = an indicator variable for whether or not state j adopted a FEP law between 1950 and 1964.

$\beta_5\text{POLID}_{jt}$ = a continuous measure of citizens political ideology for state j at time t

$\beta_6\text{SLOPEXOFCCP}_{it}$ = an interaction term between the era slope and OFCCP reporting status.

$\beta_7\text{SLOPEXFEP1950}_j$ = an interaction term between the era slope and timing of FEP adoption prior to 1950.

$\beta_8\text{SLOPEXFEP5064}_j$ = an interaction term between the era slope and timing of FEP adoption between 1950 and prior to 1964.

$\beta_9\text{SLOPEXPOLID}_{it}$ = an interaction term between the era slope and citizen political ideology for state j at time t .

$\beta_{10}\text{S}(\ln)_{it}$ = The natural log of total employment for establishment i at time t .

$\delta\beta_{11kt}$ = A vector of variables capturing the race and sex composition of labor market k at time t .

$\beta_{12}\text{RIR}_{it}$ = Random integration ratio for establishment i at time t

$\beta_{13}\text{H}_{it}$ = The Gibbs-Martin Index of heterogeneity (H) for establishment i at time t .

αIND = A Fixed Effect for Industry at the three-digit SIC level.

αLM = A Fixed Effect for Local Labor Market

ε = disturbance term

Managerial Representation Models

In chapter seven, I turn my attention toward changing access to managerial jobs for White men, White women, African American men and African American women

from 1966 to 2002. Four sets of models will be run, one for each race-sex status group examined. Since this approach takes a decidedly intersectional approach toward studying workplace inequality, both the FEP and ERA variables are included in the models. In addition, some of the controls are different as discussed in the measurement section of this chapter. These models take the following form:

$$\begin{aligned} MR_{xit} = & \beta_1 SLOPE_t + \beta_2 OFCCP_{it} + \beta_3 NERA_{jt} + \beta_4 SERA_{jt} + \beta_5 FEP1950_j + \\ & \beta_6 FEP5064_j + \beta_7 POLID_{it} + \beta_8 SLOPEXOFCCP_{it} + \beta_9 SLOPEXNERA_{jt} + \\ & \beta_{10} SLOPEXSERA_{jt} + \beta_{11} S(ln)_{it} + \beta_{12} PCTMGR_{it} + \\ & \beta_{13} RIR_{ikt} + \alpha IND + \alpha LM + \varepsilon \end{aligned}$$

Where:

MR_{xit} = Managerial representation for status group x in establishment i at time t .

$\beta_1 SLOPE_t$ = A Continuous measure of time within political era.

$\beta_2 OFCCP_{it}$ = An indicator variable for OFCCP reporting firms for establishment i at time t .

$\beta_3 NERA_{jt}$ = an indicator variable for whether or not state j ratified the national ERA at time t .

$\beta_4 SERA_{jt}$ = an indicator variable for whether or not state j adopted a State level ERA at time t .

$\beta_5 SLOPEXOFCCP_{it}$ = an interaction term between the era slope and OFCCP reporting status.

$\beta_6 SLOPEXNERA_{jt}$ = an interaction term between the era slope and the ratification of the national ERA for state j at time t .

$\beta_7 SLOPEXSERA_{jt}$ = an interaction term between the era slope and the presence of a state level ERA for state j at time t .

$\beta_8 S(ln)_{it}$ = The natural log of total employment for establishment i at time t .

$\delta\beta_{9kt}$ = A vector of variables capturing the race and sex composition of labor market k at time t .

$\beta_{10} H_{it}$ = The Gibbs-Martin Index of heterogeneity (H) for establishment i at time t .

αIND = A Fixed Effect for Industry at the three-digit SIC level.

αLM = A Fixed Effect for Local Labor Market

ε = disturbance term

CHAPTER FIVE

THE EFFECTS OF POLITICAL ENVIRONMENTS ON SEX SEGREGATION IN LARGE PRIVATE SECTOR U.S. FIRMS, 1966-2002

5.1 Introduction

This chapter examines the influence of the political environment on changes in workplace sex segregation using unique private sector establishment-level data collected annually from 1966 to 2002. Using the variables and analytic technique described in the previous chapter, I seek to discover whether political eras, federal dependency, the adoption of state level laws and citizens' political ideology affect the level and rate of change in workplace sex segregation. While organizational theories have been used to investigate organizational stability and change, they have been used less often to explain changes in workplace inequality outcomes, and no previous research has sought to conceptualize the political environments confronting work organizations. In the following section of this chapter I discuss my expectations based on the historical context (chapter 3) and organizational theory (chapter 4). Then I provide descriptive statistics for variables used in the specified sex segregation models, followed by a presentation of the results from the pooled cross-sectional fixed effects models described in the previous chapter, and finally, I conclude with a summary of the central insights and findings.

5.2 Expectations for Female-Male Segregation, 1966-2002

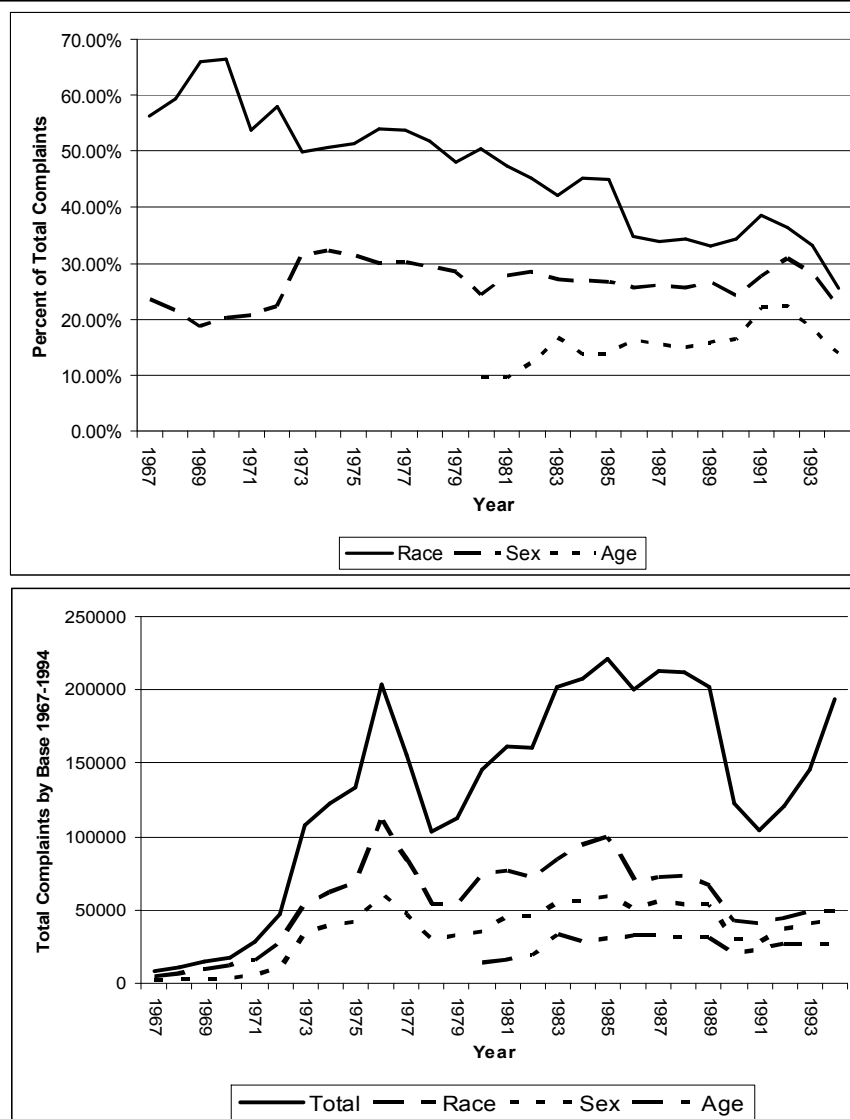
In the multivariate models, I expect that the following outcomes once controls for measurement error, local labor supply, and stable characteristics of industry and commuting zones are included in the model. I expect little to no workplace sex integration to take place during the first political era (1966-1972). In fact, increasing the demand for Black male labor may actually increase sex segregation as employers seek to hire Black men – the primary targets of the 1964 Civil Rights Act (Blankenship 1993; Deitch 1993).

The political era effect, represented with a continuous measure for time within each era, should be most marked in the second political era (1973-1980) when the politics of equal employment opportunity (including rhetoric and enforcement) shifted from Black male centered to a more expansive coverage, which included women. This shift may be related to the fact that the women's movement was most visible to U.S. society due to its increased mobilization and media coverage concerning the Equal Rights Amendment (ERA).

In addition, it is unclear whether or not women actually were discriminated against more in employment opportunities during political era II compared to the previous, but it is clear that they began to make up a larger percentage of total complaints to the EEOC during this period. From 1972 to 1973 women's share of total complaints to the EEOC rose from just over 20 percent to just over 30 percent, while at the same time complaints filed by African Americans fell as a percent of total complaints from near 60 percent to about 50 percent (see figure 5.1). It could be the case that women's involvement in the political process – using the legitimate

bureaucratic channels for filing complaints – may have led to greater opportunities due to 1) increased pressure from women on regulatory organizations, such as the EEOC, thereby altering or shifting the direction of enforcement, and 2) the generation of new uncertainty as women began to make increasing demands for equal opportunity from employers.

Figure 5.1 EEOC Complaints by Base, 1967-1993



Data Source: Equal Employment Opportunity Commission (EEOC). Electronic data file provided by Wakefield and Uggen (2004).

During political era III (1981-1991), I expect that sex integration will continue, although at a reduced rate compared to era II. Visibility of the women's movement declines during this period and there is an overall decline in support for EEO measures at the federal level. Were it not for continued legislative gains in the late 1970s, sex integration may not have continued through this period. In addition, progress may also slow as new categories of workers gained protected status during this period (e.g., new claims based on age and disability). It is also likely that regulatory uncertainty is greatly reduced, since President Carter's 1978 reorganization plan, which reduced the number of government organizations responsible for the administration of equal opportunity policies from over twenty organizations to three (Bryner 1981), with the vast majority of responsibility falling to the EEOC and OFCCP.²³ The reconciliation of an overlapping and contradictory regulatory environment should aid in stabilizing the environment and reducing uncertainty among large private sector U.S. firms, thus reducing the rate of integration but not eliminating it.

While Reagan openly opposed the passage of an ERA, positive advances were taking place in workplace policies aimed at women. Kelly and Dobbin (1999) examine the emergence and diffusion of maternity leave policies during the 1970s and 1980s and posit that the spread of such policies across organizations was largely in response to the uncertainty generated by sex discrimination law (e.g., whether or not organizations should hold women's jobs when they become pregnant or need time off for childbirth).

²³ The EEOC and OFCCP become responsible for administering all equal opportunity policies except the enforcement of title VII and EO 11246 for state and local government employees, which remained the responsibility of the Department of Justice.

Therefore, while the administration did not support EEO measures, the regulatory environment remained unstable and therefore, uncertain.

During political era IV (1992-2002), I expect a more pronounced decrease in sex segregation compared to era III, but not as dramatic as that witnessed in era II. More supportive EEO/AA rhetoric coupled with economic growth, the Civil Rights Act of 1991, increasing sexual harassment and pregnancy discrimination cases, and the passage of the Family and Medical Leave Act (FMLA) should produce increased uncertainty in the political environment confronting work organizations.

I expect that the pressures stemming from Federal dependency should vary across political eras. OFCCP reporting firms should be more sex segregated on average than non-OFCCP reporting firms during the first political era since all pre-1964 federal pressure on federal contractors was about increasing employment for race and ethnic minority men (i.e., President F.D. Roosevelt's 1941 Executive Order banning discrimination in the defense industries). Again, this pressure to increase minority male labor may increase sex segregation in the early period.

During the second political era OFCCP reporting firms should begin to converge with non-reporting firms. OFCCP reporting firms should integrate more rapidly than non-reporting firms during the second political era. During era II, we find increasing uncertainty stemming from social movements, expanding EEO law, court case rulings, and enforcement strategies aimed at eradicating sex inequality in private sector workplaces.

One might anticipate the effects of OFCCP enforcement to stop altogether during the third political era due to decreases in personnel and funding for enforcement

agencies. For instance, Under Reagan OFCCP guidelines were changed and enforcement was substantially reduced (Boris and Honey 1988; duRivage 1985).

This line of reasoning potentially suggests that decreases in enforcement could lead to increases in segregation, however, because organizations tend toward inertia after they create routines and standard operating procedures (Starbuck, 1983), I expect that declining enforcement stalls progress but does not necessarily increase segregation. Contractors are more likely to develop offices, policies and programs to handle the administrative requisites of EEO/AA law than non-contractors, regardless of the level of federal enforcement. Previous research shows that contractors continue to adopt policies and procedures more rapidly than non-contractors in the 1981-85 period. Prior to this time there is no difference in the rate of policy/program adoption between contractors and non-contractors (Dobbin and Sutton, 1998; Sutton and Dobbin, 1996). Thus, contractor firms may continue offering greater opportunities to women during this period, especially if they continue to expand the EEO capacity of their personnel functions. EEO/AA offices, human resource departments and the formalization of rules governing hiring and promotion all potentially reduce discrimination, and therefore may act to encourage the advancement of women in U.S. workplaces. Once instituted, they should provide a stable lower level of workplace segregation. However, the integration *trajectories* of OFCCP and non-OFCCP reporting firms are unlikely to differ significantly during this time. It is doubtful that this trend improves in the fourth political era due to congressional division over the appropriateness of affirmative action in government contracting.

National and state level ERAs are liable to introduce new uncertainty into the organizational environment; however, given that these laws emerged after the equal pay act of 1963 and the civil rights act of 1964, it is not likely that these effects will be large due to the fact that they do not radically alter labor market mandates related to earlier acts passed during the 1960s and early 1970s. It is also probable that these variables capture an element of the normative institutional environment of states. Since the laws pose little threat to changing Female-Male labor market relations, it may simply be that places with more egalitarian values toward gender are more likely to ratify the national ERA or pass a state level version.

The political ideologies of citizen's should impact change in sex workplace integration over time as well. Perhaps no other issue defines the liberal-conservative divide better than government interference in labor markets. During all eras, I expect that organizations embedded within states with more politically liberal citizens will show lower levels of sex segregation compared to states with more conservative ideologies. Similarly, places that become more liberal are likely to integrate more rapidly.

5.3 Summary Statistics for Analyses of Sex Segregation

The unit of analysis in the analyses that follows is the work organization. In table 5.1 I present the means and standard deviations of independent and dependent variables included in the models that follow by political era. It is important to remember that the twenty percent sample data employed in these analyses are drawn from the population of private sector firms with 100 or more employees (50 or more

before 1983); therefore, results are not generalizable to small firms or public sector employment.

The average level of sex segregation (*D*) from political era I to political era II declines by 8.62 points (a 13.36% decline), 10.28 points from political era II to political era III (an 18.34% decline), and 9.28 points from political era III to political era IV (a 19.84% decline). This suggests that sex workplace integration in large private sector U.S. firms was least pronounced in the early era and more pronounced in subsequent eras. This fits the historical account and the intended targets of the Civil Rights Act.

About one half of all establishments in political era I belong to OFCCP reporting firms and, are therefore, subject to affirmative action guidelines and required to maintain annual plans and reports. The percentage of all establishment that belong to federal contracting firms rises to just over 61 percent during political era II and III and falls to about 53 percent in political era IV.

Twenty-three percent of establishments were located within states that ratified the national ERA during political era I. This jumps substantially during political era II (the 1970s) when many states began to ratify the amendment (see table 5.2). This value does not change substantially over the remaining eras since few states ratified the amendment after 1980. A similar pattern emerges for the percentage of organizations within states that adopted a state level ERA. Although some change, however less marked, does take place in the later two political eras. This is consistent with the historical record indicating more state level ERA adoption since 1980 compared to the ratification of the national ERA.

The state-level citizen political ideology variable is difficult to interpret. Since the unit of analysis is workplaces, states with more workplaces have a greater contribution to the sample average political ideology. Therefore, the slight increase over the period under study suggests two potential possibilities. First, it could be that citizens' political ideology is, on average, becoming more liberal across U.S. states. It could also be the case that increases in the number of workplaces are taking place in states where citizens exhibit more liberal political ideology (see Berry et al 1998 for a discussion of stability and change in state level political ideology).

The means and standard deviations for control variables are also included in table 5.1. One interesting note is the decline in the percentage of women employed in commuting zones in large private sector firms. Clearly, today women make up a greater share of total employment than they did in 1966, however, their representation in the EEO-1 data shows a decline in the representation of women in large private U.S. firms. Women make up nearly half of the total labor force in the EEO data in political era I. This percentage falls substantially over time to about 36 percent in political era IV. This suggests that women may be moving to, or sorted, into the public sector as well as small private sector firms.

Table 5.1. Descriptive Statistics for Variables Used in the Fixed-Effects Models Predicting Sex Workplace Segregation by Political Era, 1966-2002

| | Political Era I (1966-1972) | | Political Era II (1973-1980) | | Political Era III (1981-1991) | | Political Era IV (1992-2002) | |
|---|--------------------------------|---------------------|---------------------------------|---------------------|----------------------------------|---------------------|---------------------------------|---------------------|
| | Mean/ <u>Percent</u> | Std. <u>Dev.</u> | Mean/ <u>Percent</u> | Std. <u>Dev.</u> | Mean/ <u>Percent</u> | Std. <u>Dev.</u> | Mean/ <u>Percent</u> | Std. <u>Dev.</u> |
| Sex Segregation (<i>D</i>) | 64.67 | 28.73 | 56.05 | 28.07 | 46.77 | 25.64 | 37.49 | 23.75 |
| OFCCP Reporting | 49.44% | 0.50 | 61.41% | 0.49 | 61.46% | 0.49 | 53.32% | 0.50 |
| Ratification of National ERA | 23.28% | 0.42 | 67.87% | 0.47 | 68.55% | 0.46 | 67.48% | 0.47 |
| Adoption of State-Level ERA | 25.46% | 0.44 | 44.31% | 0.50 | 47.83% | 0.50 | 50.28% | 0.50 |
| Citizen Political Ideology | 44.51 | 16.76 | 45.80 | 16.01 | 49.18 | 14.27 | 49.03 | 11.45 |
| Establishment Size (ln) | 4.52 | 1.21 | 4.58 | 1.04 | 4.84 | 0.96 | 4.87 | 0.90 |
| Percent Black | 9.72% | 7.17 | 11.24% | 8.23 | 12.08% | 8.82 | 13.36% | 10.12 |
| Percent Hispanic | 3.97% | 6.86 | 5.28% | 8.16 | 6.27% | 9.04 | 9.10% | 10.80 |
| Percent Female | 49.11% | 7.69 | 43.63% | 6.19 | 38.41% | 4.98 | 35.95% | 3.51 |
| Gibbs-Martin Index of Heterogeneity (H) | 55.97 | 18.97 | 54.83 | 20.21 | 55.09 | 20.73 | 53.02 | 21.20 |
| Random Integration Ratio (RIR) | 95.88 | 6.61 | 96.91 | 3.01 | 97.66 | 2.94 | 97.77 | 3.20 |
| Sample Size (N) | 65,134 | | 154,201 | | 307,403 | | 391,777 | |

5.4 Results from Pooled Cross-Sectional Fixed Effects Models

Pooled cross-sectional fixed effects models for Female-Male workplace segregation by political era are presented in table 5.2. These models examine the effects of the political variables on average levels of Female-Male segregation over each political era while table 5.3 allows the political variables to interact with the political era slope – a continuous measure of time within each political era. The first set of models examines the average effects of covariates for each era, while the second set of models allow for an examination of the trajectory of political variables over each political era.

Levels of sex segregation for political era I (1966-1972) are examined in the political era I model. The model indicates that sex integration was taking place in large private U.S. firms in this early period albeit relatively slow. Controlling for stable characteristics of industry (three-digit standard industrial classification code) and local labor markets (commuting zones) over time and other variables in the model, the model predicts that the index of dissimilarity (D) declined by about 1/5 of a point per year (-.189) during this early post-civil rights period. Change occurring during the entire political era was just over a single point decline in total sex segregation across large private U.S. firms. This result is consistent with the historical record regarding the beneficiaries of the civil rights act of 1964 during the early years following the passage of this monumental legislation. Since the legislation was primarily aimed at eradicating Black-White inequality it was not expected that drastic changes would result from the passage of the law, especially since civil rights agencies lacked the capacity to properly enforce anti-discrimination laws and mandates. It was not until the second political era

(1973-1980) when lawsuits and new legislation generated uncertainty concerning anti-discrimination and female employment that sex segregation began to decline more substantially.

Table 5.2. Female-Male Workplace Segregation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|---------------------|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | -.189** (.068) | -.900*** (.031) | -.675*** (.015) | -.473*** (.014) |
| OFCCP | 2.020*** (.171) | -.303** (.107) | -1.097*** (.070) | -1.329*** (.056) |
| National ERA | -.021 (.244) | .431 (.316) | -.693* (.345) | .693** (.257) |
| State ERA | .429 (.355) | .169 (.299) | .944** (.301) | .642*** (.164) |
| Political Ideology | .006 (.017) | .006 (.009) | .020*** (.005) | .027*** (.004) |
| R ² | .5621 | .5640 | .5453 | .5588 |
| Sample Size (N) | 65134 | 154201 | 307403 | 391777 |

Note: All Models contain variables controlling for establishment size (ln), local labor supply (percent female, Black and Hispanic), measurement error (Gibbs-Martin Index of Heterogeneity and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

Among OFCCP reporting firms (federal contractors) sex segregation was, on average, about two points (2.02) higher than non-OFCCP reporting firms during this era. While one might expect that the threat of losing a contract would be an impetus for increasing female employment, the politics of anti-discrimination policy was directed toward improving African-American male employment opportunities. Previous research suggest that OFCCP reporting firms increased Black male employment more rapidly than non-contractor firms, especially in low level positions, during this early

period. It could be that employers shift toward increasing Black male employment actually *increased* sex segregation and decreased Black-White segregation. This possibility will be explored in the next chapter.

The ratification of the national Equal Rights Amendment (ERA), the adoption of state-level ERAs and state-level citizen political ideology produced no effect on the average levels of sex segregation during political era I. The ERA results are not surprising since, with the exception of California, no state ratified the national ERA or adopted a state level version until the later years of this era. The political ideology variable was, however, expected to have significant effects on changes in workplace opportunity for women.

In model 2 results are shown for political era II (1973-1980). The yearly decline in sex segregation is substantial considering the marginal advances in the preceding political era. Sex segregation (*D*) declines by nearly an entire point (-.9) per year over the 1973-1980 period. This is the period when women's rights movement appeared most active and visible. In addition, there were numerous advances in anti-discrimination laws and mandates that further advanced sex equality compared to the previous period (for instance the Equal Employment Opportunity Act of 1972, the Pregnancy Discrimination Act of 1978, etc.).

Federal contracting firms, while more segregated in the first political era, actually display slightly lower (-.303) average levels of sex segregation than non-contracting firms during political era II. Sex segregation for OFCCP reporting firms is two points higher than non-OFCCP reporting firms during era one; however, in era two they appear to be integrating more rapidly since the average difference shows federal

contracting firms slightly more integrated. Whether OFCCP firms were integrating more rapidly than non-OFCCP reporting firms will be explored in the change models that follow. This finding underscores the importance of increased pressure of OFCCP enforcement during the 1970s as well as the shift from targeting equal opportunity for African American males during the first era to more expansive coverage extended to women in large private U.S. firms.

Contrary to my expectations the ratification of the ERA, the adoption of a state level era and citizen political ideology continue to show no effect throughout political era II. With the exception of California's adoption of an early state level ERA law, no states enacted legislation or ratified the national amendment until the very end of political era I; therefore, the insignificance of these variables on sex workplace integration during this early era were expected. Political Era II, however, marks the highpoint of the women's rights movement as well as the most active period of ERA ratification and adoption of state level ERAs. These factors do not appear to introduce any new uncertainty into the organizational environment during the first two political eras.

In political era III (Model 3), sex segregation continues to decline over the entire era. The model predicts a .675 decline per year in the index of dissimilarity (*D*) for sex segregation over the 1981 to 1991 period. Although the effect is weakened from the previous era, the rate of change is still substantial over this period. It is likely that continued progress in the 1980s can be attributed to continued uncertainty generated with the introduction of encompassing legislation and law suits, especially the rise in workplace sexual harassment and pregnancy discrimination cases.

During political era III, OFCCP reporting firms are about one point (1.097) more integrated than non-OFCCP reporting firms. This further illustrates the transition of OFCCP reporting firms from being more segregated compared to non-OFCCP reporting firms in the early period to more integrated in following eras.

Workplaces located within states that ratified the national equal rights amendment were, on average, slightly less segregated (-.693) than workplaces in states that did not ratify the amendment. Interestingly, states that adopted a state level version of the national ERA show levels of sex segregation that are on average nearly one point (.944) higher than states without state level ERAs. If the introduction of new legislation creates uncertainty in the organizational environment, then one would expect both coefficients to be negative. These results provide contradictory positions regarding the role of laws and the generation of organizational uncertainty. It could also be the case that since neither law changes labor market regulation substantially, there could be other reasons why states ratified the national amendment or developed state level laws (e.g., politicians may be especially interested in passing a symbolic law during an election year, especially if it does not change existing hierarchies of social relations).

Citizen political ideology is significant in this model; however, contrary to my predictions states with more liberal citizen ideology have *higher* not lower levels of sex segregation. The model predicts that a state with a value of 80 on the ideology scale (citizen liberalism) have, on average, a 1.2 point higher level of sex segregation than states with a value of 20 (citizen conservatism) during political era III.

Sex workplace desegregation continues, but slows further in political era IV (Model 4). The average yearly decline in sex segregation is nearly $\frac{1}{2}$ a point per year (-

.473). Federal contracting firms continue to have lower average levels of sex segregation than non-OFCCP reporting firms during political era IV. On average D for sex segregation in OFCCP reporting firms was 1.33 points lower than non-OFCCP reporting firms over the era. This effect is slightly greater compared with the previous era, although the slight increase suggests a converging sex integration trajectory for OFCCP and non-OFCCP reporting firms during the most recent era. The differences in the trajectories of these firms will be examined directly in models 5 through 8 by interacting time with OFCCP reporting status.

In the final political era the effects of both national and state level ERA adoption are associated with high levels of sex segregation. Workplaces in states that ratified the national ERA are .693 more segregated than workplaces within states that did not ratify the amendment. Similarly, workplaces in states with state level ERAs have D values of .642 higher than states without such laws. Again, this result runs counter to my expectations.

Citizen political ideology is significant in political era IV and continues to show that sex segregation is higher in states where citizens hold more liberal politics. The effect continues to produce a statistically significant weak effect. In the following section of this chapter I examine the effects of OFCCP reporting, national and state ERAs, and citizens' political ideology to discern the process of change within political eras.

Sex Segregation Change Models

In Table 5.3 I examine potential differences in the trajectories of sex workplace integration based upon OFCCP reporting status, state level ratification of national ERA, adoption of state level ERA, and Citizen political ideology. In the main effects model (Table 5.2), sex workplace integration was shown to be slow (-.189 yearly change in *D*) during the first political era and federal contractor status was the only other statistically significant theoretical variable in the model. Contractor firms were, on average, about two points less integrated than non-contracting firms. But, were contractor firms and non-contractor firms responding differently to the political and legal environment? Did the trajectories for sex workplace integration differ for contractor and non-contractor firms? The significant interaction between time and OFCCP reporting status suggests that there were differences in these trajectories over the first political era. Although, the effect is small, non-contracting firms were integrating slowly, while federal contracting firms were essentially not changing (in fact segregation is increasing slightly). As mentioned in the previous section, the trivial increase in sex segregation in OFCCP reporting firms could be attributed to the fact that EEO/AA pressures were directed toward increasing employment opportunities for African American men. Therefore, if federal contracting firms were increasing Black male labor, as previous research suggest (e.g., see Leonard 1984), sex segregation could actually increase. The other interactions in the model were not statistically significant.

Table 5.3 Female-Male Workplace Segregation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|-----------------------|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | -.214 (.115) | -.377*** (.070) | -.357*** (.039) | -.325*** (.041) |
| OFCCP | .669 (.390) | 3.786*** (.224) | -.148 (.137) | -1.338*** (.115) |
| National ERA | -2.241 (1.977) | .790* (.377) | -.447 (.381) | .645* (.287) |
| State ERA | .796 (.813) | .079 (.373) | .765* (.324) | .384 (.202) |
| Political Ideology | .013 (.019) | .008 (.011) | .039*** (.007) | .046*** (.007) |
| Political Era Slope * | .258*** (.066) | -.795*** (.038) | -.157*** (.019) | .001 (.016) |
| OFCCP | .332 (.281) | -.091 (.051) | -.034 (.024) | .005 (.019) |
| Political Era Slope * | -.066 (.119) | .024 (.043) | .019 (.020) | .035* (.017) |
| State ERA | -.002 (.002) | -.0003 (.001) | -.004*** (.0008) | -.003*** (.0007) |
| Political Ideology | .5622 | .5653 | .5455 | .5588 |
| R ² | | | | |
| Sample Size (N) | 65134 | 154201 | 307403 | 391777 |

Note: All Models contain variables controlling for establishment size (ln), local labor supply (percent female, Black and Hispanic), measurement error (Gibbs-Martin Index of Heterogeneity and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

We find more marked differences in the trajectories of sex integration within contractor and non-contractor firms during political era II. While the slope for OFCCP reporting firms was actually positive during era I, here it is negative and rather strong showing a decline of 1.172 points per year (-.377 + -.795). As expect it appears that the 1973 to 1980 period was in fact an important period of progress for women in the private sector. These results suggest that the political era with the greatest uncertainty

toward women in the labor force coupled with EEOC and OFCCP's heaviest period of enforcement may have produced increasing compliance in female employment opportunity. While federal contracting firms have higher levels of sex segregation compared to non-OFCCP reporting firms initially, by the end of the period they converge and federal contracting firms become, on average, slightly more integrated than non-contracting firms.

In political era III OFCCP reporting and non-OFCCP reporting firms continue to integrate although at a slower rate than the previous era. The change is slight in non-OFCCP reporting firms, although it is quite pronounced in OFCCP reporting firms. Federal contractors and non-contractors have very similar levels of sex segregation at the beginning of the period, however, the rate of integration remains slightly greater in contractor firms during political era III. In political era IV, there is no difference in the sex desegregation trajectories between contractor and non-contractor firms. Clearly, the influence of OFCCP and AA mandates are dramatically different in political eras.

The interaction between time and the adoption of a state level ERA is not significant during political era I through III, however, it becomes marginally significant in the political era IV model. The effect is small, but suggests that states that adopted ERAs are actually re-segregating over time compared to states without ERAs.

The interaction of citizen political ideology and time is non-significant in the early years, but during political era III and IV, the effect shows that organizations within states with a more liberal populace integrate more quickly than in more conservative states.

5.5 Chapter Summary

The goal of this chapter was to examine the effects of political environments on change in sex segregation in large private sector U.S. firms from 1966 to 2002. These results point out that uncertainty is a central driving force in understanding organizational change. Several key findings emerge, which corroborate the historical and theoretical ideas presented in previous chapters of this research. First, political eras matter a great deal for change in sex segregation. Once political variables and controls are included in the model, the Female-Male integration trend is not nearly as continuous and linear as the observed trend in chapter two. Controlling for other factors in the model, the models predict that sex segregation was barely taking place during political era I, followed by a stepwise and dramatic change in era II and then continuing at a decreasing rate over the remaining two eras.

Second, Federal dependency is an important factor in discerning levels and change in workplace inequality over time. In the earliest period, OFCCP reporting firms are actually more sex segregated than non-reporting firms and re-segregating at a slow pace. However, as the politics shifted and enforcement strategies changed, so did the trajectories. OFCCP reporting firms made rapid advancements in alleviating sex segregation during political era II compared to non-OFCCP reporting firms. As political pressures at the federal level waned in the third political era the OFCCP reporting difference dissolves, and in political era four the differences between OFCCP and non-OFCCP firms disappears.

Third, measures of local (state) politics (ERA ratification, state level ERA adoption and political ideology) provide ambiguous results. Each of these variables

produced no effect in the first two political eras. However, they are significant in the latter two eras. In stark opposition to my expectations these measures, for the most part, produced *higher* levels of sex segregation. I speculate on these unexpected findings in the concluding chapter.

CHAPTER SIX

THE EFFECTS OF POLITICAL ENVIRONMENTS ON BLACK-WHITE WORKPLACE SEGREGATION IN LARGE PRIVATE SECTOR U.S. FIRMS, 1966- 2002

6.1 Introduction

In the previous chapter, I addressed sex workplace desegregation in the post-civil rights era. In this chapter I examine and discuss changes in Black-White workplace desegregation from 1966-2002. As discussed in the analysis plan, I use a modeling strategy similar to the previous chapter – pooled cross-sectional fixed effects models – where I control for shifts in the industrial and labor supply structures. There is one key difference in the analytic strategy. In the previous chapter the ratification of the national ERA and the adoption of a state level ERA are included as time-varying covariates. This is because they were introduced *after* the passage of the Civil Rights act of 1964. Changes in Black-White workplace segregation, however, are likely to be influenced by the presence or absence of fair employment practice laws prior to the passage of the 1964 legislation; therefore, I expect that FEP laws should impact both the intercepts and the trajectories of changes in Black-White segregation over time. Fair Employment Practice (FEP) variables are included to capture the founding effects of early pre-civil rights legislation. In this chapter I use the same political eras as the previous chapter and examine both levels and change for each of the four political eras; However, the historical record documented in chapter three suggests that the expectations should be different based upon the focus of federal and state level politics.

6.2 Expectations

In the multivariate models, I expect the following outcomes once controls for measurement error, local labor supply, and stable characteristics of industry and commuting zones are included in the model. I expect Black-White workplace integration to be most marked during the first political era (1966-1972) – the era of greatest uncertainty concerning equal employment and race. Previous researchers, especially economists, are perplexed that Black males appear to make the greatest gains in the early period when enforcement agencies lacked the capacity to enforce and monitor compliance. Contrary to these perspectives, which see organizations as rationally examining the costs of sanctions associated with non-compliance, the central idea of this research is that uncertainty is a central driving force in organizational change.

Black-White workplace integration in the second political era (1973-1980) should continue, although the rate may be slower than the first era. Based on the historical record and new institutional theory, uncertainty concerning EEO for African Americans was reduced during this era, which should decrease the rate of integration. The reduction of uncertainty in the political environment has at least two causes. First, the politics of equal employment opportunity, including rhetoric and enforcement, shifted from a focus on Black males to include women. Second, by the end of this era many of the symbolic measures of compliance concerning racial discrimination had been defined by enforcement agencies and in the courts, while new bases of sex discrimination began to emerge, and with it uncertainty, concerning women's workplace rights (e.g., pregnancy discrimination and sexual harassment). An example

to demonstrate this point is shown in women's share of total complaints to the EEOC from 1972-1973. During this short period, women's complaints rose from just over 20 percent to just over 30 percent, while at the same time complaints filed by African Americans fell as a percent of total complaints from near 60 percent to about 50 percent (see Figure 5.1). Women's increasing visibility and demands at the beginning of this period are likely to have diminished the initial focus of EEO laws – African American males.

During political era III (1981-1991), I expect Black-White workplace integration to stall, stop or perhaps even re-segregation will occur. It is also likely that regulatory uncertainty is further reduced compared to the previous era due in part to President Carter's 1978 reorganization plan, which reduced the number of EEO regulatory agencies from over twenty to three (Bryner 1981). The reconciliation of an overlapping and contradictory regulatory environment should aid in stabilizing the environment and reducing uncertainty among large private sector U.S. firms, thus reducing the level of uncertainty.

During political era IV (1992-2002), I expect Black-White integration to start again, but at a very slow rate. More supportive EEO/AA rhetoric coupled with economic growth and the Civil Rights Act of 1991 should produce increased uncertainty in the political environment confronting work organizations. The well politicized opposition to affirmative action measures from Republicans in the U.S. House and Senate may reduce the influence of these factors.

I expect that the pressures stemming from Federal contract dependency should vary across political eras. OFCCP reporting firms should be more integrated on average

than non-OFCCP reporting firms during the first political era since pre-1964 federal pressure on contractors was geared toward increasing employment, but not occupational opportunity for African American men. It is likely that there is no difference in the integration *trajectory* between OFCCP and non-OFCCP reporting firms. Previous research finds that African American males were making gains in employment with federal contracting firms compared to non-contracting firms (Leonard 1984; Heckman and Wolpin 1976); however, the advances were in circumscribed entry level roles. It is difficult to speculate on the effect of increasing Black employment on segregation during this time, since it was largely an attempt to capture the regulatory process, hoping that increasing employment would be deemed by the courts as an appropriate gesture of compliance, shielding firms from threats to their social legitimacy. It is quite possible that these firms could have increased Black employment, but maintained a rigid color line between jobs.

During the second political era OFCCP reporting firms should continue to be more integrated than non-OFCCP reporting firms on average. This is largely due to the fact that the OFCCP began to pressure contractors (e.g., the “Philadelphia Plan”) to increase African American access to skilled and managerial jobs, not simply employment (Abram 1993; Ashenfelter and Heckman 1976). African Americans were not only making gains into more workplaces where they were previously excluded, as evidenced by figure 2.3, they were now gaining some access to jobs from which they were until that time denied. Contrary to the previous era, I expect that this mounting pressure on organizations, especially among federal contractors should lead to

increasing access to more than entry level jobs, thus the rate of integration is likely to be greater in these firms compared to non-contractors.

One might anticipate the effects of OFCCP enforcement to stop altogether during the third political era due to the Reagan administration's reduction in EEO/AA resources and enforcement (Boris and Honey 1988). This line of reasoning potentially suggests that decreases in enforcement could lead to increases in racial segregation, however, because organizations tend toward inertia after they create routines and standard operating procedures (Starbuck 1983), we expect that declining enforcement stalls progress but does not necessarily increase racial segregation. With enforcement and political pressures for EEO practices waning, racial workplace integration should slow or stall during the third political era. Contractors are more likely to develop offices, policies and programs to handle the administrative requisites of EEO/AA law than non-contractors, regardless of the level of federal enforcement. Previous research shows that contractors continue to adopt policies and procedures more rapidly than non-contractors in the 1981-85 period. Prior to this time there is no difference in the rate of policy/program adoption between contractors and non-contractors (Dobbin and Sutton 1998; Sutton and Dobbin 1996). Thus, contractor firms may continue offering greater opportunities to African Americans during this period, especially if they continue to expand the EEO capacity of their personnel functions. Thus, we may observe African American advances into the third and perhaps fourth political eras in federal contracting firms; however, the beneficial effects of OFCCP enforcement in the later two political eras are not about new enforcement, but rather the lack thereof coupled with administrative inertia among contractor firms. EEO/AA offices, human resource

departments and the formalization of rules governing hiring and promotion all potentially reduce discrimination, and therefore may act to encourage the advancement of African Americans in U.S. workplaces. Once instituted, they should provide a stable lower level of black-white segregation.

The existence of an FEP and the timing of adoption should impact the average levels and trajectories of Black-White workplace integration from 1966 to 2002. I expect organizations within states that were early adopters will start with the lowest levels of racial segregation, followed by states adopting between 1950 and 1964 and highest in organizations within states without an FEP in 1964. Similarly, I expect the trajectories of these organizations to be the steepest where FEPs did not exist in 1964, followed by organizations within states that adopted between 1950 and 1964 and slowest in early adopting states. After 1964 all states become subject to title VII requirements. Therefore, segregation levels should converge over time.

The political ideologies of citizen's should impact change in Black-White workplace integration over time. During all eras, I expect that organizations embedded within states with more politically liberal citizens will show lower levels of Black-White segregation compared to states where citizens have more conservative political ideologies. Similarly, places that become more liberal are likely to exhibit more rapid integration.

6.3 Summary Statistics for Analyses of Black-White Segregation

In table 6.1 I present the means and standard deviations of independent and dependent variables included in the models that follow by political era. Again, it is

important to remember that the twenty percent sample data employed in these analyses are drawn from the population of private sector firms with 100 or more employees (50 or more before 1983); therefore, results are not generalizable to small firms or public sector employment.

The average level of Black-White segregation (*D*) from political era I to political era II declines by 6.34 points (a 13.61% decline), 3.83 points from political era II to political era III (a 9.52% decline), and 2.09 points from political era III to political era IV (a 5.74% decline). This suggests that Black-White workplace integration in large private sector U.S. firms was most pronounced in the early era and less in subsequent eras. This fits the historical account of the intended targets of the Civil Rights Act and waning support for EEO/AA measures impacting the labor market opportunities for African Americans in the 1980s and 1990s.

About one half of all establishments in political era I belong to OFCCP reporting firms and, therefore, are subject to affirmative action guidelines and required to maintain annual plans and reports. The percentage of all establishment that belong to federal contracting firms rises to about 63 percent during political era II and III and falls to about 54 percent in political era IV.

Table 6.1. Descriptive Statistics for Variables Used in the Fixed-Effects Models Predicting Black-White Workplace Segregation by Political Era, 1966-2002

| | Political Era I (1966-1972) | | Political Era II (1973-1980) | | Political Era III (1981-1991) | | Political Era IV (1992-2002) | |
|--|--------------------------------|--------------|---------------------------------|--------------|----------------------------------|--------------|---------------------------------|--------------|
| | Mean/ Percent | Std. Dev. | Mean/ Percent | Std. Dev. | Mean/ Percent | Std. Dev. | Mean/ Percent | Std. Dev. |
| Black-White Segregation (<i>D</i>) | 46.56 | 25.12 | 40.22 | 23.16 | 36.39 | 21.79 | 34.30 | 21.60 |
| OFCCP Reporting | 51.31% | 0.50 | 63.40% | 0.48 | 62.77% | 0.48 | 54.11% | 0.50 |
| FEP pre-1950 | 20.35% | 0.40 | 18.07% | 0.38 | 17.44% | 0.38 | 16.46% | 0.37 |
| FEP 1950-64 | 35.97% | 0.48 | 35.90% | 0.48 | 35.21% | 0.48 | 35.02% | 0.48 |
| Citizen Political Ideology | 42.96 | 17.64 | 44.57 | 16.23 | 48.72 | 14.38 | 48.93 | 11.41 |
| Establishment Size (ln) | 4.83 | 1.13 | 4.75 | 1.05 | 4.96 | 0.93 | 4.97 | 0.86 |
| Percent Black | 11.36% | 7.18 | 12.84% | 8.23 | 13.40% | 8.77 | 14.52% | 10.12 |
| Percent Hispanic | 3.92% | 6.00 | 5.30% | 7.49 | 6.38% | 8.53 | 9.19% | 10.37 |
| Percent Female | 48.75% | 7.21 | 43.56% | 5.91 | 38.31% | 4.64 | 35.97% | 3.25 |
| Gibbs-Martin Index of Heterogeneity (<i>H</i>) | 57.26 | 19.06 | 56.01 | 20.03 | 55.47 | 20.77 | 52.94 | 21.30 |
| Random Integration Ratio (RIR) | 97.29 | 3.42 | 97.41 | 2.15 | 98.04 | 1.66 | 98.15 | 1.60 |
| Sample Size (<i>N</i>) | 45,560 | | 117,240 | | 253,461 | | 337,729 | |

Just over twenty percent of establishments were located within states that enacted a FEP law prior to 1950 during political era I, falling to 18% during political era II, 17.44% during political era III and about 16.5% in era IV, which suggests that employers subject to EEOC reporting are shifting away from these states. States that adopted a FEP after 1950 but prior to 1964 maintain a standard percent of total establishments over all political eras (35-36%). The states without FEP laws prior to 1964 have made some gains in the number of EEOC reporting establishments over time.

Similar to the descriptive statistics for Female-Male segregation, political ideology increases from a low of 42.96 in political era I to 48.93 during political era IV, suggesting a general liberalizing of citizens over time, or a shift in concentration of EEOC reporting establishments over time (e.g., increasing number of establishments in places with more liberal ideology).

6.4 Results

In table 6.2 I examine levels of Black-White workplace segregation from 1966-2002. In the first political era, the average yearly rate of integration (D) is just over one point per year (-1.09). The rapid decline in D is consistent with the observed trends in chapter two. This is also consistent with other research finding great declines in Black-White inequality during the early post-civil rights era.

The model suggests that, on average, during political era I federal contracting firms have much lower Black-White segregation than non-contractor firms (-2.201).

This result is consistent with expectations concerning the uncertainty generated by pre-1964 EEO measures aimed toward federal contractors.

Table 6.2 Black-White Workplace Segregation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981- 1991) | Political Era IV (1991- 2002) |
|---------------------|-----------------------------------|------------------------------------|--------------------------------------|-------------------------------------|
| Political Era Slope | -1.091*** (.089) | -.573*** (.036) | -.057** (.017) | -.073*** (.016) |
| OFCCP | -2.201*** (.215) | -2.337*** (.123) | -2.010*** (.076) | -1.190*** (.062) |
| FEP pre-1950 | -5.670*** (1.575) | -5.850*** (.903) | -5.586*** (.555) | -4.082*** (.472) |
| FEP 1950-64 | -2.726* (1.085) | -2.335*** (.594) | -1.753*** (.376) | -.234 (.311) |
| Political Ideology | -.019 (.020) | -.034** (.011) | -.002 (.006) | -.0001 (.005) |
| R ² | .3853 | .3797 | .4083 | .4343 |
| Sample Size (N) | 45560 | 117240 | 253461 | 337729 |

Note: All Models contain variables controlling for establishment size (ln), local labor supply (percent female, Black and Hispanic), measurement error (Gibbs-Martin Index of Heterogeneity and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

The presence of state level FEP laws prior to the passage of the civil rights act of 1964 produce significantly lower levels of Black-White workplace segregation than states without such laws prior to 1964. Early adopting states (prior to 1950) have the lowest racial segregation. In the first political era workplaces in these early adopting states (prior to 1950) have segregation values that are 5.67 points lower than states without FEP laws prior to 1964 and nearly three points lower than workplaces in states that adopted FEP laws between 1950 and 1964.

The state level political ideology of citizens' measure is not significant in political era I. Workplaces are unaffected by the liberal-conservatism of citizens. While I did not expect this effect to be large, I did expect that this measure of the normative institutional environment would have an impact on lowering racial segregation in large private U.S. firms. Burstein (1985) argues that the passage of laws is strongly tied to public opinion. Consistent with democratic theory (Dahl 1967), he sees politicians as passing laws in response to the desire of the voting public. Therefore, the normative environment changes first and then institutional structures (e.g., laws). Following this logic, one would expect more supportive normative environments to benefit African Americans in equal employment opportunity. No support for this explanation is found for this perspective. In contrast to Burstein, Santoro (2002) argues that the passage of landmark legislation, such as the Civil Rights Act of 1964, is not tied to public opinion. He argues that the initial Act was passed due to dramatic events, which in turn led policy makers to advance civil rights legislation. He sees subsequent legislation, however, as resulting from conventional political processes more closely related to public will. This perspective suggests that the normative environment is impacted, at least initially, by shifts in the institutional structure. Based on this perspective, we would not expect to find a normative environment effect in the initial period; it is likely to emerge in later political eras.

In political era II the average change per year falls to a decline of .573 points per year. The Black-White workplace integration trajectory is substantially reduced compared to the first political era. This is consistent with previous accounts documenting the most marked progress for African Americans taking place prior to the

EEOC's ability to initiate lawsuits. OFCCP reporting firms continue to be over two points lower on average than non-OFCCP reporting firms. The difference between OFCCP and non-OFCCP firms from era I to era II remains virtually the same, which suggest that the trajectories, or slopes, for these firms are likely to be the same as well.

In the second political era (1973-1980) the variables for state level FEP laws show similar results to those in era I. I expected that the early adopters would start with the lowest levels of segregation compared to states adopting between 1950 and 1964, and states without FEP laws prior to the passage of the Civil Rights Act of 1964. I also thought that these states would converge on levels overtime since the timing of FEP adoption should affect integration trajectories. During political era II, work organizations in the early adopting states (prior to 1950) exhibit index of dissimilarity (*D*) values that are on average 5.85 points lower than workplaces in states without FEP laws in 1964, and about 3.5 points lower than states adopting FEP laws between 1950 and 1964. Establishments in states without FEP laws in 1964 and those in states that adopted FEP laws between 1950 and 1964 do appear to be converging, while organizations in the early adopting states appear to maintain a relatively stable lower level of Black-White workplace segregation.

The political ideology of a state's citizens exerts a significant effect on workplace segregation in this model. The model predicts a .034 decrease in Black-White establishment level segregation for every one unit increase in a state's citizen's political ideology. For example, workplaces in a liberal state (with a value of 80) display *D* values that are, on average, about 2 points lower than establishments within a conservative state (with a political ideology value of 20) during political era II. This

result is consistent with my expectations that states with more politically liberal citizens would in turn lead to more equal employment opportunities for African Americans. This is consistent with Santoro's (2002) idea that normative change becomes a more important predictor of change after the passage of monumental legislation. It is interesting and somewhat puzzling that this effect is visible for Black-White, but not sex, segregation. This suggests a more complex explanation of the political process – the interrelation between normative environments, public policy, social movements and equal employment opportunity progress.

In the third political era (1981-1991) Black-White workplace integration comes to a virtual standstill as federal support for EEO/AA measures waned. While segregation continues to decline slightly there is practically *no* change taking place during political era III. The model predicts a .057 decline per year in Black white segregation holding other variables in the model constant. This result pales in comparison to the 1.09 decline per year witnessed in political era I and the .573 yearly decline during era II. The entire era (1981-1991) produced only a .627 decline in Black-White workplace segregation; not much more than the yearly change from the previous political era (.573).

Federal contracting firms maintain a two point lower level of segregation compared to non-OFCCP reporting firms during this era. This effect is fairly consistent from political era I, although the effect is decreasing slightly compared to era II. This suggests that the changes in enforcement strategy may have led to differing trajectories for OFCCP reporting and non-OFCCP reporting firms. The founding effects of FEP laws continue to be strong and practically unchanged from political era I for

organizations in early adopting states (before 1950). Establishments in these early adopting states exhibit *D* values that are over five and a half points (5.58) lower than organizations in states without FEP laws in 1964, and 3.833 points lower than workplaces in states that adopted a FEP law between 1950 and 1964. Organizations in states without FEP laws in 1964 and in states that adopted FEP laws between 1950 and 1964 are converging in their average levels of Black-White segregation over time, while organizations in early adopting states continue to show a stable lower level of segregation. The state level citizen political ideology variable does not affect average levels of Black-White segregation as it did in the previous political era.

The rate of change during political era IV does not differ much from the previous political era. Black-White segregation declines by less than one point (.876) over the twelve year period. The average difference in *D* values for OFCCP reporting firms and non-OFCCP reporting firms declines substantially compared to the previous political era (from -2.01 to -1.19). This results suggest that the increased enforcement of the OFCCP may have led to the initial increase in the rate of integration in federal contracting firms compared to non-contracting firms, but with the changing politics around race in the late 1970s and early 1980s and diminishing support for EEO/AA for African Americans, the overall effect of OFCCP reporting declines from political era II through IV.

The founding effects of state level FEP laws continues to be strong for the early adopting states, however, the stable lower level of Black-White workplace segregation seen in the early political eras appears to be eroding. For the first three eras workplaces in early adopting states showed *D* values that were, on average, over five and one half

points lower than states without FEP laws in 1964. This model shows that organizations in early adopting states are four points lower than organizations in states that did not adopt a FEP before 1964. Interestingly, average levels of Black-White segregation converge in organizations in states that adopted a FEP between 1950 and 1964 and organizations in states without FEP laws in 1964. The political ideology variable is not significant in this model.

Black-White Segregation Change Models

Federal contractors, while having a lower level of Black-White segregation, do not differ from non-contractors in their rate of integration during era I; however, increasing uncertainty during political era II concerning increasing access for African Americans to skilled and managerial jobs produces a faster rate of Black-White integration among OFCCP reporting firms compared to non-reporting firms. During era III OFCCP and non-OFCCP reporting firms continued to integrate, although nearly stopping compared to the strong effects of the first two political eras. Interestingly, non-reporters integrate at a slightly faster pace in era III. In political era IV OFCCP reporting status is marginally statistically significant, although substantively the result suggests lower segregation in OFCCP reporting firms. For the most part all progress comes to a halt in OFCCP and non-OFCCP reporting firms during the most recent political era.

Table 6.3 Black-White Workplace Segregation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981- 1991) | Political Era IV (1991- 2002) |
|---|-----------------------------------|------------------------------------|--------------------------------------|-------------------------------------|
| Political Era Slope | -2.060*** (.157) | -.938*** (.095) | -.182*** (.050) | -.038 (.055) |
| OFCCP | -1.514** (.520) | -1.558*** (.258) | -2.541*** (.150) | -1.419*** (.129) |
| FEP pre-1950 | -8.057*** (1.921) | -6.352*** (1.035) | -5.848*** (.617) | -3.966*** (.522) |
| FEP 1950-64 | -4.851*** (1.317) | -2.785*** (.696) | -1.703*** (.415) | -.591 (.343) |
| Political Ideology | -.085** (.028) | -.064*** (.015) | -.009 (.008) | .008 (.009) |
| Political Era Slope * OFCCP | -.135 (.086) | -.148*** (.043) | .086*** (.021) | .036* (.018) |
| Political Era Slope * FEP pre-1950 | .365 (.200) | .033 (.102) | .042 (.044) | -.016 (.035) |
| Political Era Slope * FEP 1950-64 | .358* (.140) | .090 (.068) | -.006 (.028) | .058* (.023) |
| Political Era Slope * Political Ideology | .019*** (.004) | .009*** (.002) | .001 (.001) | -.001 (.001) |
| R ² | .3871 | .3801 | .4083 | .4344 |
| Sample Size (N) | 45560 | 117240 | 253461 | 337729 |

Note: All Models contain variables controlling for establishment size (ln), local labor supply (percent female, Black and Hispanic), measurement error (Gibbs-Martin Index of Heterogeneity and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

There is little support concerning the effect of FEP laws on the post-1966 trajectories of organizational change. The FEP variables appeared to be important in explaining the initial levels of segregation; however, across the interaction models only a couple of the coefficients are statistically significant and marginally at that.

The effects of political ideology on trajectories of Black-White integration are also trivial. The effects are small and positive, suggesting that places with relatively liberal political ideology are also places where racial segregation does not decline as

rapidly during the first two eras. This effect disappears in the third and fourth political eras. It could be the case that these more liberal places were also states with FEP laws prior to 1964, and therefore, they started with lower intercepts.

6.5 Chapter Summary

This chapter examines changes in Black-White workplace segregation from 1966-2002. Similar to the previous chapter examining changes in sex segregation, political eras are an important factor in understanding change in the composition of jobs in large U.S. private sector firms. However, the effects of the political environment on changes in Black-White segregation are different than those on sex, which is consistent with new institutional theory and the historical record concerning periods of uncertainty leading to changes for African Americans and women. During the first political era [1966-1972] change was most marked for Black-White integration. Ironically, this was the period of weakest federal enforcement. It was, however, the period of maximum uncertainty. The second political era, 1973-1980, was the period of maximum enforcement by the EEOC and OFCCP. African Americans continued to integrate into large private U.S. firms during this period, although at a reduced rate compared to the previous political era. During the third political era, 1981-1991, change came to a rapid halt and improves only marginally in the fourth political era.

The idea that federal contracting firms should desegregate due to additional federal pressures for firms to desegregate is supported. Compared to non-contracting firms, federal contracting firms remain more integrated on average across the entire 1966 to 2002 period. Contracting firms start with lower initial levels of Black-White

segregation during the first political era. During the second political era they begin to integrate more rapidly than non-contracting firms; however, as enforcement was substantially reduced in the 1980s, non-contracting firms began to integrate more quickly. This trend continued into the fourth political era. While contracting firms had levels of segregation that were two points lower on average than non-contracting firms for the first three political eras, during the fourth political era this falls to just over one point due to the change in integration trajectories for OFCCP and non-OFCCP reporting firms after 1980.

Measures of local political environments also prove useful for understanding changes in Black-White workplace integration in the post-civil rights period. The adoption of pre-civil rights EEO legislation, FEP laws, shows that organizations embedded within states that adopted a FEP law prior to 1950 have the lowest average levels of racial segregation for the entire period under study. Organizations within states that adopted FEP laws between 1950 and 1964 start with levels that are higher than the early adopting states, but lower than states without FEP laws in 1964. Overtime, average levels of Black-White segregation converge for states without FEP laws in 1964 and those states that adopted between 1950 and 1964. Contrary to my expectations, states did not converge overtime due to the effects of uniform uncertainty generated by national legislation. I speculate on this finding in the concluding chapter of this research.

Finally, the political ideology of citizens at the state level matters during the first two eras, but then becomes non-significant. The results indicate that states with a more politically liberal populace have lower levels of racial workplace segregation

during the first two political eras, however, less politically liberal places are integrating more rapidly, which leads to no difference in the latter two political eras. In the following chapter I turn my attention toward an examination of changes in access to managerial jobs in large private sector U.S. firms over the 1966-2002 period.

CHAPTER SEVEN

ACCESS TO MANAGERIAL JOBS IN THE POST-CIVIL RIGHTS ERA, 1966-2002

7.1 Introduction

In chapter five and six, I examined the effects of political environments on changes in sex and Black-White workplace segregation from 1966 to 2002. While changes in the social distance between men and women and African Americans and whites tell a part of the story of equal opportunity progress, access to quality employment explains another component of changes wrought by the civil rights era. Title VII of the Civil Rights Act of 1964 specifically made it illegal to “limit, segregate, or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin” (SEC. 2000e-2. [*Section 703a*]). Therefore, two central goals of the monumental legislation were desegregation and increased access to higher level positions (e.g., managerial) for women and racialized minorities. In this chapter, I focus on the latter of those goals through a study of progress for sex-race status group members in access to managerial positions from 1966 to 2002.

The central question addressed in this chapter is, to what extent can the gains these groups achieved, as shown in the observed trends in chapter two, be attributed to changes in the political environment confronting work organizations? Similar to the previous two chapters, I embed changes in access to these valued positions within the broader social and political context. This examination is important since it allows us to

gauge the extent to which specific status groups have or have not made gains since the outlawing of discrimination on the basis of sex and race. For instance, scholars note that congress's primary purpose in passing the Civil Rights Act of 1964 was to improve the economic opportunities for Black men, which it felt would, in turn, raise the quality of life for all African Americans. The unintended inclusion of "sex" into the law leads to interesting questions concerning the beneficiaries of EEO/AA laws and mandates since the 1960s. St. Jean and Feagin (1997) note that African American women face a "double burden" in U.S. labor markets for being both Black and female. In addition they are perceived incompetent in the workplace due to their "twofer" conferred status by whites since they count toward race and sex affirmative action goals based on their two protected status distinctions. Whites' tend to believe that Black women were hired based on their "twofer" status rather than merit and ability. Research shows, however, that Black women have benefited no more than Black males from affirmative action programs (Leonard 1989). While speculation abounds, questions concerning the efficacy of EEO/AA efforts are not well documented or understood concerning specific sex-race status opportunities and experiences in U.S. labor markets (Browne and Misra 2003). This chapter will proceed as follows. First, I discuss expectations and statistical results for white male managerial representation for each political era, followed by white female, Black male and Black female. I conclude with a summary of central findings from these models.

7.2 Managerial Measure and Modeling Strategy

In previous chapters of this research I discussed the measurement and modeling strategy for examining managerial representation (chapter four). I do not wish to repeat the discussion in its entirety, however, it is important to point out that the measurement strategy I develop is a non-relational measure of status group representation that essentially captures the difference in a status groups representation in the local labor market (commuting zones) from their representation in managerial jobs within workplaces in that geography. I devised this measure to grapple with the problems in previous research using proportional measures that obscure the degree to which progress is taking place for women and racial minorities. The measure has the ability to take into account the contemporaneous gain for women and racial minority groups and stable privilege of white males over time (see chapter two). In all of the managerial models, I take the natural log of establishment level managerial representation. Descriptive statistics for these models are presented in table 7.1.

Table 7.1 Univariate Statistics for Managerial Representation Models by Political Era, 1966-2002

| | Political Era I (1966-1972) | | Political Era II (1973-1980) | | Political Era III (1981-1991) | | Political Era IV (1992-2002) | |
|---|--------------------------------|--------------|---------------------------------|--------------|----------------------------------|--------------|---------------------------------|--------------|
| | Mean/ Percent | Std. Dev. | Mean/ Percent | Std. Dev. | Mean/ Percent | Std. Dev. | Mean/ Percent | Std. Dev. |
| Managerial Representation | | | | | | | | |
| White Male | 1.54 | 0.68 | 1.59 | 0.71 | 1.58 | 0.74 | 1.56 | 0.84 |
| White Female | 0.32 | 0.72 | 0.47 | 0.72 | 0.65 | 0.72 | 0.81 | 0.78 |
| Black Male | 0.36 | 2.48 | 0.41 | 2.50 | 0.49 | 2.24 | 0.57 | 2.28 |
| Black Female | 0.10 | 1.29 | 0.18 | 1.70 | 0.28 | 2.13 | 0.36 | 2.91 |
| (ln) Managerial Representation | | | | | | | | |
| White Male | 0.05 | 1.66 | 0.16 | 1.46 | 0.12 | 1.49 | -0.06 | 1.84 |
| White Female | -4.81 | 3.07 | -3.56 | 3.28 | -2.23 | 3.00 | -1.68 | 2.84 |
| Black Male | -6.14 | 2.22 | -5.59 | 2.77 | -5.13 | 3.08 | -4.96 | 3.20 |
| Black Female | -6.67 | 1.31 | -6.33 | 1.94 | -5.81 | 2.54 | -5.53 | 2.78 |
| OFCCP Reporting Firm | 49.83% | 0.50 | 61.50% | 0.49 | 61.46% | 0.49 | 53.31% | 0.50 |
| FEP pre-1950 | 20.24% | 0.40 | 18.59% | 0.39 | 17.54% | 0.38 | 16.39% | 0.37 |
| FEP 1950-64 | 38.46% | 0.49 | 38.03% | 0.49 | 36.88% | 0.48 | 36.26% | 0.48 |
| Ratification of National ERA | 22.83% | 0.42 | 67.83% | 0.47 | 68.55% | 0.46 | 67.49% | 0.47 |
| Adoption of State-Level ERA | 24.99% | 0.43 | 44.28% | 0.50 | 47.80% | 0.50 | 50.27% | 0.50 |
| Citizen Political Ideology | 44.33 | 16.83 | 45.78 | 16.01 | 49.18 | 14.27 | 49.03 | 11.45 |
| Establishment Size (ln) | 4.42 | 1.29 | 4.56 | 1.05 | 4.83 | 0.97 | 4.86 | 0.92 |
| Commuting Zone Race and Sex Composition | | | | | | | | |
| Percent Black | 9.69% | 7.18 | 11.23% | 8.24 | 12.08% | 8.82 | 13.36% | 10.12 |
| Percent Hispanic | 3.95% | 6.93 | 5.27% | 8.17 | 6.27% | 9.04 | 9.10% | 10.80 |
| Percent Female | 49.29% | 7.83 | 43.67% | 6.25 | 38.42% | 5.00 | 35.96% | 3.51 |
| Random Integration Ratio (RIR) | -94.57 | 11.84 | -95.94 | 9.47 | -95.93 | 9.54 | -96.98 | 7.76 |
| Percent Managers | 11.27% | 0.11 | 11.92% | 0.09 | 12.50% | 0.10 | 11.85% | 0.12 |
| Sample Size (N) | 68,836 | | 157,147 | | 308,381 | | 392,446 | |

The basic modeling strategy is to regress managerial representation on an indicator for time, federal contractor status (OFCCP), state laws, and political ideology. I also examine their interactions with political era by splitting models by political eras and controlling for two major alternative explanations – changes in the labor supply and industrial structure. This is accomplished through the use of pooled cross-sectional

ordinary least squares (OLS) models for each political era. I estimate models within a fixed effects strategy, where I control for unobserved stable characteristics of industry (three digit SIC) and local labor markets (commuting zones) over time. The fixed effects for industry and spatial location allow us to gauge the extent to which causal estimates are best represented as occurring across all organizations or within specific spatial and industrial contexts.

7.3 White Male Managerial Representation, 1966-2002

Expectations for White Male Managerial Representation Models

In the models that follow, I expect that white males will increase their managerial representation during the first political era. This expectation is based on the observed managerial trend in chapter two and the historical record which indicates that Black-White integration was taking place during the early period, but not in skilled and managerial jobs, especially in contracting firms (Ashenfelter and Heckman 1976; Leonard 1984b). My sense is that the increase in Black male unskilled labor was likely to elevate many white male workers into skilled and managerial jobs.

In the second political era, enforcement strategies were stronger and aimed at increasing female and Black access to skilled and managerial positions, therefore, white males' managerial representation should remain stable or slightly decline as firms seek to include previously excluded groups into their managerial ranks. In the third political era, the reduction in support for EEO/AA measures should produce no change or perhaps a small increase in white male managerial representation – a white male “backlash”. The slight increase in support for EEO/AA measures coupled with more

expansive legislation should lead to a erosion, albeit rather small, of white male privilege.

For OFCCP reporting firms, I anticipate similar trends to the political era effects. Small increases should take place in the early era as non-managerial jobs became increasingly available to racial minorities, which likely elevated the status of some white workers. In the second political era the OFCCP's increased focus on access to skilled and managerial jobs for women and minorities is likely to reduce the overrepresentation of white males in managerial jobs. In addition the rapid adoption of EEO/AA offices in these firms is likely to reduce some of the capriciousness from hiring and promotion processes. Therefore, even in the face of a "turning back the clock on civil rights," white male stable advantage will erode more quickly in OFCCP reporting firms over the following two political eras due to *bureaucratic inertia*. I have no predictions regarding the effects of state level legal indicators on changes in white male managerial representation. I do, however, expect that liberal political ideologies are likely to be associated with places where white male advantage is reduced.

White Male Managerial Representation Levels Models, 1966-2002

In table 7.2 I display the results for white male access to managerial jobs in large private sector U.S. workplaces from 1966 to 2002. As expected, the first political era shows an actual increase in access to managerial positions for white men controlling for stable characteristics of industry, labor market and other variables in the model.

There is no difference in white male access to managerial jobs associated with OFCCP reporting during the first political era. The FEP laws have no effect on white

male managerial representation, nor does the state level adoption of an ERA. The national ratification of the ERA, however, does have a significant effect. White males privileged position is eroded in states that ratified the ERA by 1972 (the first year of ratification). ERA ratification is theorized to be an uncertainty generating component of the legal environment, on the other hand, the ratification of the ERA may have taken place within states that were already more supportive of egalitarianism. The political ideology variable has no effect on managerial representation for white males during political era I.

Table 7.2 White Male Managerial Representation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|---------------------|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | .052*** (.003) | .0006 (.001) | -.005*** (.0008) | -.014*** (.0008) |
| OFCCP | .019 (.012) | -.018* (.007) | -.027*** (.005) | -.037*** (.005) |
| FEP pre-1950 | .142 (.090) | .0002 (.053) | -.066 (.039) | .063 (.042) |
| FEP 1950-64 | .015 (.062) | .003 (.036) | -.016 (.028) | .037 (.028) |
| National ERA | -.056** (.018) | -.034 (.022) | -.097*** (.027) | -.092*** (.027) |
| State ERA | .039 (.027) | .022 (.021) | .033 (.024) | -.025 (.017) |
| Political Ideology | .001 (.001) | -.001* (.007) | .0006 (.0004) | -.0009 (.0005) |
| R ² | .2023 | .1518 | .1664 | .2097 |
| Sample Size (N) | 68,836 | 157,147 | 308,381 | 392,446 |

Note: All Models contain variables controlling for establishment size (ln), measurement error (percent managers at establishment and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$

During political era II, white males maintain a stable advantage as indicated by the insignificant political era slope. Although the effect is small and only marginally significant considering the sample size, white males have greater managerial representation in non-OFCCP reporting than OFCCP reporting firms. This could be the result of increasing representation for other status groups. This possibility is explored in the analyses that follow. The ratification of the ERA was significant during political era I, however, the coefficient is not significant in this model. The only other significant variable in the model is political ideology. The variable exerts a weak effect, but in the expected direction. More liberal places offer slightly lower white male managerial representation than states with more conservative citizen political ideologies.

In the political era III model, we actually find a slight erosion of white male advantage. This effect is very small and compared to white male gains in the first political era this decline is relatively insignificant. The marginal significance of OFCCP reporting status during political era II increases in magnitude during the third political era. Consistent with the idea of bureaucratic inertia, OFCCP reporting firms have lower managerial representation than non-reporting firms. Organizations embedded within states that ratified the ERA have lower managerial representation than states that did not ratify the proposed amendment.

White males lose a little managerial representation during political era IV. It should be noted, however, that the gains made during era I were greater than the combined losses during the later two eras. In other words, while white males have lost some managerial representation since 1980, their overrepresentation remains above 1966 levels. White males have lower managerial representation in OFCCP reporting

firms during political era IV. The only other significant variable in this model is the ratification of the ERA, which continues to have a negative effect on white male managerial representation.

White Male Managerial Change Models, 1966-2002

In table 7.3 I examine white male managerial representation by examining the trajectories of key variables across the eras. In the first political era we find that OFCCP reporting firms have higher levels of white male managerial representation, but the increase in white male managerial representation seen during era I was taking place in non-OFCCP firms more than OFCCP firms. This could be a function of increasing minority labor, especially Black males in unskilled and non-managerial positions. Organizations within states that adopted FEP laws between 1950 and 1964 have a small negative effect on the first era slope of white male managerial representation. In these states white males increased their access to managerial positions at a slightly slower rate than elsewhere. States without FEP laws in 1964 are not different from early FEP law adopting states (prior to 1950).

None of the slope interactions introduced into the second political era are significant. In the third political era only one interaction was even marginally significant. The OFCCP coefficient has a very small negative effect on white male trends in managerial representation at a slower rate. In the fourth political era, OFCCP reporting firms appear to be decreasing white male managerial representation compared to non-OFCCP reporting firms. The general lack of results among political variables for

white males could be due to the fact that they have enjoyed such a privileged and stable advantage in U.S. labor markets that few factors produce an erosion of their position.

Table 7.3 White Male Managerial Representation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|-----------------------|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | .073*** (.007) | -.0006 (.005) | -.0007 (.003) | -.025*** (.004) |
| OFCCP | .197*** (.028) | -.045** (.016) | -.0070 (.010) | -.154*** (.011) |
| FEP pre-1950 | .185 (.105) | -.037 (.062) | -.068 (.043) | .057 (.047) |
| FEP 1950-64 | .097 (.073) | .016 (.043) | -.025 (.031) | .018 (.032) |
| National ERA | .047 (.147) | -.026 (.027) | -.109*** (.030) | -.069* (.030) |
| State ERA | .092 (.060) | .006 (.028) | .042 (.026) | -.007 (.021) |
| Political Ideology | .002 (.002) | -.002* (.0009) | .001 (.0006) | -.001 (.0008) |
| Political Era Slope * | -.034*** (.004) | .005 (.002) | -.003* (.001) | .018*** (.001) |
| OFCCP | | | | |
| Political Era Slope * | -.013 (.021) | -.002 (.003) | .001 (.001) | -.003 (.002) |
| National ERA | | | | |
| Political Era Slope * | -.006 (.009) | -.001 (.003) | -.001 (.001) | -.002 (.001) |
| State ERA | | | | |
| Political Era Slope * | -.009 (.010) | .007 (.006) | .0003 (.003) | .0008 (.003) |
| FEP pre-1950 | | | | |
| Political Era Slope * | -.016* (.007) | -.007 (.004) | .001 (.001) | .002 (.002) |
| FEP 1950-64 | | | | |
| Political Era Slope * | .03 e-2 (.02 e-2) | .0001 (.0001) | .07 e-3 (.08 e-3) | .07 e-3 (.01 e-2) |
| Political Ideology | | | | |
| R ² | .2030 | .1519 | .1665 | .2100 |
| Sample Size (N) | 68,836 | 157,147 | 308,381 | 392,446 |

Note: All Models contain variables controlling for establishment size (ln), measurement error (percent managers at establishment and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$

In general these models suggests that net of shifts in industrial and local labor market structure, white men substantially increased access to managerial jobs in the first political era, and largely maintained their privileged position thereafter. OFCCP reporting firms show smaller white male privilege beginning in the second political era. It then grows across the rest of the periods. There is also evidence that in states that ratified the national ERA white males' privileged access to managerial jobs is marginally lower than in other states.

7.4 White Female Managerial Representation Models, 1966-2002

Expectations for White Female Managerial Representation Models

White female managerial representation should not be impacted by the first political era. Since the early efforts were not geared toward increasing opportunities for white females and the general lack of sex desegregation witnessed during this era in chapter five, no managerial gains should be made for white women from 1966 to 1972. While the letter of the law was clear, it was illegal to segregate or refuse to give access to women, its intent and the politics of enforcement should produce no uncertainty for large private sector U.S. firms. During the second political era, I expect that white women did make gains into managerial jobs. Sex desegregation of workplaces generally was taking place most rapidly during this era (see chapter five), the women's movement was most active and visible, enforcement was aimed at increasing opportunities for women and minorities in managerial and skilled positions and new legislation emerged granting increased rights. The large growth in the economy during this era is likely to have also played an important role. The Reagan retrenchment of

civil rights measures in the 1980s should reduce the size of the political era effect in era three, although it should continue to show improving managerial representation for white women because of continued legislative and legal activity coupled with administrative inertia. White women's gains should pick up again in the fourth political era due to a renewed political interest in equal opportunity as demonstrated by the passage of the Civil Rights Act of 1991, which increased the ability for workers to file suit for discrimination.

White females are unlikely to make gains in managerial jobs within OFCCP reporting firms during political era I. Women generally, irrespective of race, were neither the intended targets of early laws nor their enforcement. Among contractor firms sex segregation levels were highest during era I, likely as a result of increasing Black male labor. Therefore, I expect that compared to non-contracting firms white women fare worse in contracting firms in accessing managerial positions. This effect should change in era II as women's access to higher level jobs becomes a central focus of OFCCP enforcement. During the 1970s white women should begin to make gains in managerial jobs across the era. The political era effect should deteriorate, yet remain positive, into the third and fourth political eras as massive changes occurred within the structure and enforcement of the OFCCP.

I do not have any expectations regarding the effects of FEP laws on white women's access to managerial jobs. White women might make small gains in states with ERA laws as well as states that ratified the national ERA beginning in the second political era and continuing into the present. Since these laws did not actually change the regulatory environment no effect at all is possible as well. And finally, I expect

more politically liberal ideologies to coincide with increased managerial representation for white females across all eras.

White Female Managerial Representation Levels Models, 1966-2002

In table 7.4 I present the results for white female managerial attainment. During political era I white women were making some gains into managerial positions. This result was a little surprising since sex segregation was not declining during this early period. Although, it could be the case that while white women were not integrating with men during this era, they gained access to jobs in which they manage other women.

White women were less well represented in OFCCP reporting firms than non-OFCCP reporting firms in the first era. This is consistent with expectations concerning the focus of the OFCCP during the early years. White females were also better represented in managerial jobs within states that ratified the national ERA. These states exerted a negative effect on white male managerial representation during era I as well. It could be that this variable captures the normative environment which could either increase access to jobs, or it may simply be a reflection of an opportunity structure that affords white women more employment opportunities. In other words, states that provide greater access to managerial positions for white women may be more likely to ratify the ERA for several potentially interrelated reasons. First, these places have more egalitarian normative environments. Second, in states where women have greater access to economic opportunity, they may also have greater access to political power and resources.

Similar to the changes in sex segregation documented in chapter 5, white women make substantial gains in the workplace in the second political era. The slope was positive though small in the first political era. The trajectory here is much stronger than the previous era (.149 vs. .019). In addition, while OFCCP reporting firms showed lower access to managerial jobs for white women than non-OFCCP reporting firms in the previous era, here the difference disappears. This suggests that contractors were changing more quickly due to the uncertainty in the regulatory environment. No other variables in the model are statistically significant.

Table 7.4 White Female Managerial Representation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|---------------------|--------------------------------|---------------------------------|----------------------------------|---------------------------------|
| Political Era Slope | .019*** (.005) | .149*** (.003) | .062*** (.001) | .023*** (.001) |
| OFCCP | -.304*** (.021) | .012 (.015) | .082*** (.010) | .081*** (.008) |
| FEP pre-1950 | .039 (.151) | -.185 (.107) | .191* (.074) | .162* (.064) |
| FEP 1950-64 | -.061 (.103) | -.058 (.073) | .012 (.053) | -.018 (.044) |
| National ERA | .066* (.030) | .066 (.045) | -.034 (.052) | -.019 (.041) |
| State ERA | -.014 (.046) | -.043 (.043) | -.051 (.046) | -.010 (.025) |
| Political Ideology | -.02 e-2 (.002) | .0007 (.001) | .001 (.0008) | -.002** (.0007) |
| R ² | .3534 | .3347 | .2709 | .2302 |
| Sample Size (N) | 68839 | 157148 | 309503 | 393446 |

Note: All Models contain variables controlling for establishment size (ln), measurement error (percent managers at establishment and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

The results for the third political era (1981-1991) show that white female managerial representation continues to improve over this period, although not as quickly as in the second political era. We also find that OFCCP reporting firms now display higher average white female managerial representation than non-OFCCP reporting firms. This suggests that federal contractors started with fewer opportunities for white women, but that over time they offered more opportunities at an increasing rate. This possibility will be explored in the change models where the OFCCP reporting firm dummy variable is allowed to interact with time. Interestingly workplaces located within states that adopted FEP laws prior to 1950 displayed higher average levels of white female representation than workplaces in other states. None of the ERA variables nor political ideology has a significant effect on changes in white women's access to managerial jobs.

In political era IV white females' rate of progress slows. OFCCP reporting firms continue to offer greater managerial access than non-OFCCP reporting firms. And the early FEP adopters remain places for greater managerial opportunities for white females. The political ideology variable is significant but small and in the opposite direction of my expectations.

White Female Managerial Representation Change Models 1966-2002

The change models clearly show that political eras matter a great deal. In political era I, there is no difference between OFCCP and non-OFCCP reporting firms trajectories in providing managerial jobs to white women. In political era II, white women make marked gains in access to managerial jobs, especially in OFCCP

reporting firms. This trajectory slows in the 1980s, and in the fourth political era progress continues for white women although the effect is less pronounced in OFCCP reporting firms than non-OFCCP reporting firms. The trajectories of white female managerial attainment are impacted by the presence or absence of a state level ERA in political era III and IV, however, the effect is small and substantively inconsequential.

Table 7.5 White Female Managerial Representation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|-----------------------|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | .026* (.012) | .114*** (.011) | .066*** (.006) | .048*** (.007) |
| OFCCP | -.263*** (.047) | -.201*** (.032) | .013 (.020) | .237*** (.018) |
| FEP pre-1950 | -.104 (.175) | -.037 (.123) | .137 (.082) | .163* (.072) |
| FEP 1950-64 | -.169 (.122) | -.099 (.087) | -.022 (.058) | -.012 (.049) |
| National ERA | -.080 (.245) | .074 (.054) | -.073 (.057) | -.051 (.046) |
| State ERA | -.157 (.100) | .006 (.057) | -.004 (.049) | .033 (.032) |
| Political Ideology | .001 (.02) | -.0003 (.001) | .003* (.001) | -.0004 (.001) |
| Political Era Slope * | -.008 (.008) | .041*** (.005) | .011*** (.002) | -.024*** (.002) |
| OFCCP | | | | |
| Political Era Slope * | .018 (.035) | -.006 (.007) | .006 (.003) | .004 (.003) |
| National ERA | | | | |
| Political Era Slope * | .023 (.015) | .001 (.006) | -.007** (.002) | -.007** (.002) |
| State ERA | | | | |
| Political Era Slope * | .028 (.017) | -.030 (.012) | .009 (.006) | -.0009 (.005) |
| FEP pre-1950 | | | | |
| Political Era Slope * | .021 (.013) | .005 (.008) | .005 (.004) | -.0008 (.003) |
| FEP 1950-64 | | | | |
| Political Era Slope * | -.04 e-2 (.03 e-2) | .0003 (.0003) | -.0003 (.0001) | -.0002 (.0001) |
| Political Ideology | | | | |
| R ² | .3535 | .3350 | .2709 | .2304 |
| Sample Size (N) | 68839 | 157148 | 309503 | 393446 |

Note: All Models contain variables controlling for establishment size (ln), measurement error (percent managers at establishment and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

7.5 African American Male Managerial Representation, 1966-2002

Expectations for African American Male Managerial Representation

I expect African American males to make gains in access to managerial jobs during era I. While the focus of enforcement efforts was on increasing Black male employment, it is likely that it also led to small gains in managerial positions. The political era effect should become more pronounced in the second era when enforcement peaks and specifically aims to increase Black male managerial representation in large private U.S. firms. Consistent with previous research showing declining or stagnating progress for Black males during the Reagan administration, I expect that managerial representation will stop, or perhaps even decline during this period. And finally I expect that Black males will begin to make small gains again in the fourth political era.

Black males should have greater managerial representation in OFCCP reporting firms than non-reporting firms during political era I. In many contracting firms (e.g., defense contractors) federal pressures have produced uncertainty starting in 1941 with Roosevelt's banning of racial discrimination in the defense industry (EO 8802). This order created a monitoring agency (FEPC) and while powerless, like the EEOC before 1972, the state creates organizational action not through coercion but the negotiation of compliance between organizations and the state. This point reiterates Dobbin and Sutton's (1998: 441) portrayal of the state as "administratively weak, but normatively strong."

During political era II, African American males should have marked gains in managerial access in OFCCP firms compared to non-contracting firms. Increasing

access to skilled and managerial jobs was a central focus of the OFCCP during the second political era. Bureaucratic inertia should produce continued gains into the third era although I suspect that gains will not continue as strongly as in era II. Additionally, the trajectory should begin to stop or stagnate due to the unsupportive Reagan administration and cuts in budgets and personnel for the OFCCP. I expect that the trend will rise again in the fourth era although it is unlikely to be as strong as seen in era II.

The effect of FEP laws on Black male managerial representation should be greatest in early adopting states (pre-1950) followed by states that adopted later (1950-1964) and finally states without such laws should have the lowest managerial representation. I expect that the trajectories will differ over time and converge by the end of the period as all states come under the title VII regulations. I do not have any specific expectations for the ERA variables on changes in African American men's access to managerial jobs.

Organizations embedded within states exhibiting more liberal political attitudes should also reflect greater equality in their opportunity structures; therefore, higher levels of liberalism should produce greater Black male representation in managerial jobs. I expect this effect to be similar across all political eras.

African American Male Managerial Representation Levels Models, 1966-2002

African American males made positive gains in access to managerial jobs during the 1966 to 1972 period (table 7.4). They also witnessed greater access to these positions in OFCCP reporting firms than non-OFCCP reporting firms. Interestingly, African American males did not have greater access to managerial positions in the early

FEP adopting states compared to states without FEP laws in 1964, but African American male managerial representation is substantially greater, on average, within workplaces that are embedded within states that adopted between 1950 and 1964 during the first political era.

Table 7.6 Black Male Managerial Representation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|---------------------|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | .042*** (.004) | .055*** (.002) | -.004** (.001) | .022*** (.001) |
| OFCCP | .057** (.017) | .247*** (.014) | .357*** (.011) | .283*** (.010) |
| FEP pre-1950 | -.017 (.125) | .066 (.100) | .020 (.079) | .014 (.073) |
| FEP 1950-64 | .240** (.085) | .169* (.068) | .029 (.057) | .019 (.050) |
| National ERA | .060* (.025) | .035 (.042) | .178** (.056) | .262*** (.047) |
| State ERA | -.009 (.038) | -.077 (.040) | -.057 (.049) | -.003 (.029) |
| Political Ideology | -.002 (.002) | .006*** (.001) | .001* (.0009) | .002* (.0009) |
| R ² | .1495 | .1902 | .2039 | .1980 |
| Sample Size (N) | 68840 | 157048 | 309503 | 393446 |

Note: All Models contain variables controlling for establishment size (ln), measurement error (percent managers at establishment and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

During political era II Black males make increasing gains. As expected the political era coefficient is increased over the previous era. The average difference between federal contractors and non-contractors also becomes more dramatic during this period. Organizations within states that adopted a FEP law between 1950 and 1964 continue to have greater Black male managerial representation than other states

although the effect is diminishing from the previous era. Clearly, the significance of this variable does not fit with my theoretical reasoning. It is likely that these states are correlated with some important unobserved variable (e.g., some measure of a normative environment or local politics). While the effects of the political ideology variable were not very important for the racial segregation models, here the level of liberalism among states constituents begins to impact Black male managerial access in the 1970s. This effect is not consistent with Burstein's (1985) idea that institutional changes occur after change in the normative environment and is at least partially consistent with Santoro's (2002) idea that normative environments, in this case citizen political ideology, matters after legal uncertainty, not before.

Similar to results of other research finding stagnating or declining opportunities for African Americans in the 1980s, I find that during the third political era the positive trend witnessed in Black male managerial access comes to a virtual standstill. Consistent with the idea of bureaucratic inertia, OFCCP firms continue to offer greater opportunities, on average, to African American males. While I expected that progress would continue, I did not expect progress in OFCCP firms to increase over the previous era. It is important to remember that these are averages over the entire period. In the change models which follow, I examine whether or not the trajectories differ for OFCCP and non-OFCCP firms. The ratification of the ERA effect that was seen in era I returns in political era III. The political ideology variable continues to have a positive effect on African American male managerial attainment. Places with more politically liberal citizens tend to have greater managerial opportunities for Black males.

The political era effect becomes positive again in the fourth era, although not as dramatic as in era I or II. Federal contracting firms continue to offer greater opportunities to African American males, but not as marked as the previous era. Again in the fourth political era the ratification of the ERA exerts a significant positive effect on managerial attainment for Black men. I do not know why this variable exerts such an effect on Black male managerial representation during the later two political eras, but it could be capturing a component of the normative institutional environment or perhaps new political uncertainty. For instance, states that ratify the ERA may have a more egalitarian normative environment. The political ideology variable continues to have a positive effect on African American male managerial attainment. This effect is most pronounced during the era following the passage of the monumental 1964 Civil Rights Act.

African American Male Managerial Representation Change Models, 1966-2002

The federal contractor effect shows that OFCCP and non-OFCCP reporting firms were increasing Black male managerial representation during era I, although the OFCCP reporting firms were increasing opportunities a faster rate. In era II OFCCP reporting firms appear to provide more opportunities for African American males. However, the gap between OFCCP and non-OFCCP reporting firms in Black managerial representation declines during this era. While progress nearly stops in the 1980s, federal contractors have a slightly steeper Black male managerial representation slope than non-contractors.

Table 7.7 Black Male Managerial Representation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|-----------------------|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | .036*** (.010) | .102*** (.010) | .010 (.007) | .045*** (.008) |
| OFCCP | -.123** (.039) | .121*** (.029) | .305*** (.021) | .408*** (.021) |
| FEP pre-1950 | -.131 (.145) | .020 (.115) | .045 (.088) | .042 (.083) |
| FEP 1950-64 | .173 (.101) | .084 (.081) | .082 (.062) | .082 (.056) |
| National ERA | .336 (.203) | .135** (.051) | .225*** (.061) | .322*** (.053) |
| State ERA | -.079 (.083) | -.0008 (.053) | -.099 (.053) | -.036 (.037) |
| Political Ideology | -.08 e-2 (.002) | .011*** (.001) | .001 (.001) | .002 (.001) |
| Political Era Slope * | .034*** (.006) | .024*** (.005) | .008** (.003) | -.019*** (.002) |
| OFCCP | -.040 (.029) | -.016* (.006) | -.006 (.004) | -.009 (.003) |
| Political Era Slope * | .011 (.012) | .003 (.005) | .006* (.003) | .04 e-3 (.003) |
| State ERA | .024 (.014) | .013 (.011) | -.003 (.006) | -.003 (.006) |
| Political Era Slope * | .014 (.011) | .010 (.007) | -.008* (.004) | -.008* (.004) |
| FEP 1950-64 | -.04 e-2 (.03 e-2) | -.001*** (.003) | .0001 (.0001) | .04 e-3 (.01 e-2) |
| Political Era Slope * | .014 (.011) | .010 (.007) | -.008* (.004) | -.008* (.004) |
| FEP 1950-64 | -.04 e-2 (.03 e-2) | -.001*** (.003) | .0001 (.0001) | .04 e-3 (.01 e-2) |
| Political Ideology | .014 (.011) | .010 (.007) | -.008* (.004) | -.008* (.004) |
| FEP 1950-64 | -.04 e-2 (.03 e-2) | -.001*** (.003) | .0001 (.0001) | .04 e-3 (.01 e-2) |
| Political Ideology | .014 (.011) | .010 (.007) | -.008* (.004) | -.008* (.004) |
| R ² | .1499 | .1907 | .2040 | .1982 |
| Sample Size (N) | 68840 | 157048 | 309503 | 393446 |

Note: All Models contain variables controlling for establishment size (ln), measurement error (percent managers at establishment and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

p* < .05 *p* < .01 ****p* < .001 (two-tailed tests)

In the fourth era progress in Black male managerial representation once again improves, however, while OFCCP firms have greater Black male managerial representation, non-contractors are increasing Black male managers at a slightly faster rate. Thus, the OFCCP pressure to increase Black males managerial representation

seems to have been present at a declining rate through the first three eras, but stopped or even reversed in the most recent period. Although, President Clinton's support of "mending" and not "ending" affirmative action, it appears that the converse took place. In effect, under Clinton, affirmative action was ended not mended.

7.6 African American Female Managerial Representation, 1966-2002

Expectations for African American Female Managerial Representation

African American women are not expected to witness great advances into managerial jobs during the first political era. My sense is that the political era effect will either be absent or very small and positive. I do not expect this effect to become strong in political era two, although the increased focus on increasing minority access to skilled and managerial jobs should be evident compared to the previous era. The growing "backlash" in the third political era should suspend progress for African American women in large private U.S. workplaces, although bureaucratic inertia could lead to small increases in managerial representation. The political era effect should increase Black women's managerial representation again in political era IV.

Initially, I do not expect that Black women in OFCCP reporting firms are any more likely to make managerial gains than non-contracting firms. I suspect that the effect will be absent or positive and very small in the first political era. This should change in the second era when OFCCP began pressuring organizations to increase minority access into skilled and managerial jobs. The Reagan revolution ushered in an anti-equal opportunity environment, which should lead to a reduction in gains for African American female managerial representation. The legal and political changes in

the fourth political era should lead to increasing access to managerial positions for Black women in large private sector U.S. firms.

I include FEP variables in the models, but do not expect FEP laws to have benefited Black women's access to managerial positions over time. The laws were clearly geared toward increasing opportunities for ethnic and racial minority males, not women of any race. As Crenshaw (1989) has noted, over time the courts have seen African American women as women first and African Americans second. Interestingly, the letter of the law is not effective in protecting status groups; it is the intent and interpretation from the legislators and judicial scrutiny.

While the courts may see Black women as women first, then states that ratified or adopted a state level ERA, should be places where women are afforded more rights or the normative institutional environment is more supportive of gender equality generally. The fact that these laws do very little to modify pre-existing social relations suggests that these laws are largely symbolic and may be unlikely to bring about large change. Similarly, places with more liberal politics are probably more supportive of egalitarian values generally.

While African American women have two status distinctions which were protected under many early laws (e.g., the Equal Pay Act and the Civil Rights Act of 1964), they remained the most disadvantaged group. Sociologists, historians and political scientists have all noted the rampant patriarchy within the African American civil rights movement (Barnett 1993; Morris 1984, 1999; Payne 1995; Robnett 1997), which led to a focus on increasing employment opportunities for males rather than all African Americans, even though African American women made some of the most substantial

contributions to the movement. Similarly, Black women were largely excluded from participating in the white women's movement when it emerged in the late 1960s and early 1970s.

African American Female Managerial Representation Levels Models, 1966-2002

In table 7.5 I examine access to managerial jobs for African American women from 1966 to 2002. Interestingly, Black women did make some managerial gains in the first political era as evidenced by the significant and positive trajectory. It appears that Federal oversight exhibited no pressure on OFCCP reporting firms to increase Black female managerial representation in the earliest period. On average, OFCCP and non-OFCCP firms do not significantly differ in providing opportunities to African American women in this early period. As expected the FEP laws have no effect on increasing black women's managerial representation. However, Black women do fare better in states that have ratified the ERA during the first political era. As mentioned previously, this variable is likely to be a better indicator of a normative institutional environment than a legal one. The liberalism of states citizens, however, produces a negative weak result, which runs counter to my expectations. During political era I more liberal political ideologies are associated with marginally lower managerial representation for Black females.

The gains for Black women are more dramatic during the second political era. This is consistent with the historical discussion of changes in political environments discussed in chapter three. On average, OFCCP reporting firms now show higher managerial representation for African American women than non-OFCCP reporting

firms. The state level FEP and ERA variables are not significant during political era II. The political ideology variable is significant and positive during this era. It is now consistent with the expectation of greater managerial opportunity for Black females in states with more politically liberal ideologies.

Table 7.8 Black Female Managerial Representation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|---------------------------------|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | .012*** (.002) | .050*** (.002) | .012*** (.001) | .030*** (.001) |
| OFCCP | .008 (.010) | .094*** (.010) | .205*** (.009) | .227*** (.008) |
| FEP pre-1950 | -.066 (.074) | -.097 (.070) | .069 (.065) | -.060 (.063) |
| FEP 1950-64 | .023 (.051) | .011 (.048) | .070 (.047) | -.061 (.043) |
| National ERA | .055*** (.015) | -.011 (.030) | .103* (.046) | .304*** (.041) |
| State ERA | .025 (.022) | .0003 (.028) | -.068 (.040) | -.021 (.025) |
| Political Ideology (Citizen) | -.002** (.001) | .003*** (.0009) | .003*** (.0007) | .003*** (.0007) |
| R ² | .1251 | .1720 | .2037 | .2125 |
| Sample Size (N) | 68840 | 157148 | 309503 | 393446 |

Note: All Models contain variables controlling for establishment size (ln), measurement error (percent managers at establishment and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

In political era III, there is a clear slowing of progress for African American females. While the trajectory remains positive, it returns to similar levels found in political era I. As expected, even with the reduction in OFCCP funding and enforcement under the Reagan administration, bureaucratic inertia continues to show an advantage in OFCCP reporting firms compared to non-reporting firms. The effect of the

ratification of the ERA returns during this political era as well. The effect continues to show greater opportunities for Black women in access to managerial jobs compared to states that did not ratify the national amendment, and this effect is increased compared to its effect in the first political era. States with more liberal political ideologies continue to provide a positive effect on managerial representation for African American women.

Finally, in political era IV, Black women make increased gains compared to the previous era, although not as substantial as the second era. The OFCCP effect increases slightly over the previous era continuing to fit expectations concerning the continued effects of the adoption of organizational structures and practices that reduced discrimination in hiring and promotion.

The ratification of the national ERA continues to be positive showing greater managerial opportunities in these states for African American women. This effect is significantly greater than seen in previous political eras. This result is interesting in that it is likely to be capturing an element of the normative environment, such as egalitarianism, yet it does not seem to affect white women's access to managerial jobs. It does, however, impact managerial representation for black men and women. For African Americans, the pattern is the same for men and women. The effect is visible in the first political era, disappears during the second and reemerges in the third and fourth growing stronger over time. This ambiguous finding will be discussed more in the conclusion chapter of this research.

African American Female Managerial Representation Change Models, 1966-2002

In the change models, two results stand out. First, OFCCP firms are increasing black female managerial representation, although not as rapidly as non-OFCCP reporting firms during the first political era. The effect is rather small for all firms. The trajectories for Black women in OFCCP reporting firms in political eras II and III is increasing modestly over non-OFCCP reporting firms, and while the trajectory is positive for all firms in the final political era, non-OFCCP reporting firms begin to increase Black female access to managerial jobs more than OFCCP reporting firms.

The interaction between time and ERA ratification also is helpful for understanding the changes in levels seen in the previous set of models. These models suggest that while states that ratified the ERA appear to offer greater managerial opportunities for African American women on average during the first era, organizations in these states were actually converging with states that had not ratified the ERA, which leads to the insignificance of the ERA ratification variables in the second political era (levels model). The positive effect seen in the remaining eras while the trajectory remains negative is the result of an increasing intercept for states that ratified the ERA. Since the ERA ratification variable is time-varying, it is likely that states with more egalitarian opportunity structures (in this case higher levels of Black female managerial representation) are likely to be the new states that ratify the proposed amendment create an increase in the intercept for this group of states, while the trajectory is less steep than in states that have not ratified the ERA.

Table 7.9 Black Female Managerial Representation in Large Private U.S. Firms by Political Era, 1966-2002

| | Political Era I (1966-1972) | Political Era II (1973-1980) | Political Era III (1981-1991) | Political Era IV (1991-2002) |
|---|-----------------------------------|------------------------------------|-------------------------------------|------------------------------------|
| Political Era Slope | .020** (.006) | .070*** (.007) | .001 (.006) | .056*** (.007) |
| OFCCP | .081*** (.023) | .046* (.021) | .125*** (.017) | .309*** (.018) |
| FEP pre-1950 | -.118 (.087) | -.132 (.081) | .048 (.073) | -.028 (.071) |
| FEP 1950-64 | .007 (.060) | -.010 (.057) | .082 (.051) | .005 (.048) |
| National ERA | .315** (.121) | .047 (.036) | .171*** (.051) | .387*** (.045) |
| State ERA | -.054 (.049) | -.007 (.037) | -.136** (.043) | -.061 (.031) |
| Political Ideology (Citizen) | -.001 (.001) | .005*** (.001) | .002* (.001) | .004** (.001) |
| Political Era Slope * OFCCP | -.014*** (.004) | .009* (.003) | .013*** (.002) | -.012*** (.002) |
| Political Era Slope * National ERA | -.038* (.017) | -.007 (.004) | -.010** (.003) | -.013*** (.003) |
| Political Era Slope * State ERA | .005 (.007) | .009 (.004) | .010*** (.002) | .01e-2 (.002) |
| Political Era Slope * FEP pre-1950 | .010 (.008) | .007 (.008) | .003 (.005) | -.003 (.005) |
| Political Era Slope * FEP 1950-64 | .003 (.006) | .001 (.005) | -.001 (.003) | -.0009** (.003) |
| Political Era Slope * Political Ideology | -.01 e-2 (.01 e-2) | -.0005*** (.0002) | .09 e-3 (.01 e-2) | -.0001 (.0001) |
| R ² | .1254 | .1724 | .2038 | .2126 |
| Sample Size (N) | 68840 | 157148 | 309503 | 393446 |

Note: All Models contain variables controlling for establishment size (ln), measurement error (percent managers at establishment and the Random Integration Ratio), and fixed-effects for Industry (SIC3) and Local Labor Market (commuting zone). Regressions are unstandardized metric coefficients. Standard errors are in parentheses.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

7.7 Chapter Summary

This chapter examines how national and local politics impact changes in access to managerial jobs for White males, White females, African American Males and

African American females from 1966 to 2002. The central findings from this chapter are first, white male advantage in access to managerial jobs grows during the first political era, net of the change in industrial and local labor market structure, remains unchanged in the second era and then declines slightly in the third and fourth political eras.

Second, White women, African American men and African American women's access to managerial jobs grows across the period, although the third political era witnessed some dips in the managerial trajectories. In fact the trajectory for Black males was negative. White women's trajectories, however, have continued to show stronger growth.

Third, OFCCP reporting firms reduce white male advantage, increase access to managerial positions for all status groups, but first for African American men, then African American women and finally white women. The effects of OFCCP reporting status on change in access to managerial jobs disappears in the fourth political era.

Finally, the political/normative environment is associated with improved managerial representation for African American males and females across most of the 1966-2002 period, but interestingly, has no effect on changes in managerial representation for white women.

CHAPTER EIGHT

PROGRESS FOR WHOM? RETHINKING EQUAL OPPORTUNITY PROGRESS IN THE POST-CIVIL RIGHTS ERA

The passage of the Civil Rights Act of 1964 made discrimination on the basis of sex and race illegal in hiring, promotion, and compensation practices in U.S. workplaces. But, how effective was the Civil Rights Act in reducing employment inequality? This question has received considerable attention from the general populace, policy makers and academic scholars. Researchers often examine changes before and after the passage of the 1964 Act and find that progress for African Americans was substantial during the decades preceding the monumental legislation. These researchers argue that progress in racial workplace equality took place before the Civil Rights Act and that this change would probably have come about without federal government intervention due to the geographic movement of African Americans to the North and relative declines in the Black-White education gap (Smith and Welch 1984, 1989). Others find that enormous advances for African Americans were taking place in the 1940s well before the landmark Civil Rights Act of 1964 (W. Collins 2001b). Similarly, other research shows that women's access to employment opportunities is largely the result of changes in labor supply, individual preferences and normative attitudes toward women in the workforce. Does this mean that the Civil Rights Act was insignificant for improving the quality of life for previously excluded groups? What explains changes in

employment opportunities for women and African Americans during the post-civil rights era?

The primary goal of this research was to examine large-scale patterns of change in Female-Male and Black-White workplace segregation and access to managerial jobs over the post-civil rights era, 1966-2002. Drawing from politically-mediated approaches to workplace inequality and new institutional theory, my central argument is that organizations respond to uncertainty emanating from their political, regulatory and normative environments. Specifically, organizations are as responsive to uncertainty as they are to direct coercive pressures in modifying the sex and race composition of jobs – a central component of their social structure. It is my position that the passage of law, by itself, is unlikely to bring about employment opportunities for women and racialized minorities without political support for equal employment opportunity emanating from Federal and state levels.

Given the relative weakness of the U.S. state in regulating labor markets, whites' general apathy toward improving the economic and social standing of African Americans and males resistance to women in the workplace, how can we understand progress in the post-civil rights era? If the state lacks the capacity to monitor and enforce EEO/AA legislation and mandates and status groups who have traditionally held power continue to hoard it, why have organizations altered their race and sex composition over time? Do political environments, or political eras, translate into actual change in workplaces over time?

Previous examinations of workplace inequality have generally relied on explanations involving theories of discrimination, changes in attitudes toward previously disadvantaged groups, shifts in human capital acquisition, and transformations in the economic structure. In this research I draw from new institutional theory, which suggests that the effectiveness of the state in altering labor market opportunities is not due to direct coercive pressures, rather the state is “administratively weak, but normatively strong” in that it lacks the capacity to actually monitor and enforce EEO legislation, but it impacts changes by pressuring organizations to define the rules of regulatory compliance in conjunction with the state, the courts and the personnel professions (Dobbin and Sutton 1998; Edelman 1990, 1992; Edelman, Abraham and Erlanger 1992; Sutton and Dobbin 1996). Previous research documents how programs and policies have developed in response to uncertainty in the environment, but have not examined whether or not change in equal opportunity takes place as a result of these changes in the external environment.

This research is the first to examine the effects of changing federal and state politics on changing opportunity structures for women and African Americans in large private U.S. workplaces. I use a unique method for capturing the effects of political environments over time. Specifically, I draw heavily from the historical record concerning the impacts of federal and local politics. This history provides a rich detailed account of the conditions under which change is likely to occur and thwarted and it also helps to define four clearly distinct political eras in the post-1964 period. Each of the eras is examined separately with a continuous measure of time to capture the

differences in the rates of sex and race workplace integration and access to managerial jobs, as well as the interaction of political environments with time periods. New institutional theory and political mediation perspectives coupled with the history raise several interesting questions. First and foremost, do changes in the federal political environment impact sex and Black-White workplace inequality? We know that organizations were rapidly adopting programs, policies and procedures during the early post-1964 period as organizations collectively responded to ambiguous anti-discrimination legislation and mandates (Dobbin et al 1993; Edelman 1990, 1992), but we know nothing about the effect of political eras on actual changes in the sex and race composition of jobs. Second, how does federal oversight of federal contracting firms impact large-scale organizational responses to EEO/AA laws and mandates? Third, do local politics, measured with state level laws and state political ideology of its populace, influence equal employment opportunity in the U.S.?

The analyses presented here generate a number of important insights into these questions. I advance the importance of political environments and their impact on the social structure of work organizations – an underutilized perspective on sex and race workplace inequality in the U.S. The results also provide strong support for bringing the State into studies of workplace inequality over time. While the role of the State is a central tenet of New Institutional theory's explanations of organizational action, the existing research concentrates primarily on the diffusion of organizational policies, structures and procedures rather than how these structures affect inequality and the role of the State in this process.

In this chapter, I first discuss the central findings starting with the sex and race segregation chapters simultaneously to demonstrate the similarity and differences in the results. Then I discuss the key results from the managerial representation chapter. Following this summary of results, I discuss the contributions and limitations of this research. And finally, I suggest some policy implications that emerge based on the results of these studies.

8.1 Summary of Findings

National Political Environments and Sex and Race Workplace Integration

In chapters five and six, I examine the effects of federal and local politics on changes in workplace sex and race segregation respectively. Controlling for stable characteristics of industries and local labor markets over time, the results provide clear evidence for the importance of political eras on changing opportunities during the 1966 to 2002 period. Sex workplace desegregation does not change dramatically during the first political era, 1966-1972. The historical record indicates that women were not intended to be included under the initial 1964 Act, but rather their inclusion was a tactic employed by Southern democrats to thwart the passage of the law. Consistent with ideas found within the politically-mediated and new institutional frameworks, it is not the letter of the law, but rather its intent and how the political environment frames it. In this sense, it was not women that were the target of the act; it was African American men. The pooled fixed effects models corroborate this theoretical and historical story. Women did not make much progress in the first political era; however, this period of

minimum enforcement and maximum uncertainty generated the most rapid period of integration for African Americans in large private sector U.S. workplaces.

Three significant changes were taking place in the second political era, which would alter the paths of progress for African Americans and women in the workplace. First, the women's rights movement emerged. Women, for the first time became a central component of enforcement strategies by the federal government, which may have reduced the federal government's commitment to eradicating the second class status of African Americans in U.S. labor markets. It is likely that the movement's presence also sparked changes in employers' behavior by altering the normative environment.

Second, this period marks substantial changes in the capacity of EEO/AA enforcement agencies. The 1972 amendments to the 1964 act provided the EEOC with the power to initiate lawsuits and the organization's funding was tremendously improved. In addition, in 1971 the OFCCP began requiring written Affirmative Action plans from federal contractors with utilization reports and goals and timetables for filling jobs with women and minorities, especially in the skilled and managerial ranks.

Third, the second political era encompasses the greatest expansion of personnel functions – as organizations began to adopt and implement programs and policies that were deemed sufficient measures of regulatory compliance by the personnel professions and which were later affirmed by the courts (Edelman 1990, 1992).

The results from these studies indicate substantial sex integration of occupations within organizations during the second political era, when organizations were subjected

to increasing pressures and uncertainty to hire and promote not only African Americans, but also women. This political era marks the greatest period of uncertainty regarding women and employment opportunity. While large private sector U.S. firms continued to desegregate, the trajectory was less steep than the first political era. This suggests that as firms began to implement mechanisms of regulatory compliance, uncertainty was reduced and progress slowed for African Americans; however, changes in the structure of regulatory enforcement was probably responsible for the substantial sex desegregation taking place in large private sector U.S. workplaces during this time.

Progress toward Black-White workplace integration in the U.S. effectively stops in the 1980s with the election of the Reagan-Bush administration, which openly denounced EEO/AA legislation and mandates, and did not pick up again and then only weakly in the 1990s under the Clinton administration, which rhetorically supported EEO/AA measures, but did little administratively to advance racial equality. The Reagan retreat from equal opportunity was a clear signal to employers that the federal government was taking a laissez-faire approach to regulatory enforcement. This reduction in uncertainty led to stalling progress in Black-White workplace integration. In fact some of the organizational structures designed to meet regulatory compliance began to be dismantled in the 1980s (S. Collins 1997).

Sex integration continues during political era III, although not as sustained as the previous era, due to the continued barrage of lawsuits and modifications to preexisting EEO laws. During the final era, sex integration persisted albeit at a reduced

rate compared to the previous. In the case of sex and race segregation, there are clearly separate periods of maximum uncertainty and then a shift toward stabilization – inertia.

The effects of OFCCP reporting status on changes in workplace desegregation are also interesting. These effects clearly mirror the historical record concerning periods of sex and race equal opportunity progress. During the first political era, contracting firms had greater sex segregation and lower Black-White segregation than non-OFCCP reporting firms. The results from this study suggest that increased uncertainty facing contracting firms led them to integrate African American males, but not women during the early period. Even though women and African Americans were both included in the 1964 act, the target, or political intent, was increasing African American male employment. Therefore, contracting firms hired African American males, which reduced racial segregation, but at the same time heightened sex segregation. In fact, sex segregation *rises* slightly during the first political era within contracting firms.

The OFCCP's enforcement strategies changed dramatically during the second political era. Racial minorities and women were included in the enforcement strategy as well as increasing pressure to integrate skilled and managerial jobs. This led to greater integration of women and racial minorities into OFCCP reporting firms. This effect is particularly pronounced for sex desegregation. During this era, OFCCP reporting firms were integrating women and men so quickly that the large average difference between OFCCP and non-OFCCP reporting firms witnessed in the first political era disappears by the third. The trajectories for sex and race workplace integration slow in the third era when enforcement nearly ceased. For the first time in the post-1966 period, OFCCP

reporting firms began to integrate less quickly than non-reporting firms on the basis of race. This trend continues into the fourth era. Sex integration remains swifter in contracting firms compared to non-contracting firms, although it is taking place slowly regardless of contractor status. This effect dissolves in the fourth political era.

The level of federal support and enforcement for EEO/AA measures are clearly contributing factors to the dynamics of sex and race workplace integration. These results strongly suggest that legal change does not produce organizational change in the absence of environmental pressure. This pressure emanates from uncertainty in the environment as in the initial period after the enactment of equal opportunity law or from enforcement as in the second period when the development of legal and administrative sanctions to deal with discrimination arose. Even in the case of sanctions, few firms directly face these pressures and it is the threat of sanctions – a form of environmental uncertainty – that motivates most firms to institute equal employment opportunity policies and practices across the 1970s. Reductions in uncertainty resulting from the stabilization of legal environments and declines in regulatory enforcement produced a labor market with no further aggregate improvements in racial integration in U.S. workplaces. Change in sex and race regimes is likely to result through one of two processes; the process by which organizations actively seek to gain control over their regulatory environment, or through mimetic processes where organizations implement forms of legal compliance that already have cognitive legitimacy (DiMaggio and Powell 1983; Edelman 1990, 1992; Meyer and Rowan 1977).

Local (State) Politics and Sex and Race Workplace Integration

The results of state level politics on changes in sex and race workplace desegregation yielded interesting insights as well as new puzzles. In the sex segregation models, I included a time-varying measure of the ratification of the national ERA and the adoption of state level ERAs. In the Black-White segregation models I include a time-invariant measure that captures the timing of the adoption of pre-1964 anti-discrimination laws. Both of these strategies seek to capture local political environments. National and state level ERAs did not fundamentally alter Female-Male labor market relations since they came about after the passage of the Civil Rights Act of 1964. In this sense these measures are likely to be better indicators of the local normative environment than uncertainty generating laws. The study presented in chapter five shows that the ratification of the ERA or the adoption of a state level version of the amendment had no effect on changes in sex segregation during the first two political eras. The later two show that, for the most part, organizations within states that have ratified the ERA or passed a state level ERA have higher average levels of sex segregation. It could be that these are simply poor measures of the normative institutional environment. In a recent article, Soule and Olzak (2004) examine social movement and political factors leading to the ratification of the ERA. Their findings indicate that the presence of social movement organizations is the best indicator of ratification, especially in states with higher percentages of democrats in the state legislature. Normative attitudes toward gender equality and the political and sex composition of state legislatures appear to have small or no effects on passage.

Therefore, it is likely the case that sex segregation declines most rapidly in states where women's rights supporters are organized to pressure for social change rather than simply an egalitarian normative environment.

Fair Employment Practice (FEP) laws were state level mandates that outlawed employment discrimination on the basis of race, but not sex. Since these laws were adopted prior to the monumental 1964 act, they should introduce uncertainty due to the fundamental change in labor market relations based on racial status distinctions. These laws were adopted as early as 1945 and were as stringent as title VII; therefore, I expected the effect of FEPs, unlike the ERA, to impact the trajectories of change over time leading to a convergence in inequality levels by the end of the period. This result was partially supported. Organizations in states that adopted between 1950 and 1964 start with lower levels and converge with organizations in states without FEPs in 1964 over time. Organizations within states that adopted FEP laws prior to 1950 maintain the lowest level of Black-White segregation for the entire 1966-2002 period, although there is substantial convergence. It could be the case that very early adopting states had more of a commitment to EEO and maintained this commitment over time. While states adopting between 1950 and 1964 may have mimicked early adopters to appear as legitimate actors. For instance, states may have sought to distance themselves from the racist South. Tolbert and Zucker's (1983) study of civil service reform found that early adopters of reform were responding to efficiency concerns, while later adopters ceremonially adopted with regard to legitimacy concerns. While the research presented here examines an entirely different outcome, it is possible, even plausible that this

reasoning impacted the adoption, which in turn impacted levels and trajectories of Black-White workplace inequality based on the politics of legislation and enforcement. In effect, it is not the letter of the law but the intent and political framing of laws that impact changes in racial workplace regimes.

The effects of state level citizen political ideology are small during the last two eras, suggesting that states with more liberal populaces have higher levels of sex segregation compared to those states with more conservative political ideologies. At first glance this seems nonsensical. Again, it may be that public sentiment matters less than social movement organizations poised to enter the political process (Soule and Olzak 2004). Soule and Olzak's (2004) examination of the ratification of the ERA find that political party representation in the state legislature has no effect on ratification, although electoral competition did have a small effect and social movement organizations exerted the strongest effects. This suggests that we should investigate power relations within the political process as an important mechanism for social change. Power at the legislative and organizational level should be examined. Does it matter if social movements are focused on legislatures versus corporations?

National Political Environments and Managerial Representation

Changes in access to managerial jobs were explored in chapter seven. This study examined the effects of national and local political environments on managerial representation for white men, white women, African American men and African American women.

During the first political era (1966-1972) white males actually increased their relative representation in managerial jobs controlling for changes in the industrial structure and shifts in employment. The white male managerial representation trend levels off in the second era and begins to decline very slowly in the remaining eras. Interestingly, the losses witnessed in the later two eras do not erode the gains made in the first political era.

Federal contracting firms did not differ from non-contracting firms in white male managerial representation during the first political era. During era II contracting firms have slightly lower white male managerial representation than non-contracting firms and this effect increases over the remaining two political eras. Trajectories for each political era shows that white males were making greater managerial gains in non-contracting firms than contracting firms during the first political era, although they were gaining irrespective of contractor status. The trajectories flatten for all firms in the second and third eras and rise slightly in the fourth.

If one were to conceptualize managerial positions as a zero sum game then we would expect that white males would have lost managerial representation during the second political era when enforcement was aimed at increasing opportunities for women and racial minorities in skilled and managerial positions, however, the lower average levels of white male managerial representation in contracting firms in subsequent eras was about slower *gains* during the first political era compared to non-contracting firms. In short, gains for women and racial minorities in managerial jobs did not erode longstanding white male privilege in U.S. labor markets.

White women make some gains in managerial representation during the first political era, followed by a marked increase in era II when enforcement strategies began to encompass women. White women's gains continue at a falling rate in the third and fourth political eras. This result is consistent with periods of uncertainty regarding the legislation and legal context of sexual employment rights.

White women's managerial representation is on average substantially lower in federal contracting firms compared to non-contracting firms during the first political era. The difference disappears in the second political era and in the latter two political eras OFCCP reporting firms demonstrate greater white female managerial representation than non-contracting firms. The trajectories reveal that white women did not gain managerial representation in contracting firms compared to non-contracting firms during the first political era; they gain at a more rapid pace than in non-contracting firms in the second and third political eras; and, they continue to gain in the fourth, but less in contracting firms compared to non-contracting firms. Thus, the higher managerial representation for white women in contracting firms in the third and fourth eras is the result of more rapid access to managerial positions in contracting firms compared to non-contracting firms in the second and third eras.

Black male managerial representation increased at an increasing rate during the first two political eras, but then flattens, in fact slightly declines in the third political era and picks up again in the fourth political era. These results clearly coincide with the theoretical and historical account of the conditions under which organizations are likely to modify their opportunity structures over time. The Reagan administration's lack of

support for EEO/AA measures stopped progress for African American men in gaining access to managerial jobs.

The politics of OFCCP enforcement was also found to be an important factor explaining change in Black male managerial representation. OFCCP reporting firms had higher average levels of African American male managerial representation during the first era, much higher during the second, increases in the third and falls in the fourth. If we were to only focus on averages, we would conclude that African American males had the greatest opportunities during the third political era, when enforcement stopped; however, the trajectories show that Black male gains in managerial jobs during the first two political eras translated into the average differences in the third political era. The trajectory for all firms is practically flat for all firms regardless of contractor status. African American male gains reappear in the fourth political era when enforcement strategies and legislation became more supportive of civil rights and equal opportunity, but are no longer tied to OFCCP reporting status.

African American females witness a similar pattern in access to managerial jobs compared to their male counterparts. Modest gains are witnessed in the first era and a sharp incline occurs in the second. In the third era, the rate of progress slows to political era I levels and then picks up again in the final political era. Federal contracting firms, on average do not offer Black females any greater access to managerial positions than non-contractors during political era I. This changes dramatically in the second political era and continues at an increasing rate in the remaining two eras. The trajectories across eras reveal that Black women were making greater gains in non-contracting than

contracting firms in the first political era. This effect changes in the second era when contractor firms begin to provide slightly greater opportunities. Progress comes to a near standstill in the third political era. Managerial representation for Black females does not improve over the third era in non-contracting firms and only slightly in contracting firms. This is similar to the Black male trend, suggesting that the small continued gains for African Americans in managerial jobs may be the result of bureaucratic inertia resulting from the implementation of programs, policies and human resource functions developed to handle EEO/AA reporting requisites. In the fourth era, Black women improve their managerial representation, but not as rapidly as non-contracting firms compared to OFCCP reporting firms.

Altogether, these results demonstrate the importance of political eras for examining processes of organizational stability and change. The federal political environment and the politics of enforcement sent differing signals to organizations concerning regulatory compliance and government support for sex and race equality. Consistent with new institutionalism and politically mediated approaches to the study of inequality, periods of maximum uncertainty yielded progress for women and African Americans in gaining access to managerial jobs in large private sector U.S. firms. Black men and women make stronger gains in the 1970s, face stalled progress in the 1980s, and begin to make weak gains again in the 1990s. This strongly suggests that racial progress in employment is a politically mediated process (Cancio, Evans and Maume 1996; S. Collins 1993, 1997; Stainback, Robinson and Tomaskovic-Devey 2005).

Local (State) Politics and Managerial Representation

Measures of the local (state) political environment provided mixed results, suggesting that these measures are not adequately capturing local politics. For white males, managerial representation is, for the most part, lower in workplaces within states that ratified the ERA, although the trajectories for white men do not differ over time. This suggests that the ratification of the ERA had no independent effect on change, but rather that states with lower white male managerial representation were more likely to ratify the ERA. Ratification is likely to signal a component of the normative institutional environment and/or new political uncertainty.

For white women, few local politics estimates were important for understanding changes in access to managerial jobs. Workplaces in states that ratified the ERA during the first political era offered greater white female managerial representation than non-ratifying states. However this effect disappears in remaining political eras. In addition, there is no difference in the trajectories of workplaces in ratifying and non-ratifying states. It could be the case that the early ratifying states were more committed to the goal of equal opportunity than later ratifying states, similar to the argument concerning the adoption and diffusion of civil service reform developed by Tolbert and Zucker (1983). A puzzling result is the greater white female managerial representation in early FEP adopting states (race targeted policies) during the latter two political eras. It is likely that it is not the adoption of a FEP, but rather there is some other factor attributable to these states that explain different opportunities for white women.

The effects of local political indicators on African American male managerial representation are useful for understanding change. Contrary to my expectations, African American males did not fair better in early FEP adopting states (prior to 1950) compared to other states. In fact, organizations within these early adopting states were no different than states without FEP laws prior to 1964. Organizations within states that adopted FEP laws between 1950 and 1964 did offer greater managerial access during the first two eras compared to other states. This does not follow the logic of my argument concerning uncertainty or the Tolbert and Zucker (1983) perspective on organizational change. In addition, states that ratified the ERA were places where Black males had greater access to managerial jobs for all eras except the second. Again it is likely that this measure captures a portion of the normative environment. And finally, the political ideology of a state's populace affects levels of Black male managerial access. With the exception of the first political era, states with more liberal populaces have greater Black male managerial access than states with more conservative citizen ideologies.

Black women's managerial representation was not impacted by the timing of FEP adoption. The ratification of the ERA and political ideology exerted effects similar to those found for Black males. With the exception of the second political era, organizations within states that ratified the ERA afforded greater opportunity to African American women than non-ratifying states. And, organizations within states with more liberal populaces provided greater managerial representation for Black women than more conservative states. It is interesting that measures that potentially capture aspects

of the normative environment hold for African Americans, but not white women. If they capture egalitarian values then why would they not affect change for white women?

Beggs (1995) sought to capture the normative institutional environment on access to quality employment and wage inequalities for women and African Americans compared to white men. His findings suggest that the normative environment impacts employment opportunities for all groups, but the normative environment has a greater effect on African American men and women than white women. This result mirrors the results found here. While I use a different measure of the institutional environment – citizen political ideology – the results confirm Beggs basic set of results. This finding raises questions concerning how best to measure the normative institutional environment and from a theoretical perspective, “why would the normative environment impact African Americans and not white women?” Beggs concludes that his findings are less consistent for white women compared to African American men and women. His explanation draws from the work of Burstein who argues that the relative size of these groups matters for understanding labor market inequality. Beggs (1995: 629) claims,

Burstein (1985) has argued that “women are such a large group... that it is difficult to see how they attain economic parity with white men before all or almost all employers ceased discriminating’ p. 174. Burstein goes on to suggest that Blacks comprise a sufficiently small portion of the labor force that, even if a number of firms continue to discriminate, Blacks can gravitate toward non-discriminating firms.

Beggs also finds that over time African Americans have shifted to states with more supportive normative environments over time. These explanations hinge on the idea that

African Americans have greater firm and geographic mobility to find less discriminatory employers than white women.

8.2 Contributions

This research contributes to the growing theoretical and empirical work that employs organizational theories to explain persistence and change in workplace inequality. Open systems approaches to the study of organizations claim that it is not only what happens within organizations but also the wider external environment that influences the pace of equal employment opportunity progress. Previous research has examined the adoption of policies and programs in response to uncertainty from ambiguous anti-discrimination legislation, but has neglected to examine how political environments impact change. This omission has not been due to a lack of theory, but rather a lack of appropriate data sources. This research is the first to clearly reveal that organizations are responsive to the political environment. During periods of regulatory uncertainty organizations modify the sex and race compositions of jobs.

A second contribution to the literature is the method employed which combines the use of history and quantitative data to discern key time period effects. This approach has proven fruitful for the study of stability and change in workplace opportunity for women and African Americans in the post-civil rights era. This historical record also aids in understanding why the levels and trajectories of sex and race inequality are different over time.

Third, the managerial representation measure that I develop is superior to previous approaches to the study of equal opportunity progress. Previous research examines change in the percentage of all managerial jobs held by each status group. This has led to the conclusion that men and whites are losing their shares of total managerial jobs and the declining proportion of the labor force that are white males; however, this approach neglects the massive growth in the economy over time. Using the measure developed here, the results indicate that white women and African Americans have made gains in accessing managerial employment, but these gains have not come at the expense of white males who have maintained a relatively stable advantaged position in access to managerial jobs since 1972.

8.3 Limitations

While this research has provided a wealth of information regarding the process of change in the sex and race composition of workplaces, it is not without limitations. While the data are superior to those employed in previous research they contain no measures of organizational structures, such as internal labor markets, formal hiring procedures, affirmative action offices, unions, etc. These internal structures have been shown repeatedly to impact changes in the sex and race composition of jobs. Also, changes in individual and employer characteristics probably explain some of the temporal variation in employment disparity. Economists and sociologists cite both supply and demand-side factors to explain sex and Black-White employment inequality in the U.S. throughout the latter half of the 20th century. While I do not dispute these

effects, this research grapples with the political context in which these traits play out. This is partially a function of EEO-1 data quality, which limits access to employee characteristics and employer practices. While I do not theorize these supply and demand forces I have statistically controlled for them by including local labor market indicators of the sex and race composition of employment and industrial indicators to capture the influence of change in the sectoral distribution of employment.

I also speculate that underemployment and declining labor force participation rates for young working age African American males affects the segregation (D) and the managerial representation (MR) measures over time. Though I cannot quantify the effect, the absence of many young African American men from the labor force has the effect of lowering observed segregation. This suggests that rather than stagnation after 1980, employment segregation potentially *increases* due to involuntary increases in unemployment and incarceration among African Americans across the 1980s.

Finally, these data are limited to large private sector firms. There are no data available for small firms or government agencies. Thus, the generalizability of these findings is only applicable to large private sector firms. In these studies, I also rely on aggregating EEO-1 reporting firms to discern the sex and race composition of local labor markets (commuting zones). This ignores the true labor supply in actual labor markets, since it neglects workers who are in small firms and the government sector, as well as those who are unemployed. Thus, the fit between the aggregated EEO-1 data and the true labor supply is unknown. In addition, it is likely that the degree to which my measure captures the real labor supply is uneven over time due to fluctuations in the

economy, such as downsizing or plant closure, which have been shown to adversely impact African Americans and women.

8.4 Policy implications

The policy implications from these studies do not yield a specific mechanism or magic bullet for eradicating sex and race workplace inequality. The new institutionalism is largely a cognitive based theory with a phenomenological micro-foundation that emerged from the work of Berger and Luckmann (1967). Therefore, organizational action or inaction is directly related to the myths, habits, routines, and taken for granted knowledge lodged within organizations and their external environments. The results from these studies demonstrate the importance of the effects of national and local political environments on equal employment opportunity progress. And, provide enough information for us to speculate about how policy might change the myths, habits, and routines embedded within the institutional environment. If uncertainty is the primary culprit for change, then new legislation, enforcement, lawsuits, social movement organizations and collective action efforts that reveal hidden or taken for granted forms of inequality must emerge if progress is to continue. Broadened bases of defining discrimination and continued coercive pressures are needed for continued change. In addition, one must question the stable advantage of white males in U.S. labor markets since the passage of a law that sought to erode this privileged position. In the absence of renewed politics, it is likely that progress will only continue as long as it

does not encroach upon preexisting social relations of power and privilege based on gendered and racialized status hierarchies.

8.5 Future Research

This work lays the groundwork for a rich field of scholarly endeavor. Future research should continue to use a mix of history, theory and quantitative analyses to explore the politically mediated nature of sex and race workplace integration. With the exception of a few articles, the EEO-1 data files have not been available to the academic community until relatively recently. This study only scratches the surface of the potential contribution these data offer to the scientific community. Researchers should seek to develop a sampling frame for organizations and link specific workplaces over time with these data. This would allow for a myriad of analyses examining the sex and race inequality trajectories of specific organizations over time in response to the ebb and flow of political environments. An organization-period dataset would allow for the examination of a variety of organizational theories to workplace stability and change. For instance, organizations can enter and exit the sample at any time between 1966 and 2002. Population ecology theories specifically deal with the birth and death of organizations (Hannan and Freeman 1984). Similarly, Stinchcombe's (1965) notion of founding effects and organizational structure could be inspected. The idea is that organizations are imprinted at the time of their birth with the social/normative context at the time of founding, and that these organizations are unlikely to alter their structure as quickly as new organizations. Do specific organizations really change or are new

workplaces driving the observed trends of equal employment opportunity progress? How are the trajectories of organizations impacted by the political environment at the time of their founding?

Second, the effects of local politics are fairly weak in these analyses. Researchers should begin to develop ways to capture the local political environment. Questions to grapple with include how to measure it and the appropriate unit for local political environments (e.g., city, county, labor market, or state). Another fruitful approach would be to examine the political environment of specific places and industries with unique histories and trace the patterns of change over time. Many qualitative studies currently exist examining changes in equal employment opportunity for specific places and industries. These studies provide an interesting context and historical overview of changes taking place in specific locales. For example Sharon M. Collins' study (1997) of African American managers in Chicago and Minchin's (2000) examination of the racial integration of Southern textiles following the passage of the Civil Rights Act of 1964. Sharon M. Collins' work deals specifically with the development of a Black middle class through the development and implementation of human resource functions that emerged in response to the Civil Rights Act and local political pressures followed by the demise of this class when enforcement and social movement pressure came to a halt in the 1980s. Minchin discusses the EEOC's strategy to target Southern textiles to improve the economic standing of African Americans since entry level jobs required little skill, yet paid living wages. Do the quantitative data corroborate or contradict the experiences captured in these studies?

Studies should also examine alternative outcomes. For example, how do shifts in the political environment impact changes in access to craft or professional jobs? Using the same measure I develop for access to managerial positions, one could examine access to other occupation categories within workplaces over time. The historical record indicates that women and racial minorities were targeted by enforcement agencies for advancement into skilled positions in the 1970s. What are the effects of this direct pressure on change? Theories of discrimination, specifically social closure, could be applied to the study of access to different occupational categories based on the degree to which formal qualifications exist (professional) versus exclusion by powerful groups (craft and managers) versus entry level positions (service, laborer, clerical).

Finally, researchers should consider the effect of shifts in employment from large firms in the private sector to small firms and government sectors in response to the political environment. The descriptive statistics for the sex composition of the labor market show that women's proportional representation has declined in EEO-1 reporting firms since 1966 from nearly 50 percent to about 35 percent. What factors impact this sectoral shift? What are the effects of women moving out of the private sector and into government jobs on the changes observed in these studies?

In conclusion, this research suggests that political eras matter a great deal; it is not merely enforcement but the larger political mix of presidential rhetoric, court behavior, and perhaps even public opinion that shapes the pace of change. The effects of laws on changes in the social structure of organizations are contingent on enforcement both real and symbolic. Initial changes in sex and race regimes may result

from the uncertainty generated by the passage of laws, or their targeted enforcement, as organizational actors struggle to preempt and define compliance and so gain control of the regulatory process. Continuing integration, however, is not likely without sustained pressure to enforce EEO/AA laws. While I focus on pressure from the federal and local political environments in this research, I suspect that such pressure might also emanate from local and organizational political constituencies as well. For example, the vigor of state level EEO enforcement may vary across time, industries, and states. Certainly the incidence and success of EEO lawsuits varies dramatically across firms as well. There is likely much more to EEO political pressure than simply Federal and state politics generates. In the end, political will matters. It is likely that the political struggle (uncertainty) matters more than political context. Equal employment opportunity for women and racial minorities is not a natural or inevitable outcome of early Civil Rights movement victories; it is an ongoing politically mediated processes.

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