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Sex Discrimination

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INTRODUCTION

The workplace has long been thought of as a man's domain: Men are in charge, they carry out the crucial tasks, and they make the critical decisions. It also has been thought that women should be at home taking care of the house and the children. The emergence of working women has vastly altered the dynamics, but not without some residual resentment manifesting itself in the form of entitlement and bias, with ensuing suffering levied against women worldwide. It has lead to a substantial degree of sex discrimination in the workplace forcing the enactment of laws to restore a sense of order and values.

The relationship between sex and career choice is a complicated one. Numerous aspects may help steer an individual toward a specific job, including knowledge, aptitude, and skills. Social processes, however, also may largely affect one's decision. Many people feel that they need to choose a career or occupation based on what is stereotypically appropriate for their own sex. Additionally, stereotypes and social processes often interact with skills, delineating which skills are more common or considered better suited to be performed by a male or female due solely to their biological makeup. England, Herbert, Kilbourne, Reid, and Megdal (1994) suggest that the skills that women perform are valued less than if a man performed them. This is a result of the stigmatization that

accompanies a skill that is designated "female," and therefore, its concomitant contribution to organizational goals is devalued. They further purport that skills involved in providing face-to-face service, such as nurturance, are seen as "female" because of the importance of nurturing in parenting. By examining the skills needed for specific occupations, the male-female ratio of those engaged, and the hourly wage received by both sexes, the researchers discerned that sex composition indeed affects the compensation for the entire profession. This means that women and men who work in jobs that are made up of mostly females and employ predominantly "female" skills such as nurturance, earn less than those in jobs that contain more males. Because society associates nurturance with women, pay equity discrimination may be a result of the gendered nature of skills (England et al., 1994).

For years, it has been debated that the skills women are perceived to have, such as nurturance, lead them to occupations that are typically lower paying. Similarly, the skills that men are perceived to have, such as leadership, direct them to higher paying jobs and higher managerial positions. Rudman and Glick (2008) stress how women need to disconfirm stereotypes regarding men's greater agency, initiative, and ambition to be hired for leadership positions. Even after being hired, women's contributions tend to be devalued relative to men's because women are presumed to be less competent, less influential, and less likely to have played a leadership role (Heilman & Haynes, 2005). Because of these stereotypes, identical qualifications do not mean the same thing for men and women, a concept that is explained by the feminist adage "for a woman to be good, she has to be twice as good as a man" (Rudman & Glick, 2008). It is unfair to hold women to a higher standard and place them at such a disadvantage.

Fortunately, the federal government has passed regulations against such discrimination. Under Title VII of the Civil Right Act of 1964, the Americans with Disabilities Act, and the Age Discrimination in Employment Act, it is illegal to discriminate in employment based on race, color, religion, national origin, disability, age, or sex. This includes discrimination in the following:

> [T]he hiring and firing process; compensation, assignment or classification of employees; transfer, promotion, layoff, or recall; job advertisements; recruitment; testing; use of company facilities; training and apprenticeship programs; fringe benefits; pay, retirement plans, and disability leave; or other terms and conditions of employment. (EEOC, 2004)

Sex discrimination more specifically refers to the differential treatment of an individual because of their biological sex when it negatively affects the aforementioned aspects of employment. Additionally, sexual harassment in the workplace, including practices ranging from direct requests for sexual favors to sexually uncomfortable workplace environments, affects members of either sex, but is of particular concern to many women (EEOC, 2004).

Even though sex discrimination in the workplace has long been an issue, the number of sex discrimination cases reported to the EEOC has remained virtually unchanged over the past 10 years. In 2008, the EEOC received 28,372 cases of sex discrimination; however, only 15.9 percent of those charges were filed by men (EEOC, 2009). It is obvious that women are more often the victims in this type of workplace discrimination. Besides the overarching discriminatory practices that by law, under the Civil Rights Act of 1964, are illegal, women may encounter other more subtle discriminatory practices. These include not being hired because of their sex, not being considered for promotions, being given menial jobs or jobs typically thought to be "women's work" such as answering phones, being ignored when offering suggestions or solutions, and being monitored more closely by men (Kyzer, 2008).

Sex discrimination in the workplace has resulted in disparities in men and women's pay for equal work, an overrepresentation of men in leadership positions, and a devaluation of women's skills. Differences in qualifications of men and women no longer provide a valid explanation for why men earn significantly more than women for equal work. Sex discrimination is a substantial cause for a pay gap, which is larger than ever and reflects a devaluation of work associated with women. Even when women dominate an occupation and perform at least as well as their male counterparts, their work is regarded and rewarded less (Lips, 2003). Similarly, the difference in the ranks of men and women in occupations with male-dominated upper management is overwhelming. Finally, occupational choices for women often are limited, as they are forced to prove themselves more in typically male dominated professions (Catalyst, 2009a). Throughout time, these consequences of sex discrimination have only become more pronounced, leading to changes in the laws that govern and the way society views employment.

HISTORY OF WOMEN IN THE WORKPLACE

According to the U.S. Department of Labor *Monthly Labor Review* (2009), employment of women has increased by 13.4 percent from 1998

to 2008. In 2008, 6 out of every 10 women age 16 and older were in the labor force. From March 1975 to March 2000, the employment rate of mothers who had children under the age of 18 rose from 47 to 73 percent. Women not only are working more, but also are receiving college degrees at higher rates. Compared with only 11 percent of women ages 25 to 64 who held a college degree in 1970, 35 percent were degree holders in 2007. Furthermore, economic conditions have greatly increased the need for families to have dual incomes. Egalitarian norms have vastly changed the way society thinks about women in the workplace. These developments may paint an uplifting and hopeful picture, but history reminds us that this has not always been the case.

At one time, hiring a woman was economically risky for a company because women were responsible for childrearing and domestic activities. In the 21st century, it is legally risky for a company not to hire a woman based on those same discriminatory criteria. This change has come about since the passage of Title VII of the Civil Rights Act of 1964. The Pregnancy Discrimination Act (PDA) of 1978 and President Clinton's Family and Medical Leave Act (FMLA) enacted in 1993, gave further rights to women with children (U.S. Department of Labor, 2009). These laws ensure that women have the ability to take care of their responsibilities at the office as well as at the home.

While women have made large strides, even with the help of legal actions, gender inequities in the workplace persist. Men are still favored as candidates for more prestigious jobs and also earn higher wages than females in the same positions (Denmark, Rabinowitz, & Sechzer, 2005). Even though the Equal Pay Act was adopted in 1963 requiring that men and women be given equal pay for equal jobs in the same place of work (EEOC, 2009), women still are compensated only approximately 80 percent of a man's salary (Bureau of Labor Statistics, 2009). This is an increase from the 1980 U.S. Census numbers that showed a sex gap in pay such that women earned only 61 percent of what men earned (England et al., 1994). The latter percentage is of all employed men and women, not only those who are working equal jobs. The occupation with the highest weekly earnings in 2007 was professional and technical services for both women and men. Women earned $794 per week, whereas men grossed $1,250 per week (Bureau of Labor Statistics, 2007). Therefore, this suggests that women tend to be employed in lower paying jobs, whether it is by choice or by way of discriminatory practices.

The picture becomes bleaker when broken down by race. In general, race discrimination in the workplace is perceived to be more prevalent

among African American and Latino employees than their Caucasian colleague (Avery, McKay, & Wilson, 2008). Therefore, the most discriminated against segment of all the population is African American and Latino working women. Earnings of Asian and Caucasian women have been substantially higher than that of their African American and Latino counterparts. Caucasian women are far more likely to be employed as managers and professionals than any other female group besides Asian American women. Service jobs, which tend to be the worst paying, are most likely to be held by African American women (Denmark et al., 2005).

In 2008, nearly half (46.5 percent) of the labor force at *Fortune* 500 companies were women, whereas only 15.7 percent were corporate officers, and a mere 3 percent were chief executive officers. In 2007, females encompassed 46.7 percent of law students, 34.1 percent of all lawyers, and only 18.7 percent of partners in firms. Moreover, equity male partners earned $87,000 more than their female counterparts (Catalyst, 2009b). A 2006 labor statistics summary indicated that women accounted for only 31 percent of the highest earners in the United States (Bureau of Labor Statistics, 2006). An unbelievable and unfortunate realization was observed in the median usual weekly earnings of full-time wage and salary workers by industry and sex. The 2007 annual averages found that men's wages were higher than women's for the same position 100 percent of the time and were never once equal (Bureau of Labor Statistics, 2007).

OCCUPATIONAL BREAKDOWN

Looking at the gender division of various occupations, it is obvious that many are disproportionate. For example, in 2008, women accounted for just 11 percent of engineers and 33 percent of lawyers but 92 percent of registered nurses and 82 percent of social workers (Bureau of Labor Statistics, 2008). This phenomenon in which specific occupations are overwhelmingly male or female has been termed occupational segregation. Occupational segregation is said to occur when some quantitative rule, such as 70 percent, is reached in terms of the percentage of gender ratio. This can occur at all levels of employment, from entry-level positions to upper management (Denmark et al., 2005).

MATHEMATICS, PHYSICAL, SOCIAL, AND OTHER SCIENCES

Women have long been the minority in male-dominated science-related fields such as engineering, computer science, and chemistry. As of

December 2008, women made up 25 percent of computer and mathematic occupations, 13 percent of architecture and engineering occupations, and 44 percent of life, physical, and social science occupations, which include psychologists and social workers, fields known to be traditionally female dominated (Bureau of Labor Statistics, 2008). As well, women in academic positions in these fields are less likely to obtain tenure (29 percent of women compared with 58 percent of men) and are less likely to achieve status as a full professor (23 percent of women compared with 50 percent of men; Ginther & Kahn, 2006).

Many researchers have suggested, however, that the underrepresentation of women in math and science is the result of women choosing other careers. This is due to the inflexibility of the field in terms of achieving a work-family balance, and the belief that women themselves have concerning success in these fields. Frome, Alfed, Eccles, and Barber (2006) investigated a cohort of women who graduated from college with aspirations of science and math careers, but who later changed their aspirations. They found that, along with the desire for a more family flexible job, the change toward a less male-dominated field was the result of the lower intrinsic value women placed on the math and sciences. Similarly, many of these fields were described as being inflexible toward women who wanted to have children, go on maternity leave, and have a work and family balance. Echoing this, Halpern et al. (2007) suggests that achieving high success in a math or science career requires more than 40 hours of work per week. Given this, many women may believe that such a career would interfere with family life. Additionally, some argue that women excel in verbal abilities, whereas men typically outperform women on visuo-spatial tasks. This verbal ability may lead women, early on, to choose careers where they can best use these skills (Halpern et al., 2007).

MEDIA AND SPORTS

Although the numbers of women pursuing degrees in sports and media careers have grown tremendously, female representation is still relatively small. Although the 2008 Bureau of Labor Statistics reports that 44 percent of those who work in entertainment, media, and sports are women, this number is highly influenced by the overwhelming numbers of men in sports careers and the lower echelon positions held by women. According to the 2008 Racial and Gender Report Card of the Associated Press Sports Editors covering more than 378 Associated Press Web sites and newspapers, 94 percent of sports editors, 90 percent of assistant

sports editors, 94 percent of columnists, 91 percent of reporters, and 84 percent of copy editors and designers are male. Women in news radio are just as rare; according to the Radio-Television News Directors Association and Foundation, only 22 percent of radio news staff and directors are female.

In general, the pervasive perception is that women do not "know" enough about sports to justify a career in the field, or that they do not have anything to say on the topic that is worthwhile listening to. In a study by Staurowsky and DiManno (2002), women reported that many of the males with whom they worked, expressed disbelief and skepticism with regard to women's knowledge of sports. Women in such careers find that they have to prove themselves much more to their superiors than their male counterparts. These women feel much more pressure about making mistakes, knowing that they represent all other women looking to enter the field.

Many male bosses will compliment the capabilities of their female employees but only within the context of all female workers such as "you do a good job for a woman." Their status as women was always considered when being assessed and praised, devaluing their achievements (Staurowsky & DiManno, 2002). Similarly, many women in sports media careers would say that the division of labor is based on gender. Some are told by their superiors that they could not do certain jobs in sports because of their sex. Staurowsky and DiManno (2002) reported that many women were negotiating for assignments that their male counterparts were routinely delegated.

Network executives, through their hiring and advancement practices, have created a barrier beyond which women cannot progress. Some executives who have assigned women to their teams have had to become overzealous to convince others that their designees are capable. With regard to pay, prestige, and acceptance, women sportscasters are behind not only their male colleagues in sports but also are behind their female counterparts in news organizations. In careers dominated by masculinity, men often will allow women to break into the profession through entry-level positions and early promotional opportunities. As they try to progress, however, they are faced with greater resistance and limited promotional opportunities. Women such as Oprah Winfrey prove that becoming a highly ranked media executive is not impossible, although it is rare. Nearly all of the officers and managers of the National Association of Broadcasters, as well as executives of other broadcasting and publishing companies, are male (Bollinger & O'Neill, 2008). This male dominance creates a

"good old boy" network that often makes it impossible for women to enter upper positions.

A huge disadvantage for women in sports and media careers is the lack of networking, role models, and superiors to whom they can relate and talk. All of these disadvantages are the result of the fact that so many fewer women work in the field than men. Staurowsky and DiManno's (2002) study determined that networking and establishing professional liaisons with individuals who can act as mentors were the two most important priorities when moving into sports careers. The evolution of the Association of Women in Sports Media (AWSM), organized in 1987, represents the growth that continues to occur in the numbers of women who are writing and talking sports and the increasing availability of networking and role models for women in the field. Women in sports and the media are on the rise, however the challenge remains for women to breach the wall into the higher ranks of these professionals.

EDUCATION, SOCIAL SERVICES, AND HEALTH CARE

The prevailing view of education and teaching in the United States, as well as around the world, is that it is an occupation dominated by females. Much research has pointed out that women are more inclined to become teachers, because it fits with their role as caretaker in working with younger children. Additionally, the field has discouraged many men from entering because of its apparent low status, low pay, and association with mothering (Burgess & Carter, 1992). Men who enter the profession tend to teach older children or take on the higher status positions, such as school principal or administrator (Carrington, 2002). While women account for 84 percent of preschool, elementary school, and middle school teachers, the percentage drops to 50 percent when looking at high school and postsecondary teachers (Bureau of Labor Statistics, 2008). Because teaching is considered a feminized profession, it becomes less attractive to men, which therefore is self-discriminating. Many professions are considered more masculine, yet to earn such a position for a woman is considered an achievement rather than a stigma. This is a double standard that often is seen in female-dominated occupations. Similarly, not only are males more likely to hold positions of higher authority in teaching, but also are likely to be promoted more quickly than their female counterparts (Thornton & Bricheno, 2000).

Nursing is another occupation that is dominated by women and is stigmatized to some extent for any male interested in pursing it. Career

advancement in nursing appears to be largely based on adherence to a masculine work pattern, including the ability to work long hours and to have an uninterrupted work history (that is, not taking time off for pregnancy). Additionally, advancing relies on pursuing additional degrees, which becomes difficult for women who are raising a family, especially considering that most nursing positions are lower wage (Bullock & Waugh, 2004). Ninety percent of all registered nurses are female, and women make up 88 percent of all health care support occupations. This is in contrast to the fact that only 32 percent of physicians and surgeons are women, creating a hierarchy in which, once again, men are in the more authoritative positions. Interestingly enough, men who are registered nurses and physicians have higher weekly earnings than their female counterparts in both occupations. In fact, across all health care practitioner occupations, men make more money than women (Bureau of Labor Statistics, 2008).

Research suggests that men and women in medical school and beyond have different experiences. It has been found that women physicians do not feel welcome in medical school environments and are made to feel like they are not equal members of their scientific community (Shrier et al., 2007). One study even found that female family practice students reported performing and completing significantly fewer procedures than the male students (Sharp, Wang, & Lipsky, 2003). Additionally, male and female doctors are often preferred based on the gender-stereotyped qualities that a patient is looking for in their doctor. Patients have said that they preferred male doctors for their perceived technical competence, whereas others preferred female doctors for their beliefs that women express more humanistic behavior (Fennema, Meyer, & Owen, 1990).

Just as with nursing, the overrepresentation of women in the social service field has to do with their stereotypical caretaking and mothering nature. Surprisingly, in 1985 males and females were almost equally represented in psychology, with men making up 49 percent of all clinical psychologists. By 2001, however, male representation had decreased to 25 percent. Similarly, social work has grown to be considered a highly female-dominated occupation (nearly 85 percent of masters of social work graduates are female; Schilling, Moorish, & Liu, 2008). Because of the female dominance, males in this field may encounter difficulties in terms of discrimination and inclusion. They may find themselves socially isolated or having difficulty obtaining or keeping a job. Additionally, it has been questioned whether men have the empathy and

communication skills necessary for a career in social services (Murphy & Monsen, 2008). Yet, although men may face discrimination against entering clinical psychology or social work, many point out that these fields struggle for recognition, status, and pay, further deterring men from entering (Schilling et al., 2008). This notion adds to the societal devaluation of women and the skills that they have as "not good enough" because they are not masculine. These fields also provide better work-life balances for women raising a family, as many women in the professions can work from home or create their own schedules if they are in private practice.

While careers in social services, such as social workers and clinical psychologists, are more flexible and common among women, academic positions in these fields are not as welcoming for women. Women in academia still have a difficult time gaining tenure and moving up the career ladder. In recent years, women have made great strides and have achieved both more non-tenure-track and part-time faculty positions. Women's pay in these positions, nevertheless, still lags behind that of their male counterparts, as remuneration is largely based on research productivity. Women have time constraints when they are managing both family and job; thus, they have less time to devote to research or achieving tenure (Halpern, 2008).

BUSINESS AND FINANCE

In the fields of business and finance, women account for 58 percent of jobs, according the 2008 Bureau of Labor Statistics. While this number may seem surprising, many departments within these two fields are overrepresented by women, such as human resources and accounting, while others, such as financial advising are male dominated. In addition, these statistics do not break down the level of the position that men and women hold. If the data were to include that information, one would see that a disproportionate number of men hold the higher paying and higher level positions (Roth, 2004). Interestingly enough, although the Bureau of Labor Statistics (2008) finds that more women hold positions in these occupations, they also found that these women make only 75 percent of what men in the same occupation take home. Breaking the numbers down further, in the occupations in which a much larger number of women are employed, men still make 25 percent more money, indicating that they are more likely to be holding the higher level positions with lower paid females working below them.

As a result of the pay gap and other discriminatory practices in business and finance, many women have decided to become entrepreneurs and open their own businesses. Women entrepreneurs may be attracted to self-employment for the flexibility it offers. According to the National Association of Women Business Owners (NAWBO), more than 10 million women run businesses across the United States, which is almost half of all small businesses. Many suggest that women open their own businesses to get away from discriminatory practices in large corporations, but Weiler and Bernasek (2001) find that women entrepreneurs face a different type of discrimination. Oftentimes, discrimination occurs in customer or product markets and supplier or factor markets, resulting in lower earnings for women than men. This includes discrimination by those who serve as a financial support system or capital for a startup, or in the preferential treatment in timing and delivery of orders. It is suggested that people providing loans, capital, or services to entrepreneurs find more comfort in male-run businesses.

With the surge in women entering business careers, it is no coincidence that the number of women receiving their masters of business administration and doctorates in business has been increasing steadily as well. In 2004–2005, women accounted for 40 percent of all new business doctorates, which is up from 26 percent just three years earlier. That stands in contrast with the percentage of men receiving the same degree over the same period, a number that declined two percentage points. Women are continuing to reach higher levels of academia in business as nearly 17 percent (113 of 668) of business school deans and 27.6 percent of faculty at business schools are women (Damast, 2009). In 1990, there were only six women who served as business school deans. While these numbers still pale in comparison to the percentage of men in the same level occupation, it is important to think about the progress that has been made.

When it comes to finance and investment banking, one must have a specific set of qualifications regardless of gender. It is a high-intensity, competitive environment that is best served by employees who are extremely high on motivation and ambition. During the early years of these careers, junior employees typically put in 80-hour weeks. Promotions come at specific intervals after "putting in the time" (Roth, 2004). Thus, the first few years in a finance position is usually a test of strength and endurance. While women and men in these jobs tend to have the same motivation, ambition, and skills, sex discrimination still occurs. The wages that men in finance receive far surpass the wages that women

receive. Women get paid approximately 60.5 percent of what men get paid, a figure that is 19.5 percent below the national average. Women also are more likely to start their careers in jobs that pay less, and experience other forms of discrimination such as being left out of meetings or having their credibility undermined. Some companies even have time and travel demands that prohibit family involvement beyond breadwinning (Roth, 2004). Because of the time demand that jobs in finance and investment banking place on its employees, many women leave the field to spend more time with their families.

Not dissimilar to other fields, in studying the experiences of female corporate managers of businesses, Schuck and Liddle (2004) found that the most common experiences were that the "good old boys" network still exists, and that the work environment is still male dominated. Additionally, women felt that it was more difficult to get promoted to higher positions, and that they were seen first as a woman and second as a manager. Promisingly, the women in the study did not feel left out of conversations with their male counterparts or employees and they experienced acceptance and respect by both the men and the women whom they supervised. This increasing acceptance of women managers is confirmed by a study Duehr and Bono (2006) performed in which current gender and management stereotypes were compared with those found 30 years prior. Male managers characterized their female counterparts as less passive and submissive and more confident, ambitious, analytical, and assertive. Basically, male managers rated female managers as more leader-like than they had 15 or 30 years ago. Even though male managers' views of women have changed, males' views in general may not have changed as much. Male students were found to hold the same gender stereotypes as male managers 15 years ago and men tended to view women as possessing fewer of the characteristics of successful managers.

INTERNATIONAL GENDER GAP

Sex discrimination in the workplace is not just a product of the American system of business and commerce. The labor participation of men and women in Taiwan remained steady across an 11-year review (1990–2001). Women's participation in the workforce marginally fluctuated from 44.5 to 46.25 percent, while the swing in the percentage of working males to total male population ranged between 73.96 and 68.52 percent. Taiwanese women are "viewed as a temporary and marginal labour force. They are the last to get hired and the first to be let go"

(Bowen, 2003, p. 299). In a 20-year overview, the percentage of employed Taiwanese women consistently remained the highest in clerical positions (55 to 76 percent), followed by professional, service, production, and finally managerial (approximately 10 percent) industries. Furthermore, it is culturally acceptable to blatantly discriminate between which sex is desired for a specific job, as indicated in the classified ads (41 percent of 7,037 classifieds). Unlike the focus of most discrimination against women, this type of sex discrimination affects men as well. Additionally, as practiced in the United States, sex discrimination is found in Taiwan with regard to women's average pay. There, females receive 71.6 percent of a man's compensation, varying by industry (Bowen, 2003).

Similarly, at the turn of the millennium, women's presence in the workplace was highly visible within the 15 states of the European Union (EU). Fifty-four percent of women between the ages of 15 and 64 worked, accounting for 40 percent of those employed in each state. More than one-third of women, however, were working only part-time as opposed to a mere 6 percent of part-time male workers. A gender gap in compensation correspondingly occurs within the EU, with women making 86 percent of the comparable male wages (Haas, 2003).

Bankers, specifically those in high level positions, earn the highest average income in Turkey. There is a widely held, but misconceived, belief that Turkish women equally gain from this profession. In truth, women are disproportionately underrepresented at the managerial levels. Both male and female managers indicated positive reasons to hire men, such as having the option to disperse them to different branches and utilizing them as debt collectors. Female managers admitted to the fact that they made significantly lower wages than the men who preceded them, while accomplishing even more work. Likewise, British women in banking earn 62 to 73 percent of their male managerial or nonmanagerial coworkers, respectively. Both Turkish and British women bankers were less likely to be promoted because of their perceived lack of commitment—classified through long hours they had more difficulty fulfilling than their male counterparts because of domestic commitments (Ozbilgin & Woodward, 2004).

This international data delineates the global trend of sex discrimination in the workplace, especially against women, around the world. Although the transparency of the discrimination varies from country to country, it remains overwhelmingly abundant. This truth persists despite women making up approximately 40 percent of the workforce of these

industrial countries. Foremost among these practices is the gap between the compensation afforded men and women on a global scale. Women are consistently earning 62 to 86 percent of the pay of men.

BARRIERS FOR WOMEN

The Glass Ceiling

According to a Catalyst report, as of July 2009, only 29 of the *Fortune* 1000 companies had women chief executive officers. Similarly, the Glass Ceiling Commission, which was set up by the federal government in 1991, reported that, in 1995, although women made up 57 percent of the national workforce, they held only 5 percent of senior management positions (Stead, 1996). This trend has persisted for decades, pointing to the existence of a glass ceiling for women who hope to achieve the high ranks of a career. The expression "glass ceiling" was first printed in a *Wall Street Journal* article in 1986, and has since been used as a term to acknowledge the recurring failure of women who attempt to reach as far up the corporate ladder as possible. It signifies a transparent barrier that prohibits women from achieving such ranks and obtaining equality with men ("Idea: The Glass Ceiling," 2009). While more women than men are graduating from college, and more women are earning degrees in business, they still are vastly outnumbered in upper-managerial positions.

The term "glass ceiling" has been used to describe the inequality that exists in the pay received by men and women performing the same work. Most studies report that even when women do reach the highest ranks of corporate management, they only receive approximately 80 percent of the pay given to men in those same jobs (Bureau of Labor Statistics, 2009). In 2008, median yearly earnings for full-time workers were $35,102 for women and $45,113 for men (U.S. Department of Labor, 2009). Additionally, Cotter, Hermsen, Ovadia, and Vanneman (2001) found that the disadvantages resulting from the glass-ceiling effect are larger at the top of the hierarchy than at lower levels, and these disadvantages become worse later in a person's career. At high earning levels, the gap between Caucasian men's chances of reaching higher levels of earnings and Caucasian women's chances grows larger over their careers.

Certain hypotheses are suggested for the glass ceiling, including the issue of time. Qualifications for senior management usually include a masters of business administration and 25 years of continuous work

experience. However, in the 1970s, when today's senior managers were graduating, less than 5 percent of law and masters of business administration degrees were awarded to women. Those numbers have now risen to 40 percent, and therefore, it is suggested that women will reach the upper-echelon ranks of corporations. Another hypothesis is that motherhood distracts women from their career paths, and women who take time off from working or are raising children, do not have the time to complete the tasks required to reach those ranks. Finally, women do not have as many female role models to aspire to and induce the self-efficacy needed to break through the glass ceiling ("Idea: The Glass Ceiling," 2009). This issue becomes important in determining career choice for young women as well.

The Motherhood Penalty

A considerable barrier for working women is that of being a mother. In an employment discrimination situation, properly termed the "motherhood penalty," women with children are significantly discriminated against at work in a variety of ways, including hiring, promotion, and salary (Budig & England, 2001; Correll, Benard, & Paik, 2007). Budig and England (2001) delineate two ways in which employers' hiring practices discriminate against mothers. The first is a preconceptual prejudice in which employers find hiring mothers distasteful. Statistical discrimination, the second model for employers, is hiring based on education and experience, the latter of which mothers tend to lack. These discriminatory behaviors are likely consequences of how Americans stereotype families: Women are the primary caregivers, while men are the primary financial providers (Correll et al., 2007; Deutsch & Saxon, 1998). The working mother according to American culture and standards experiences conflicting demands. The "good mother . . . prioritizes meeting the needs of dependent children above all other activities, [while] the 'ideal worker' [is] unencumbered by competing demands and [is] 'always there' for his or her employer" (Correll et al., 2007, p. 1306). This ultimately leads to impossible expectations and eventual disappointment.

One way in which mothers are discriminated against in the workplace is through salary. The "mother wage," or "family," gap is the discrepancy in pay between women with children, compared with women without children. The "mother wage gap" has existed for as long as mothers have been in the workforce. Some explanations for this include the

belief that mothers exert less effort in their jobs or, simply, that they have had less of an opportunity to progress in their field (Waldfogel, 1998). When analyzing 11 years of data on American women (from 1982 to 1993), Budig and England (2001) determined that a wage gap of 7 percent for the first child existed between mothers and nonmothers. Furthermore, an increased wage penalty ensued for each additional child as well as the sacrifice of a full-time position and loss of experience. When reviewing the data, the authors explain that "there is no evidence that penalties are proportionately greater for women in more demanding or high-level jobs, or 'male' jobs, or for more educated women" (p. 220). Waldfogel (1998) concluded that 30-year-old mothers, on average, earn 90 percent of nonmother's pay and 70 percent of what men make. International findings were similar, with a 20 percent family gap between 33-year-old British mothers and nonmothers.

Another inequitable behavior fostered against mothers is that of perceived competence. In a study with 122 college students providing their impressions about a management consultant, discrimination toward mothers was evident. Although both mothers and fathers were delineated as warmer individuals than nonparents, the working moms were viewed as marginally less competent than the childless workingwomen. Succinctly put, working mothers were perceived as less competent than before having had children. Working fathers were viewed as not only warmer, but equally as competent as childless men. More significantly, working mothers were discriminated against when study participants reported being less likely to hire, promote, or train them, as compared with nonmothers, fathers, and nonfathers (Cuddy, Fiske, & Glick, 2004).

Evidence has shown that the motherhood penalty begins even before the birth of her baby. "Pregnancy discrimination" occurs when expectant mothers are either fired, not hired, or receive a reduction in pay because of intending to or becoming pregnant (Discrimination.com, 2008). The pregnancy of a woman is often her most prominent feature and she likely will be stereotyped or treated differently than before having a child. In an experiment with college students for both masculine- and feminine-typed positions, pregnant candidates were discriminated against because they were considered less likely to be recommended for hire and were penalized with a lower starting salary than candidates that were not pregnant (Masser, Grass, & Nesic, 2007). The study participants, however, found pregnant women to be just as competent and warmer than nonpregnant woman. The discrepancy between the Masser et al. (2007) and Cuddy et al. (2004) findings could be the perception

that women do not lose their competency until they have actually given birth.

Cuddy et al. (2007) displayed great surprise in their findings of 122 college students discriminating against mothers in the workplace:

> The participants, many of whom will be decision-makers of the future, are male and female students at an Ivy League college—men and women who, for the most part, expect to have careers and families. The women in our study most likely expect to have both careers and families and the men most likely expect to marry women who will pursue careers as well as have children. These participants are also predominantly the products of families in which their mothers worked (which is known to produce more egalitarian attitudes about gender roles). (p. 713)

In a laboratory experiment, followed by a simulated real-world study, Correll et al. (2007) discovered considerable discrimination against mothers, while men benefited from their status as fathers. One hundred and ninety-two undergraduate participants (84 male, 108 female) were asked to evaluate two equally qualified applicants (same race, same gender) differing only in parental standing (child or no child). Notably, parental status was only subtly indicated via resume (Parent-Teacher Association coordinator) and memo (mother/father to Tom and Emily). In the laboratory experiment, significant mother discrimination took the form of less competence (10 percent lower), less commitment (15 percent lower), higher and harsher standards of performance, lower starting salary recommendation by $11,000 (7.4 percent), and less promotability when equated to nonmothers. Most significant, 84 percent of childless women compared with 47 percent of women with children were recommended for hire. Incredibly, fathers were offered a significantly higher salary when judged against childless fathers, along with being viewed as more committed to their work and held to lower punctuality expectations.

As Correll et al. (2007) indicates, undergraduates "lacking workplace and hiring experience might be more likely to rely on stereotypes when making hiring decisions" (p. 1327). Therefore, their audit study attempted to seek out how the laboratory findings measure up to the behaviors of real-world employers by observing the frequency of their "applicants" to be called for an interview after receiving applications via mail. Applicants were, again, similar in qualification, race, and sex, contrasting only on parental status. Childless women were called back twice as many times as mothers and, also, more than childless fathers. Authors explain that

evaluators possibly "perceive childless women as especially committed to paid work" (p. 1333). Once again, fathers were not penalized for their parental status.

"The consequences among mothers who [attain and] remain in . . . inflexible jobs are stress, fatigue, frequent absenteeism, and career interruptions that impair wage growth" (Glass, 2004, p. 370). While mothers are more often splitting their time between paid and unpaid work (that is, household responsibilities and childcare), fathers have the option to opt for either paid work or leisure time (Bittman, 1999). Bittman (1999, p. 29) succinctly encapsulates the motherhood penalty:

- interrupted labor force attachment and downward social mobility—few women recapture the career trajectory they had before childbirth;
- lower lifetime earning, and less employment security;
- increased exposure to the risk of poverty;
- increased dependency on a male "provider" and low marital bargaining power;
- restricted opportunities for public participation, since family responsibilities are organized around private homes.

PARENTAL LEAVE AND POLICIES

Women have not only been discriminated against within the workplace, but also when taking maternity leave. Not until the PDA of 1978 (U.S. Department of Labor, 2009), under the EEOC did women have the right to take leave from work to care for a new child. Maternity leave rights were permitted for all pregnant women as long as the employer had similar plans for those with disabilities. Longitudinal evidence of policies throughout a span of 30 years (1955–85) indicates that maternity leave benefits are more likely to be created in large employment firms that desire consistency (for example, finance and manufacturing), while older employers are less likely to adopt maternity leave (Kelly & Dobbin, 1999). Unfortunately, in 2007, the EEOC still accumulated 5,587 allegations of pregnancy discrimination in the United States (Discrimination.com, 2008). Family leave in the United States averages 20 weeks (five months) and is unpaid, compared with 40 weeks (10 months), 18 of which are paid, in Britain (Waldfogel, 1998).

A similar but expanded policy exists for parental leave in the European Union. Parental leave is "gender-neutral, job-protected leave from employment designed to facilitate employed parents' care of small

children at home" (Haas, 2003, pg. 91). Some EU member countries, like Greece and Portugal, offer the minimum parental leave acceptable within the European Union of three months unpaid per parent, while other countries, such as Spain and France, permit an unpaid leave of up to three years with job-security (Bruning & Plantenga, 1999). Paid leave and job protection are offered in other EU countries, such as, Austria, Belgium, France, and Germany, for up to three years per child at approximately $400–$500 per month, while Luxembourg provides higher pay for a shorter period of time ($1,336 per month for six months). Although this compensation may be more in the short term, long-term leave compensation is both financially and personally more favorable (Haas, 2003).

Before 1993 and the Family and Medical Leave Act (FMLA), no national maternity-leave legislation existed in the United States (Find Us Law, 2008). This act allows and encourages both mothers and fathers to take time off of work to care for a new child (birth, adoption, or foster care) and maintain a work-family balance, as a new member enters the family. Major struggles for families regarding the FMLA are the stipulations in which it can be implemented. Although the act sanctions job protection up to 12 weeks in which employees can return to the same or similar job with equal wages, this voluntary leave is unpaid. Furthermore, the FMLA only covers employees if they have worked for at least 12 months (nonconsecutive under the same employer) tallying at least 1,250 hours, and the individual's place of employment includes 50 or more employees.

Under the FMLA terms, employers, also, confront the drawbacks of having to pay for the health insurance of the mother during her leave, as well as finding a replacement in her absence. They also, likely, face uncertainty as to whether or not their employee will even return once the maternity leave is completed. Although there may be some disadvantages for employers to offer maternity leave, research suggests that the right to a leave plan will increase the likelihood of the mothers returning to their previous jobs in the future. In fact, as reported by Waldfogel (1998), employers are likely to only pay an average of $220 per year of maternity leave. The author suggests measures taken by British employers, in which pregnant mothers voluntarily sign a contract by which they receive the maternity leave money only if they return to their position for a specified duration of time.

In a seven-year longitudinal study, following 162 employed soon-to-be mothers, Glass (2004) investigated the consequences of work-family

employment policies on the mother's wage growth. The sample was followed from 1992, after all mothers had recently given birth, to 1999, and took into account all employment changes. The author examined the worker benefits, which included flexible scheduling, telecommuting (working from home), reduced weekly work hours, and childcare assistance. Additionally, there was interest in looking at whether employers who offer these policies pay less in wages. Findings indicate that mothers did not monetarily gain from the work-family policies. Specifically, mothers in managerial and professional positions, who lessened their physical time at work, whether that be working from home for months or reducing their hours, faced significantly negative consequences. These mothers, when compared with those who remained at the office, experienced an average of 27 percent decrease in wages. A likely explanation for this is the employee commitment phenomenon described in the previous section.

A further fascinating discovery was that mothers found a loophole that negatively affected work-family policies and wage loss by switching employment. Managerial and professional women especially benefited from this change, often utilizing a flexible schedule policy and minimizing their wage loss. Maximizing on the childcare assistance policy, however, had a slightly positive impact on increasing wage growth, though only for those who remained with the same employer.

According to Haas (2003), Sweden is the closest country in the European Union to achieving parental leave equality with adequate compensation. It is important to note that Swedish policy makers "want parents home during a child's first year . . . [and] fathers were encouraged to take leave to develop relationships with young children and the nurturing aspects of their personalities" (Haas, 2003, p. 106). In Denmark, government subsidies were implemented to encourage fathers to take parental leave receiving 60 percent of wages, although only 4 percent of Danish fathers partook of this opportunity. Individual parental leave in this country is not transferable to the other parent; a benefit enjoyed in other EU countries. Evidence has bolstered the belief that fathers take far less leave than mothers (Bruning & Plantenga, 1999). In 1974, Sweden mandated paid leave for both mothers and fathers. In fact, Swedish fathers are more inclined to take parental leave because otherwise they will lose a substantial amount of benefits. Fathers take two months on average, sharing the additional 450 days of paid leave (80 percent of salary) with the mother. Parental leave is provided through the employers' tax contributions. Yet even with the government's attempt to involve fathers in a work-life balance through unprecedented parental leave

policies, the childrearing responsibilities have not achieved equivalent division (Haas, 2003).

Finland also has attempted to reduce the motherhood penalty through munificent parental leave and childcare policies. The majority of parents in Finland (80 percent) worked outside the home after the birth of their child, which assumes parents utilized work-family benefits. Finnish mothers received three months of full paid maternity leave under a government grant, followed by an additional 7.5 months at 80 percent salary. Fathers also were eligible for the latter benefit for up to 6.5 months, although only 5 percent availed themselves of this policy (Bittman, 1999). In fact, men take an average of 11 days parental leave compared with 263 days taken by women (Bruning & Plantenga, 1999). Finnish maternity benefits additionally include clothing, bedding, and other paraphernalia for the new baby, up to three years unpaid nursing leave with a cash benefit equivalent to municipal daycare, and approaching four years of reduced work hours. State-provided high-quality subsidized childcare was also provided under the Children's Day Care Act of 1973 (Bittman, 1999). These policies allow Finnish mothers to emotionally and financially provide for their children, while also maintaining a strong connection to the workplace.

Bruning and Plantenga (1999) delineated four models utilized among eight EU parental leave policies. These include time, sequential, parallel, and facilitation of service models. Time care primarily permits parents to take time off to care for their children without integrating childcare policies. The sequential model promotes initial full-time paid parental leave for a set period of time, then shifts to another policy, such as childcare. The parallel model takes family circumstances into account by allowing the parents to choose between time off and services provided. Finally, the facilitation of services model focuses more on assistance to provide care for the child and less on the parental leave itself. Perhaps the United States could follow or integrate several of the EU policies to increase both maternal and paternal leave policies, thereby equalizing the sharing of responsibilities and ultimately aim at decreasing the motherhood penalty.

OTHER ASPECTS WORTH CONSIDERING

Although the abundance of literature and research evidences significant acts of discrimination against women and mothers in the workplace, one noteworthy paradigm is worth considering: Perhaps women are not

discriminated against in careers; perhaps they are entering fields that make it easier to have a family. Given the obvious responsibilities that women are charged with concerning chores and childrearing, this theory may not seem so foreign. Women are pulled toward "female" occupations for three reasons: "women's preferences and characteristics and/or because employers prefer to employ women in these occupations, or that occupations become 'female' because of sex stereotyping—with flexible working conditions emerging as a consequence of the fact that these are 'female' occupations" (Anker, 1997, p. 329). Furthermore, "female" occupations lend a higher flexibility for women than in other lines of work.

An alternative means to distinguish whether women are selectively choosing certain professions is analyzing college majors by gender. When examining the majors of both men and women, the most salient findings are those with the biggest gender discrepancies (National Center for Educational Statistics, 2007). According to the 2007 statistics, 69,696 females majored in psychology compared with 20,343 males. Similarly in education, 83,125 females sought their bachelors in education in contrast to 22,516 males. A common major for men is computer and information sciences and support services, strikingly exceeding women 34,342 to 7,828. Likewise, 68,230 males pursued an undergraduate major in engineering, outnumbering women (13,842) by nearly five to one.

In a final thought regarding occupational choices, consideration should acknowledge the place of role models and how they affect career development. Individuals tend to choose role models who are similar to themselves in easily identifiable ways, such as gender or race, and judge their own potential self-efficacy against that of those to whom they relate (Bandura, 1999). In a study administered to 368 college females, Quimby and DeSantis (2006) discovered that role models affected all six career types investigated (Realistic, Investigative, Artistic, Social, Enterprising, and Conventional [RIASEC]). Furthermore, role models directly affect all career choices, except investigative. This study supports the idea that young girls often aspire to do just as the women have before them. It is likely that these girls have not seen or experienced women in high positions, so therefore, they do not even know to which career to aspire. Not only is identifying with a role model critical for women who want to pursue nontraditional careers (Gilbert, 1985), but also the availability of role models may actually directly and indirectly influence the career choice that women make (Quimby & DeSantis, 2006).

EMPLOYER RESPONSES TO PREVENTING AND DEALING WITH SEX DISCRIMINATION

Title VII of the Civil Rights Act makes it illegal to discriminate against an applicant or employee because of their sex in hiring, termination, compensation, promotion, opportunities for training, or other conditions of employment. Furthermore, Title VII bans employment decisions based on managers' stereotypes about men's and women's abilities, personality characteristics, or work performance.

We recommend the following approach to ensure that the organization is taking "reasonable care" in preventing and dealing with sex discrimination: (1) conducing a human resource audit; (2) using risk management to resolve employer's practices in violation of the EEOC's guidance on sex discrimination, and (3) obtaining employees' views of the changes made to the organization with respect to preventing and dealing with sex discrimination.

Human Resource Audit

All of the employer's practices and policies must be reviewed to determine whether sex discrimination is operating in any or all functions of the employment process, that is, recruitment and selection, training and development, and performance appraisals. A human resource audit (see DeFour & Paludi, this volume) can assist employers in determining whether sex discrimination exists in their organization. The audit is a discovery tool that outlines (1) vulnerability in the workplace for sex discrimination and (2) changes that need to be made in the organization so the discriminatory practices are corrected (Smith & Mazin, 2004). An audit also ensures legal compliance with federal and state employment laws to reduce the organization's potential exposure to complaints and litigation.

With respect to sex discrimination, the audit will include the following components, representing basic functions of human resource management (DeCenzo & Robbins, 2007):

- Legal compliance
- Compensation/Salary Administration
- Employment/Recruiting
- Orientation
- Terminations

- Training and Development
- Employee Relations
- Communications
- Files/Record Maintenance/Technology
- Policies and Procedures (including employee handbook)
- Communications

We offer sample audit questions with respect to sex discrimination in the workplace (also see Paludi, D'Aiuto, & Paludi, chapter 7 in volume 2).

Legal Compliance

1. Is the human resource department following state laws with respect to sex discrimination and harassment as well as federal laws?
2. Does the employer ensure that sanctions and corrective action are applied evenly throughout the organization when employees violate the organization's sex discrimination policy?
3. Does the employer follow the EEOC's fundamentals in investigating sex discrimination and harassment complaints: promptness, confidentiality, and impartiality?

Compensation and Salary Administration

1. Does the employer ensure that we establish salaries based on skill, responsibility, effort, and working conditions?
2. Does the employer examine job grades to ensure that women and men have equal opportunity for advancement?
3. Does the employer ensure that there is no job segregation because of sex?

Employment and Recruiting

1. Does the employer ensure that all employees wanting to become a manager or supervisor follow the same procedure regardless of sex?
2. Does the employer ensure that we do not inquire as to a job applicant's sex on the application form?
3. Does the employer ensure that its recruitment practices reach the widest array of women and men applicants?
4. Does the employer ensure that we conduct interviews with uniformity by interviewers?

ORIENTATION

1. Does the company have a new-employee orientation program that includes training on sex discrimination policies and procedures?
2. Does the employer request new employees to sign and date an acknowledgment form indicating they received the employee handbook and understand the organization's policy and procedures on sex discrimination and harassment?

TERMINATIONS

1. Does the employer ensure that discipline and termination is applied evenly for violations of the equal employment opportunity policies regardless of the sex of the employee?
2. Does the employer have male and female investigators to conduct investigations of policy violations?

Training and Development

1. Does the company facilitate regular training programs on sex discrimination, including the company's policies and procedures?
2. How do employees learn to whom they should report complaints of sex discrimination and harassment?
3. Do we offer training opportunities and career development opportunities to all employees regardless of sex?
4. Does the employer have both women and men trainers who are facilitating programs for employees?
5. Does the employer have a glass ceiling with respect to women in upper management positions?
6. Does the employer address stereotypes and hidden biases about sex in our training programs?

EMPLOYEE RELATIONS

1. What services are available at the company to employees who have experienced sex discrimination and harassment?
2. Does the employer ensure that investigators of complaints of sex discrimination/harassment are sensitive to collective bargaining agreements?
3. Does the employer have in place effective mentoring and coaching programs for both women and men?

COMMUNICATIONS

1. Does the workplace foster an atmosphere of prevention by sensitizing individuals to the topic of sex discrimination and harassment?
2. Does the employer conduct anonymous culture climate surveys with employees to determine their perceptions about the effectiveness of the company's sex discrimination and harassment management program?

FILES, RECORD MAINTENANCE, AND TECHNOLOGY

1. What metrics does the employer have in place to measure the success of its sex discrimination and harassment management program?
2. Does the employer ensure that the content of the case file of an investigation of a complaint of sex discrimination and harassment contains the following?
   - Complaint
   - Response to Complaint from Accused Employee
   - Notes from Meetings with all Parties to the Investigation
   - Letters from Individuals Involved in the Investigation
   - Copies of all Standard Notification Letters to all Parties to the Investigation
   - Documents (for example, copies of e-mails, letters, cards) Supplied by Individuals in the Investigation Procedure
   - Report by Investigator to the President of the Organization
   - Signed Acknowledgment Forms Regarding Confidentiality, Retaliation, and Request for Witnesses
3. Does the employer have in its files copies of signed and dated acknowledgement forms for the following:
   - Receipt of the policy concerning sex discrimination and harassment
   - Participation in a training program dealing with sex discrimination and harassment
4. Does the employer provide a summary at the end of each fiscal year that includes the following:
   - Number of complaints of sex discrimination/harassment received
   - Number of complaints sustained
   - Number of complaints that were false
   - Number of complaints for which insufficient information was present to sustain the allegation
   - Sanctions and corrective action provided

5. Does the employer's information technology department routinely check e-mails to ensure that negative comments and jokes about employees' sex are not included?

Policies and Procedures

1. Does the employer have policy statements that deal with sex discrimination in employment and sex harassment?
2. Do the policies prohibit discrimination/harassment from peers in addition to discrimination and harassment by managers?
3. Do employees know to whom they should report complaints related to sex discrimination and harassment?
4. Are remedies clear and commensurate with the level of sex discrimination and harassment?
5. Does the employer offer flexible job arrangements for all employees, regardless of sex (for example, flex time, job sharing, desk sharing, time off/career break, telecommuting)?

Communications, Including Employee Handbook

1. Is the sex discrimination and harassment policy statement well publicized? Are they on the company's intranet? Posted in the human resources office? Included in the employee handbook?
2. Does the employer ensure that performance appraisals do not contain stereotypic references to the sex of the employee as well as ratings that are based in stereotypes and not reflections of the individual employee?

Risk Management

Following the completion of the audit, the employer must then correct the practices found to be in violation of the EEOC's guidance on sex discrimination to meet their responsibility for ensuring reasonable care (Ostroff & Atwater, 2003). Employers should use risk management to correct the problems identified in the audit: identification, assessment, and prioritization of risks (for example, lack of effective policy statement, failure to hold annual training for employees, wage inequities, glass ceiling for women). After risks are identified and prioritized, the employer can mitigate the risks, with the most serious risk being remedied initially, followed by the next serious risk, and so on (Crouhy, Galai, & Mark, 2005).

ORGANIZATIONAL CULTURE CLIMATE SURVEYS

Once the employer has instituted changes with respect to the risks identified through the human resource audit and prioritized through risk management techniques, employees can be surveyed anonymously about their perceptions of and experiences with the organization's sex discrimination management program (see DeFour & Paludi, chapter 5 in this volume; Cooper, Cartwright, & Earley, 2001; Driskill & Brenton, 2005). These climate surveys will provide employers with a metric of the alignment between the organization's stated mission with respect to sex discrimination and the actual behaviors of management via their training programs, policies, and investigatory procedures.

Please review the chapters in this volume on equal compensation discrimination (chapter 3), pregnancy discrimination (chapter 6), sexual harassment (chapter 11), and sexual orientation (chapter 12) for additional recommendations for employers in preventing and dealing with discriminatory behavior.

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