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OVERCOMING GENDER DISCRIMINATION IN
BUSINESS: RECONSIDERING MENTORING IN
THE POST #ME-TOO AND COVID-19 ERAS⁺

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In October 2017, a New York Times article brought to light severe allegations of rape, sexual assault, and sexual abuse against prominent Hollywood film producer Harvey Weinstein.¹ Weinstein, who was dismissed from the large film production company he and his brother founded, was eventually convicted and sentenced to 23 years in prison. This proved to be but the tip of the iceberg of an exposition into sexual misfeasance by America's elite. The article also served as a catalyst for a larger movement—the following months saw a news cycle dominated by similar revelations of sexual harassment as empowered victims of all demographics came forward to share their own experiences.² Wealth and status provided no shield for offenders. Studio heads, Fortune 500 executives, television talk show hosts, academy award-winning actors, and even a U.S. Senator were among the names in a list of perpetrators that continues to grow.³

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¹ Jodi Kantor & Megan Twohey, *Harvey Weinstein Paid off Sexual Harassment Accusers for Decades*, N.Y. TIMES (Oct. 5, 2017), <https://www.nytimes.com/2017/10/05/us/harvey-weinstein-harassment-allegations.html>.

² Audrey Carlsen et al., *#MeToo Brought Down 201 Powerful Men. Nearly Half of Their Replacements Are Women.*, N.Y. TIMES (Oct. 29, 2018), <https://www.nytimes.com/interactive/2018/10/23/us/metoo-replacements.html>.

³ *Id.*

But despite the popular attention and the high-profile figures implicated, the legacy of the #MeToo movement (as it came to be named) is yet to be determined. The movement succeeded in bringing an increased focus on sexual harassment, providing hundreds of thousands of victims the courage and platform to share their own experiences.⁴ Google searches for “sexual assault” and similar terms reached unprecedented levels as the hashtag #MeToo was used over 19 million times on Twitter in a single year.⁵

Due to the movement, awareness of sexual harassment and assault in the workplace is undoubtedly at an all-time high. Not all results have been positive, however. In particular, the dividing line between the genders in the workplace may be at its largest in the post-#MeToo era, as studies indicate that a deep paranoia of women by men is permeating the corporate workplace.⁶ As a result, women, who were already at a significant disadvantage in corporate America, face increased exclusion by men in and outside the workplace.⁷ Worse yet, the harsh reaction to the movement may have caused men to become more skeptical of sexual harassment claims.⁸

⁴ Monica Akhtar, *#MeToo: A Movement or a Moment*, WASH. POST (Nov. 9, 2017), https://www.washingtonpost.com/news/the-intersect/wp/2017/11/09/metoo-a-movement-or-a-moment/?utm_term=.f9aaacaf87c7.

⁵ Dalvin Brown, *19 million tweets later: A look at #MeToo a year after the hashtag went viral*, USA TODAY (Oct. 13, 2018), <https://www.usatoday.com/story/news/2018/10/13/metoo-impact-hashtag-made-online/1633570002>; Madhuri Sathish, *Google Searches About Sexual Assault & Harassment Broke A Record After #MeToo*, *Researchers Say*, BUSTLE (Dec. 2018), <https://www.bustle.com/p/google-searches-about-sexual-assault-harassment-broke-a-record-after-metoo-researchers-say-15561117>.

⁶ Tim Bower, *The #MeToo Backlash*, HAR. BUS. REV. (2019) <https://hbr.org/2019/09/the-metoo-backlash>.

⁷ Paul Ingram & Tal Simons, *Institutional and Resource Dependence Determinants of Responsiveness to Work-Family Issues*, 38 ACAD. MGMT J. 1466 (1995).

⁸ *After a year of #MeToo, American opinion has shifted against victims*, ECONOMIST (Oct. 15, 2018), <https://www.economist.com/graphic-detail/2018/10/15/after-a-year-of-metoo-american-opinion-has-shifted-against-victims>.

One of the responses to this effect is an outpouring of literature, both academic and popular, centering on the difficulties women face in obtaining mentors,⁹ sponsors,¹⁰ and other forms of advocacy in the post-#MeToo era¹¹ and the need for men to take an active role in using their privilege and position to assist women in breaking these barriers.¹² Although the importance of mentoring women cannot be overstated, and the emphasis on men mentoring women is critical given the gender inequality among senior management, largely absent from the analysis is a discussion of the benefits that women, men, and society as a whole receive when women mentor men.¹³

This manuscript explores this perspective, arguing that there should be an emphasized focus on providing opportunities for women to mentor men. It posits that women mentoring men may be essential for ultimately bridging the divide between the genders and helping to eliminate gender bias in corporate America. In addition, it addresses how the COVID-19 crisis demonstrates a need for female mentorship and provides an opportunity to redefine the mentoring relationship.

I. ORIGINS OF FEMALE MENTORSHIP: HOW FEMALE MENTORSHIP COUNTERED HISTORICAL SYSTEMS OF PATRIARCHAL INEQUALITY IN THE UNITED STATES

⁹ Caroline Kitchener, *When It's Hard for Women to Find Male Mentors*, ATLANTIC (2017) <https://www.theatlantic.com/business/archive/2017/08/women-men-mentorship/537201/>; K.S. Lyness & D. E. Thompson, *Climbing the Corporate Ladder: Do Female and Male Executives Follow the Same Route?* J. APPLIED PSYCHOL. 85(1), 86-101 (2000).

¹⁰ Duan Robin Anderson, *The Importance of Mentoring Programs to Women's Career Advancement in Biotechnology*, J. CAREER DEV. (2005).

¹¹ Margie Warrell, *Mentoring Matters: How More Women Can Get the Right People in Their Corner*, FORBES (2017), <https://www.forbes.com/sites/margiewarrell/2017/06/24/women-mentoring/#3c2a6bcf22db>.

¹² Debora L. Spar, *Good Fellows: Men's Role & Reason in the Fight for Gender Equality*, 149 DAEDALUS 222 (2020) <https://www.amacad.org/publication/good-fellows-mens-role-reason-fight-gender-equality>.

¹³ There have been, however, several short online articles on the subject, see, e.g., Melissa Lamson, *Men Need Mentors Too in the #MeToo Era*, INC (Mar. 8, 2018), <https://www.inc.com/melissa-lamson/how-women-can-and-should-mentor-men-in-metoo-era.html> (addressing the question of how women can and should mentor men). In addition, one article discussed potential challenges to the formation of the female mentor-male protégé relationship. Regina M. O'Neill & Stacy D. Blake-Beard, *Gender Barriers to the Female-Mentor Protégé Relationship*, 37 J. BUS. ETHICS, 51 (2002).

Women mentoring men is not a new concept when examined under a broad lens. Some argue that this idea is thousands of years old, which would predate the establishment of the United States.¹⁴ Originally, Western women mentored men informally as a means to overcome patriarchal systems of inequality. Mentoring men led to mutual advantages such as companionship, financial support, and career advice.¹⁵ It also created relationships that helped counter systems depriving women of independence. Specifically, the denial of equal access to education¹⁶ and gainful employment limited women's ability to economically sustain themselves.¹⁷ Furthermore, the denial of women's property rights¹⁸ and historical persecution of single female property owners¹⁹ also solidified women's long-term economic dependence on men. Without equal access to education, jobs, or inheritance, young women relied on marriage and family connections for sustenance.²⁰ Marriage granted women social and economic advantages,²¹ but also limited their autonomy. The legal concept of *coverture* placed husbands in control of household assets and meant that the property wives brought into a marriage transferred to husbands unless a wife signed

¹⁴ B.R.J. O'Donnell, *The Odyssey's Millennia-Old Model of Mentorship*, THE ATLANTIC (2017), <https://www.theatlantic.com/business/archive/2017/10/the-odyssey-mentorship/542676>. See generally GREGORY NAGY, GREEK MYTHOLOGY AND POETICS, CORNELL UNIV. PRESS (1992).

¹⁵ See Rania H. Anderson, *Challenging Our Gendered Idea of Mentorship*, HAR. BUS. REV. (2020) <https://hbr.org/2020/01/challenging-our-gendered-idea-of-mentorship> (noting that women mentoring men helps combat negative stereotypes of females not succeeding in education).

¹⁶ BARBARA M. SOLOMON, IN THE COMPANY OF EDUCATED WOMEN: A HISTORY OF WOMEN AND HIGHER EDUCATION IN AMERICA. YALE UNIV. PRESS 118, 155-165 (1985).

¹⁷ MEGAN M. WAY, FAMILY ECONOMICS AND PUBLIC POLICY, 1800S–PRESENT: HOW LAWS, INCENTIVES, AND SOCIAL PROGRAMS DRIVE FAMILY DECISION-MAKING AND THE US ECONOMY. PALGRAVE MACMILLAN 152-53 (2018) (discussing marriage bans in the 1800s, which prohibited employers from hiring married women).

¹⁸ WOMEN AND THE LAW OF PROPERTY IN EARLY AMERICA, UNIVERSITY OF NORTH CAROLINA PRESS 149 (2016).

¹⁹ SARA EVANS, BORN FOR LIBERTY, FREE PRESS, 32-33 (1997) (detailing how the Salem Witch trials served as a pretext to persecute unmarried female property owners).

²⁰ Steven Ruggles, *Patriarchy, Power, and Pay: The Transformation of American Families, 1800-2015*, DEMOGRAPHY 52(6): 1797 – 1823 (2015) <https://doi.org/10.1007/s13524-015-0440-z>.

²¹ Kelly Campbell and David Wright, *Marriage Today: Exploring the Incongruence Between Americans' Beliefs and Practices*, J. of Comparative Family Studies 41(3): 329-345 (2010); Also see generally JULIANNE M. SIEGFRIEDT, GRADUATE THEORIZATIONS: IMAGINATIVE APPLIED SOCIOLOGIES – MANIFEST AND LATENT, AHEAD PUBLISHING HOUSE 22-23 (2011) (citing Campbell and Wright and providing additional context on how marriage turned from “economic necessity” to a “social construct”).

a rare, complicated document known as a “marriage settlement.”²² Consequently, when marriage or familial institutions failed, men could fall back on education, jobs, and property, while many women faced outright destitution.²³

Under these conditions, some women protected their assets by becoming mentors. Specifically, they invested *financial assets* and *psychosocial support* into up-and-coming male allies, which cultivated mutually beneficial female mentor/male mentee relationships. Women found ways to obtain assets despite gender inequality. They brought dowries into marriages, bartered goods and services, and, at times, generated debts in the name of male relatives.²⁴ Women mentors used their financial resources to help finance men’s careers. Early female mentors also provided psychosocial support to their mentees by performing tasks such as caring for the sick, raising children, communicating valuable knowledge, providing housing, and offering companionship.²⁵ Benjamin Franklin shed light on this trend when he joked that older women made good mistresses because they “have more Knowledge of the World and their Minds are better stor’d with Observations... To maintain their Influence over Men, they supply the Diminution of Beauty by an Augmentation of Utility. They learn to do a 1000 Services small and great, and are the most tender and useful of all Friends when you are sick.”²⁶ This humor contained a kernel of

²² *The Legal Status of Women, 1776 – 1830*, THE GILDER LEHRMAN INSTITUTE OF AMERICAN HISTORY AP US HISTORY STUDY GUIDE at <https://ap.gilderlehrman.org/essay/legal-status-women-1776%C3%A2%E2%82%AC%E2%80%9C1830>; MEGAN M. WAY, FAMILY ECONOMICS AND PUBLIC POLICY, 1800S–PRESENT: HOW LAWS, INCENTIVES, AND SOCIAL PROGRAMS DRIVE FAMILY DECISION-MAKING AND THE US ECONOMY. PALGRAVE MACMILLAN US 12-13 (2018); *See generally* MARYLYNN SALMON, WOMEN AND THE LAW OF PROPERTY IN EARLY AMERICA, UNIVERSITY OF NORTH CAROLINA PRESS (2016).

²³ ANGELA CONRAD, THE WAYWARD NUN OF AMHERST: EMILY DICKINSON AND MEDIEVAL MYSTICAL WOMEN, GARLAND PUB., 26 (2000); *See also* PETER VRONSKY, FEMALE SERIAL KILLERS: HOW AND WHY WOMEN BECOME MONSTERS. UNITED STATES: BERKLEY BOOKS, 95 (2007).

²⁴ BONNIE G. SMITH, THE OXFORD ENCYCLOPEDIA OF WOMEN IN WORLD HISTORY, OXFORD UNIVERSITY PRESS 269 (2008).

²⁵ *See* William Ecenbarger, *Ben Franklin’s Dangerous Liaisons*, CHICAGO TRIBUNE (1990) <https://www.chicagotribune.com/news/ct-xpm-1990-05-06-9002070774-story.html> (insinuating Benjamin Franklin had relations with wealthy married women).

²⁶ NATHAN R. KOZUSKANICH, BENJAMIN FRANKLIN: AMERICAN FOUNDER, ATLANTIC CITIZEN, TAYLOR & FRANCIS 159-60 (2014). Benjamin Franklin’s essay about the benefits older women provide for younger men contains a

truth: “utilities” associated with women, such as communicating information (e.g., knowledge) and offering companionship hold value. Therefore, women had the means to become mentors in early America despite oppressive conditions.

Early American women often chose to mentor family members (e.g., husbands and sons), but occasionally funneled their psychosocial and financial resources into extramarital affairs.²⁷ Despite the importance moralists assigned to private female virtue,²⁸ laws did not necessarily safeguard women who dutifully invested money and psychosocial support into their immediate family. *Coverture* granted fathers property rights over marital property as well as children, and permitted male parents to assign the “ownership” of children away from the mother.²⁹ Furthermore, *dower* laws allowed children to contest wills for being “too generous” to mothers, essentially pitting mothers against their progeny.³⁰ Instead of protecting family values, these laws pitted husbands and children against mothers and provided a perverse incentive for married women to invest resources outside of their immediate family. Social inequities, such as class divisions, also incentivized American men to pursue married women as a means of obtaining financial sponsorship, business advice, medical care, and other forms of support lacking in a socially stratified society.³¹ Regardless of ethical or moral issues posed by extramarital affairs, these connections provided mutual benefits for early Americans: men gained valuable advice,

kernel of truth: western men derived many historical benefits from the knowledge, medical care, and general services provided by older women.

²⁷ See Ecenbarger, *supra* note 25 (summarizing Benjamin Franklin’s love life, which provides contextual clues that he pursued wealthy married women).

²⁸ WOMEN IN AMERICAN HISTORY: A SOCIAL, POLITICAL, AND CULTURAL ENCYCLOPEDIA AND DOCUMENT COLLECTION [4 VOLUMES] ABC-CLIO 212 (2017).

²⁹ MEGAN M. WAY, FAMILY ECONOMICS AND PUBLIC POLICY, 1800S–PRESENT: HOW LAWS, INCENTIVES, AND SOCIAL PROGRAMS DRIVE FAMILY DECISION-MAKING AND THE US ECONOMY. PALGRAVE MACMILLAN US 13-14 (2018).

³⁰ *Id.* at 13.

³¹ Benjamin J. Wetzel, *American Religion in the Gilded Age*, CUSHWA CENTER FOR THE STUDY OF AMERICAN CATHOLICISM (2018) <https://cushwa.nd.edu/news/the-republic-for-which-it-stands/>.

information, contacts, and companionship while women gained potential allies who could grow in their capacity to provide financial assistance, employment,³² connections,³³ protection, or, at times, serve as a second or third husband.³⁴ Consequently, it may be said that some of the first female mentors in the United States consisted of groups commonly excluded from formal business arrangements: female family members and mistresses.

Despite providing positive benefits for men and women, however, the historical legacy of early American female mentors remains buried due to gender-related double-standards. Although historical research can be used to demonstrate how female mentorship provided historic benefits for both men and women, historical accounts stigmatize early women mentors in ways that rarely extended to their young male protégés: narratives frequently emphasize women's sexual or familial background at the expense of financial and intellectual contributions.³⁵ Subsequently, the early Western history of women mentoring men remains marginalized, if not scandalized: elementary school children may learn about the tactical “brilliance” of Napoleon but not the aggressive assistance he received throughout his career from married “courtesan” Josephine Bonaparte,³⁶ of Tchaikovsky but not of the financial investments provided by his “muse” Nadezhda von Meck, of Benjamin Disraeli but not the career-saving financial assistance provided

³² KATE WILLIAMS, *AMBITION AND DESIRE: THE DANGEROUS LIFE OF JOSEPHINE BONAPARTE*, RANDOM HOUSE PUBLISHING GROUP PROLOGUE 1-18 (2014) (briefly summarizing Josephine Bonaparte's life by stating that Napoleon Bonaparte pursued Josephine, a married mother of two who was eight years his senior, for her political connections to wealthy, influential French leaders. In return, she obtained financial benefits and the role of empress).

³³ See generally BETTY RIZZO, *COMPANIONS WITHOUT VOWS: RELATIONSHIPS AMONG EIGHTEENTH-CENTURY BRITISH WOMEN*, UNIVERSITY OF GEORGIA PRESS (2008).

³⁴ See generally *id.* at 203.

³⁵ “Mistress and Other Words that Only Apply to Women,” <https://www.dictionary.com/e/mistress-and-other-words-that-have-no-male-counterpart/> (stating that there is no male equivalent to the word “mistress”); See also Heidi Stevens, *What do you Call a Male Mistress?* CHI. TRIB. (2012) <https://www.chicagotribune.com/lifestyles/ct-tribu-words-work-mistress-20121114-story.html> (regarding how men and women are judged in different ways with respect to extramarital affairs).

³⁶ See FRANK B. GOODRICH, *THE COURT OF NAPOLEON*, DERBY & JACKSON (1857); Cf. SOCIETY UNDER THE FIRST EMPIRE: WITH PORTRAITS OF ITS BEAUTIES, WITS, AND HEROINES, LIPPINCOTT 346 (1875) (referring to Josephine Bonaparte as living the life of an “fashionable, though exclusive, courtesan”).

by his “flirtatious” wife Mary Anne,³⁷ of Charles Dickens but not the early investment provided by the “crazy” wife who helped finance his early career,³⁸ of Benjamin Franklin but not the women he shared lifelong “sensual” correspondences with (and whose experiences may have inspired the articles he published about the plight of women in American history).³⁹ Historical accounts are not especially kind to mothers, either. Very little has been written about the mentorship provided by mothers to sons. It remains so taken for granted that mothers provide financial and psychosocial support to their children that this attribute was almost always only written about when it was missing.

The undervalued role of female mentorship continued even as women strived for equality in the United States. From a statistical perspective, the 20th century saw great strides for women in the workplace. The number of women in the labor force increased both in terms of absolute numbers and in percentages. In 1900, only 5.3 million women were in the labor force, but this grew to 18.4 million in 1950, and by 2018 the number reached 76.2 million.⁴⁰ Women, who only represented 18.3% of the workforce in 1900, represented over half of the of the United States labor

³⁷ Maureen Corrigan, *Victoria Romance Meets ‘House of Cards’ in ‘Mr. and Mrs. Disraeli’*, NPR (2015) <https://www.npr.org/2015/02/23/386958266/victorian-romance-meets-house-of-cards-in-mr-and-mrs-disraeli> (referring to Mary Anne Disraeli as “[f]lirtatious and flashy, a lover of diamonds, lace and gossip” and explaining her “vulgar” reputation before revealing that Benjamin Disraeli used his wife’s money and property as collateral on the debts that helped finance his political career).

³⁸ *Catherine Dickens Finds a 21st Century Ally in Lillian Nayder*, BATES MAG. <https://www.bates.edu/magazine/recent-favorites/catherine-dickens-lillian-nayder/> (summarizing the life of Catherine Dickens; in return for her financial and psychosocial support, Dickens tried to have his sane wife committed to an asylum).

³⁹ Kat Eschner, *Benjamin Franklin Was a Middle-Aged Widow Named Silence Dogood (and a Few Other Women)*, SMITHSONIAN MAG. (2017) <https://www.smithsonianmag.com/smart-news/benjamin-franklin-was-middle-aged-widow-named-silence-dogood-and-few-other-women-180961781/> (chronicling the relationship between Benjamin Franklin’s correspondence with women and the topics he wrote about under a female penname); *See also* Ecenbarger, *supra* note 25 (providing contextual clues that Benjamin Franklin pursued married women. These women were younger than Benjamin Franklin, but may have been viewed as “older married women” by the standards of a time where women “peaked” at fifteen).

⁴⁰ PART II COMPARATIVE OCCUPATION STATISTICS 1870 – 1930, U.S. DEP’T OF LABOR, available at <https://www2.census.gov/library/publications/decennial/1940/population-occupation/00312147ch2.pdf>; Mitra Toosi & Teresa L. Morisi, *Women In The Workforce Before, During, And After The Great Recession*, U.S. Bureau of Labor Statistics (July 2017), <https://www.bls.gov/spotlight/2017/women-in-the-workforce-before-during-and-after-the-great-recession/pdf/women-in-the-workforce-before-during-and-after-the-great-recession.pdf>.

force as of 2020.⁴¹ As the employment rates converged, so did the pay gap. Women working full time, who only earned 62% of what men earned in 1979, earned 81% of what men earned in 2020.⁴² Importantly, the success of women has extended to professional occupations. As of 2019, women comprised 51.8% of management, professional and related occupations.⁴³ Women now represent nearly half, or more than half, of incoming medical and law students and receive more than half of all doctorate degrees.⁴⁴

Despite the outward perception of success, not all trends are positive. Improvements in the gender gap have slowed and stagnated since the 1990s.⁴⁵ Although women comprise more than half of management, professional and related occupations, senior management positions continue to be dominated by men.⁴⁶ Fewer than 40% of managers are women and the percentage of women in senior management role as of 2019 was just 21%.⁴⁷ Furthermore, only 28% of CEOs, including a paltry 7.4% of Fortune 500 companies as of 2020, representing an all-time high, are women.⁴⁸

⁴¹ PART II COMPARATIVE OCCUPATION STATISTICS 1870 – 1930 *supra* note 40; Tara Law, *Women Are Now the Majority of the U.S. Workforce — But Working Women Still Face Serious Challenges*, TIME (Jan. 16, 2020) <https://time.com/5766787/women-workforce/>.

⁴² *The State of the Gender Pay Gap 2020*, Payscale, <https://www.payscale.com/data/gender-pay-gap>.

⁴³ LABOR FORCE STATISTICS FROM THE CURRENT POPULATION SURVEY, U.S. DEP'T OF LABOR, <https://www.bls.gov/cps/cpsaat11.htm>.

⁴⁴ INSTITUTE OF EDUCATION SCIENCES, U.S. DEP'T OF EDUCATION, DIGEST OF EDUCATION STATISTICS: TABLE 301.10. ENROLLMENT, STAFF, AND DEGREES/CERTIFICATES CONFERRED IN DEGREE-GRANTING AND NON-DEGREE-GRANTING POSTSECONDARY INSTITUTIONS, BY CONTROL AND LEVEL OF INSTITUTION, SEX OF STUDENT, TYPE OF STAFF, AND LEVEL OF DEGREE: FALL 2016 AND 2015-16 (2018), https://nces.ed.gov/programs/digest/d17/tables/dt17_301.10.asp.

⁴⁵ Inés Hardoy, PålSchøne & Kjersti Misje Østbakken, *Children and the Gender Gap in Management*, 47 LABOUR ECON. 124 (2017) <https://www.sciencedirect.com/science/article/pii/S0927537116302743>.

⁴⁶ Dina Medland, *Today's Gender Reality In Statistics, Or Making Leadership Attractive To Women*, FORBES (2016) <https://www.forbes.com/sites/dinamedland/2016/03/07/todays-gender-reality-in-statistics-or-making-leadership-attractive-to-women/#2688a4c06883>.

⁴⁷ BUREAU OF LABOR STATISTICS, U.S. DEP'T OF LABOR, HOUSEHOLD DATA ANNUAL AVERAGES 11. EMPLOYED PERSONS BY DETAILED OCCUPATION, SEX, RACE, AND HISPANIC OR LATINO ETHNICITY (2018); Jess Huang et al, *Women in the Workplace 2019*, MCKINSEY & COMPANY (Oct. 15, 2019), <https://www.mckinsey.com/featured-insights/gender-equality/women-in-the-workplace-2019#>.

⁴⁸ Mejia Zameena, *Just 24 female CEOs lead the companies on the 2018 Fortune 500—Fewer Than Last Year*, CNBC (2018) <https://www.cnbc.com/2018/05/21/2018s-fortune-500-companies-have-just-24-female-ceos.html>; Alisha Ebrahimji, *Female Fortune 500 CEOs reach an all-time high, but it's still a small percentage*, CNN (May 20, 2020), <https://www.cnn.com/2020/05/20/us/fortune-500-women-ceos-trnd/index.html>

The disparity between the genders can also be seen in the modern role of female mentorship, which is minimized in academia and generally limited to mentorship of their own gender. For example, a recent search on *Google Scholar* only yielded 21 results for “women mentoring men,” compared to 807 results for “women mentoring women,” 94 for “men mentoring women,” and 68 for “men mentoring men.”⁴⁹ Part of the disparity is likely a result of the impetus for women to mentor other women as a means of helping women overcome institutional and other barriers. This is a valid explanation and will be addressed in the next section. This reason alone, however, does not explain the discrepancy. Rather, the lack of emphasis on female mentorship may be indicative of a disparity between genders in general and a reflection of the biased perception of women in the workplace.

II. THE PERCEPTION OF WOMEN IN THE WORKPLACE

The reasons for the disparity between the genders in the corporate workplace are varied and often intertwined. Perhaps the largest barrier is also the simplest: women are still playing catch-up after centuries of discrimination, the result of which has created structural barriers in the workplace. Men continue to be overrepresented at senior level positions and women struggle both in obtaining equal opportunities for advancement and in finding mentors at a high enough position to help them succeed.⁵⁰ The problem is thus self-perpetuating, as women are not afforded equal opportunities and career support to reach senior positions, the next generation then lacks the resources and access to social capital to progress further.⁵¹ Additionally, numerous aspects of the

⁴⁹ Based on a Google Scholar search conducted on 08/13/2020.

⁵⁰ Terry Morehead Dworkin & Cindy Schipani, *The Need for Mentors in Promoting Gender Diverse Leadership in the #MeToo Era*, 87 GEO. WASH. L. REV. 1272 (2019).

⁵¹ *Id.*

corporate workplace, including scheduling and a winner-take-all competitive culture, remain crafted and designed, both consciously and unconsciously, to compliment traditional male roles.⁵²

A second, related issue is that women, even as gender roles continue to modernize, are disproportionately responsible for caring for children. Indeed, women disproportionately suffer the corresponding repercussions that come from sacrificing in their career to raise children. A number of academics argue that the “motherhood penalty,” as it has come to be known, may in fact be the largest reason for the disparity between the career success of women and men.⁵³ These academics point to studies measuring the career success of women and men, which find that women and men progress in their career paths on a relatively equal level until the birth of a child, at which point there is a common divergence.⁵⁴ On a disproportionate level, women sacrifice their careers to care for their children while men continue in their career progression.⁵⁵ By the time mothers rejoin the workforce, the damage is done—the career trajectories of mothers compared to men, and women without children, never reconvene.⁵⁶ In addition, regardless of whether they choose to leave the workforce, women may be penalized nonetheless.⁵⁷ Businesses, losing an estimated \$12.7 billion annually because of their employees’ childcare challenges, often stereotype

⁵² Terina Allen, *Six Hard Truths For Women Regarding The Glass Ceiling*, FORBES (2018) <https://www.forbes.com/sites/terinaallen/2018/08/25/six-6-hard-truths-for-women-regarding-that-glass-ceiling/#2b8969f7427f>.

⁵³ Julie Magid Manning, *Cloaking: Public Policy and Pregnancy*, 53 AM. BUS. L.J. 439 (2016); Geir Hogsnes, Andrew Penner, & Trond Petersen, *The Motherhood Wage Penalty: Sorting Versus Differential Pay* IRLE WORKING PAPER NO. 156-07 (2007), <https://www.irl.berkeley.edu/files/2007/The-Motherhood-Wage-Penalty.pdf>.

⁵⁴ Henrik Kleven, Camille Landais & Jacob Egholt Sogaard, *Children and Gender Inequality: Evidence from Denmark*, NBER WORKING PAPER 24219 (2018), https://www.henrikkleven.com/uploads/3/7/3/1/37310663/kleven-landais-sogaard_nber-w24219_jan2018.pdf.

⁵⁵ Kim Parker, *Women More than Men Adjust their Careers for Family Life*, PEW RES. CENTER (2015) <https://www.pewresearch.org/fact-tank/2015/10/01/women-more-than-men-adjust-their-careers-for-family-life/>.

⁵⁶ Kleven, Landais & Sogaard, *supra* note 54.

⁵⁷ Leila Schochet, *The Child Care Crisis Is Keeping Women Out of the Workforce*, CEN. AM. PROGRESS (2019) <https://www.americanprogress.org/issues/early-childhood/reports/2019/03/28/467488/child-care-crisis-keeping-women-workforce/>.

and overlook women in hiring and promotions because of the preconceived notion that women will leave their career upon having a child.⁵⁸

Overcoming the motherhood penalty will not be easy, as the belief that women should care for children remains deeply embedded in the perception of gender roles in American society.⁵⁹ Not surprisingly, a 2018 study by the American Center for Progress found that “mothers were 40 percent more likely than fathers to report that they had personally felt the negative impact of child care issues on their careers.”⁶⁰ Studies indicate this discrepancy, showing that while women are forced to choose between children and career success, men are allowed and even expected to have both.⁶¹ For men, the likelihood of being married and having children is positively correlated with career success.⁶² For women, the opposite is true.⁶³ Overall, only 19% of high-achieving men are childless compared to nearly half of high-achieving women.⁶⁴ This suggests that perceptions not just of parenting roles but of what it means to be a successful woman will need to change—just as fathers are lauded for providing for their children, so must women be valued for their career success.

This notion is intertwined with a third issue, which is that women continue to suffer from implicit and explicit bias. It may come as some surprise that in the post-#MeToo era, where awareness of sexual harassment and discrimination in the workplace may never be higher, implicit bias continues in corporate America. Indeed, a shallow dive exploring the public opinion of Americans may give reason for false optimism—studies indicate that a majority of Americans

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ Sylvia Ann Hewlett, *Executive Women and the Myth of Having it All*, HARV. BUS. REV. (2002) <https://hbr.org/2002/04/executive-women-and-the-myth-of-having-it-all>.

⁶² *Id.*

⁶³ *Id.*

⁶⁴ *Id.*

wish to see more women in leadership positions in corporate America and better yet, a majority viewed women and men as having equal essential leadership qualities.⁶⁵ But looking deeper at the same studies, they show the pervasive stereotypes that have hindered the progress of women in and outside of the corporate universe.⁶⁶ Women may be viewed more favorably in more categories, but it is the type of category that is the problem.⁶⁷ While men are associated with leadership qualities that are valued in corporate America—confidence, risk taking and negotiation skills—women were seen as better at creating a safe and respectable workplace, valuing people of different backgrounds and considering the impact of business on society, all ostensibly admirable qualities but not those valued by profit-driven corporations.⁶⁸

This perception of women is known as the *women-are-wonderful* effect, a theory developed to address why women are consistently viewed more favorably than men yet continue to suffer from implicit and explicit bias and discrimination.⁶⁹ The theory explains that the favorability of women is heavily conditioned on women conforming to preconceived gender roles.⁷⁰ That is, women are viewed positively and offered support when conforming to traditional stereotypes that reinforce an interdependence on men, such as housewives, secretaries, and other roles where women are valued more for their nurturing and warmth than their intelligence.⁷¹

⁶⁵ Juliana M. Horowitz, Ruth Igielnik & Kim Parker, *Women and Leadership 2018*, PEW RES. CEN. (2018) <https://www.pewsocialtrends.org/2018/09/20/women-and-leadership-2018/>; Jack Zenger & Joseph Folkman, *Are Women Better Leaders than Men?* HARV. BUS. REV. (2012) <https://hbr.org/2012/03/a-study-in-leadership-women-do>.

⁶⁶ Horowitz, Igielnik, & Parker, *supra* note 65.

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ Peter Glick & Susan T. Fiske, *The Ambivalent Sexism Inventory: Differentiating Hostile and Benevolent Sexism*, 70 J. PERS. & SOC. PYSCH. 491 (1996) https://www.researchgate.net/publication/232548173_The_Ambivalent_Sexism_Inventory_Differentiating_Hostile_and_Benevolent_Sexism.

⁷⁰ Susan T. Fiske, *Managing Ambivalent Prejudices: The Smart-But-Cold, and the Warm-But Dumb Stereotypes*, 639 ANN AM ACAD. POL. SOC. SCI. 4 (2012) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3792573/pdf/nihms-514885.pdf>.

⁷¹ *Id.* at 5.

This benevolent sexism can be damaging for women in a variety of ways—support by men can cause women to lose confidence in their own capabilities by distracting “women with self-doubt and undermin[ing] their performance, making them devalue their task competence.”⁷² This occurs as women come to accept the benevolent sexism, and then adhere to the prescribed gender norms that the benevolent sexism reinforces.⁷³ It can also disarm “women’s recognition of and resistance to sexism: protective paternalism suffuses women’s experience, making them less likely to notice it and to identify it as harmful despite its ill effects.”⁷⁴ The effects also help to explain the motherhood penalty, as “women workers with children seem warmer but less competent than other employees, whereas working fathers gain in warmth without losing competence.”⁷⁵ Women by default are viewed through a caregiver lens and thus face unfair “concern about whether the working mother ‘can handle everything.’”⁷⁶ The result is women, and especially mothers, receive greater scrutiny in hiring and at work, and “mothers get less leeway to juggle than fathers do.”⁷⁷ Furthermore, women may be given less challenging, but also less valuable, assignments.⁷⁸ The effect can be particularly damaging to the careers of women in corporate America, as success is often tied to long hours at a time when traditional roles would suggest women should be starting a family.⁷⁹

⁷² *Id.* at 4.

⁷³ Amanda E. Mosier, *The effects of ambient benevolent sexism and its implications in the workplace* (2019) (unpublished masters theses), available at https://scholarsmine.mst.edu/cgi/viewcontent.cgi?article=8910&context=masters_theses.

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.* at 5.

⁷⁷ *Id.*

⁷⁸ Peter Glick, *Gender & Work*, HARV. RES. SYMPOSIUM 6 (2013) <https://www.hbs.edu/faculty/conferences/2013-w50-research-symposium/Documents/glick.pdf>.

⁷⁹ See Debra M. Easterly, *Conscious Efforts to End Unconscious Bias: Why Women Leave Academic Research*, 17 J. RES. ADMIN. 61 (2011), available at <https://files.eric.ed.gov/fulltext/EJ955003.pdf>.

On the other hand, benevolent sexism turns hostile should women break from traditional roles. Although adhering to prescriptive stereotypes is met with affirmation, breaking from the prescriptive stereotypes leads to retribution.⁸⁰ When women threaten men by competing for traditionally male roles, the support from men wanes and women face age-old stereotypes. Women demonstrating masculine behavior are viewed as cold or socially deficient and face criticism for making unreasonable demands, for partaking in unfair competition or of using sexual manipulation.⁸¹ Women thus face a dichotomy—either adhere to traditional roles and suffer from the competency bias and assumption of lower ability or break from prescriptive female norms and incur social censure.⁸² In essence, women can choose to be viewed as warm but incompetent or competent but cold.⁸³

The results of the *women-are-wonderful* effect and gender bias are substantial. A study measuring unconscious bias found that that “76% of people (men and women) are gender-biased and tend to think of men as better suited for careers and women as better suited as homemakers” despite women receiving higher performance ratings.⁸⁴ A study of associates at a Wall Street law firm found that women received more positive narrative comments in their formal evaluations but that men were more than twice as likely to be described as having partner potential.⁸⁵ A third study of undergraduates found that “male applicants with high grade point averages were twice as likely to be contacted by employers as women with the same grades and comparable experience and

⁸⁰ Fiske, *supra* note 70, at 5.

⁸¹ *Id.* at 4-5.

⁸² *Id.*

⁸³ *Id.*

⁸⁴ Tiffany Pham, *Think You're Not Biased Against Women at Work? Read This*, FORBES (2016) <https://www.forbes.com/sites/break-the-future/2016/12/20/think-youre-not-biased-against-women-at-work-read-this/#43ba0f447e5a>.

⁸⁵ Glick, *supra* note 78, at 6.

educational background.”⁸⁶ A fourth, related study reinforced this bias in hiring, finding that women were punished for stellar grades, as managers preferred “women applicants who are perceived as likable -- those who did fine, but did not excel, academically.”⁸⁷ Consistently, across ages and fields, women have been found to face a double standard that does not apply to men. The result is that women are less likely to be hired and less likely to be promoted, despite comparable or greater abilities and performance.

III. THE POST-#METOO ERA DIVIDE

The implications of the *women-are-wonderful* effect and benevolent sexism can also be seen in the media response in the post-#MeToo era. In the wake of the movement, numerous sources offer practical advice for men to avoid impropriety. One article, after first discussing how women receive less mentorship and sponsorship, offers tips for men working closely with a female colleague.⁸⁸ It suggests maintaining personal space (at least 2-3 feet with no physical contact), avoiding discussion of marital or dating problems, and making sure not to “hog all of her time late into the evening.”⁸⁹ The list even suggested that men not “act as if [they’re] home on the sofa” when at the workplace, less they inadvertently “deliver any ‘visual cues’ that imply sexuality or even personal sensuality.”⁹⁰

Although this perspective may be one of the more extreme responses, it is representative of a common form of advice that men have received in the post-#MeToo era. Men are increasingly

⁸⁶ Natasha Quadlin, *High GPA could Work Against Young Women Job Hunters*, OHIO ST. NEWS (2018) <https://news.osu.edu/high-gpa-could-work-against-young-women-job-hunters/>.

⁸⁷ *Id.*

⁸⁸ Quentin Fottrell & Jeanette Settembre, *In the #MeToo era, 60% of Male Managers say they’re Scared of Being Alone with Women at Work*, MKT. WATCH (2019) <https://www.marketwatch.com/story/men-are-afraid-to-mentor-female-colleagues-in-the-metoo-era-heres-what-not-to-do-2019-05-20>.

⁸⁹ *Id.*

⁹⁰ *Id.*

told to maintain or even increase the distance between the genders in the workplace. This advice may be well-meaning, and there is no doubt a need for heightened awareness of sexual harassment in the workplace, but such advice may increase sexism and the gender divide. First, the advice may operate as a veiled form of benevolent sexism. That men must be careful around women reinforces the belief that men should treat women differently based on their gender. The suggestion that men need to be careful of “hogging” women’s time seems particularly insidious, as it implies that women are inferior to their male counterparts and are in need of protection.

Furthermore, this form of advice no doubt increases the paranoia of men in the post-#MeToo era. If, as this list implies, male managers constantly need to stay on guard against inadvertently sending “visual cues” to women, the natural response is for male managers to limit risk by avoiding interactions altogether. The evidence indicates that this has been the response of some men in the post-#MeToo era. Men are not just being more careful around women but some are actively backing away from interactions with women.⁹¹ Many male executives even report being “told by their human resources department or by senior leadership ‘don’t put yourself in that position; don’t be alone with a woman.’”⁹²

Likewise, the advice to women is far from clear. To limit sexual harassment women are told to avoid or at least be wary of one-on-one interactions with men. To progress in their careers, however, women are told to obtain a senior-level mentor (most likely a male), which necessitates close one-on-one interactions.⁹³ Women in the workplace thus face a dichotomy: how can they

⁹¹ Jena McGregor, *#MeToo Backlash: More Male Managers Avoid Mentoring Women or Meeting Alone with Them*, WA. POST (2019) <https://www.washingtonpost.com/business/2019/05/17/metoo-backlash-more-male-managers-avoid-mentoring-women-or-meeting-alone-with-them/>.

⁹² *Id.*

⁹³ Phyllis Tharenou, *Does Mentor Support Increase Women’s Career Advancement More than Men’s? The Differential Effects of Career and Psychosocial Support*, 30 AUSTL. J. OF MGMT. 77 (2005); See generally W. BRAD JOHNSON & DAVID SMITH, *ATHENA RISING: HOW AND WHY MEN SHOULD MENTOR WOMEN* (Harv. Bus. Rev. Press. 2019).

obtain male mentors without interacting closely with men? Organizations similarly struggle with the same dichotomy as they work to promote opportunities for women while limiting sexual harassment exposure.

Legal avenues have failed to provide an answer or guidance on the issue. Traditionally, the law does not provide a remedy for inaction.⁹⁴ Women thus face a steep challenge in using sexual harassment law to prevent men from avoiding workplace interactions with women. It is true that one of the causes of actions for sexual harassment under Title VII is a “hostile work environment.”⁹⁵ For such a claim to be actionable, however, the plaintiff must show that the treatment was sufficiently “severe or pervasive” to alter the conditions of the aggrieved women’s employment and create an abusive working environment.⁹⁶ This leads to a challenge in obtaining evidence to meet the burden, as evidence of inaction is difficult to compile and not tied to any documents or physical form.⁹⁷ Furthermore, companies have adopted policies that provide an affirmative defense, even if there is a question of whether the policies actually prevent sexual harassment or discrimination.⁹⁸

Legal recourse could be pursued under Title VII if men are receiving mentoring but women are not.⁹⁹ Such a situation creates an unequal playing field by giving men a benefit that women are denied.¹⁰⁰ Employers thus face a difficult dilemma—they are unlikely to want to prohibit

⁹⁴ Elizabeth C. Tippet, *The Legal Implications of the MeToo Movement*, 103 MINN. L. REV. 229 (2018).

⁹⁵ 29 C.F.R. § 1604.11 9A0 (2018); *Oncala v. Sundowner Offshore Services, Inc.*, 523 U.S. 75 (2018).

⁹⁶ *Oncala v. Sundowner Offshore Services, Inc.*, 523 U.S. 75 (2018).

⁹⁷ See Tippet, *supra* note 94.

⁹⁸ Lariza Hebert & Mauro Ramirez, *Sexual Discrimination Is a Perilous Response to #MeToo*, Fisher Phillips Attorneys Advise, FISHER PHILLIPS (2019) <https://www.fisherphillips.com/resources-articles-sexual-discrimination-is-a-perilous-response-to>.

⁹⁹ 42 U.S.C. § 2000e-2(a)(1).

¹⁰⁰ *Id.* It is unlawful to “discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment . . .”

mentoring but it is challenging to provide it equally to both genders.¹⁰¹ Additionally, a discrimination lawsuit, even if successful, would do little to shift the attitudes of men. It would likely do the opposite and reinforce the male paranoia surrounding workplace interactions. The ultimate result would be that men and companies would simply adjust their behavior and corporate policies to include women but only to the extent necessary to avoid liability.

Ultimately, the post-#MeToo era workplace is marked by a stark divide between the genders with extreme levels of intergroup bias. Intergroup bias refers to a “type of unconscious (or implicit) bias [that] is the unwitting and unintentional influence of stereotype-based preconceived assumptions about a group that occurs when judging an individual member of that group.”¹⁰² In other words, it is a process of social (and self) categorization whereby individuals evaluate others based on categories such as gender, ethnicity, occupation, economic and social position, with ingroups referring “to groups to which a person belongs, and outgroups are groups to which a person does not belong.”¹⁰³ Unsurprisingly, individuals tend to demonstrate ingroup bias or a tendency to favor other members of the same group.¹⁰⁴ People are more likely to “help ingroup members more than outgroup members and work harder for groups identified as ingroups than outgroups.”¹⁰⁵ This favoritism has been found “in many different types of social groups, in many different settings, on many different dimensions, and in many different cultures.”¹⁰⁶

¹⁰¹ See Schipani & Dworkin, *supra* note 50, at 1287-1294 for a discussion of the benefits of mentoring and its provision to female employees.

¹⁰² Amarette Filut, Anna Kaatz & Molly Carnes, *The Impact of Unconscious Bias on Women’s Career Advancement*, *Sasakawa Peace Found. Expert Rev. Series Advancing Women’s Empowerment* at 3 (2017) https://www.spf.org/publication/upload/Unconscious%20Bias%20and%20Womens%20Careers_2017_en.pdf.

¹⁰³ *Ingroup-Outgroup Bias*, IR RES. NET, <https://psychology.iresearchnet.com/social-psychology/group/ingroup-outgroup-bias/>

¹⁰⁴ *Id.*

¹⁰⁵ JOHN F. DOVIDIO ET AL., *THE SAGE HANDBOOK OF PREJUDICE, STEREOTYPING AND DISCRIMINATION* at 14. (2010).

¹⁰⁶ RAJIV JHANGIANI & HAMMOND TARRY, *PRINCIPLES OF SOCIAL PSYCHOLOGY - 1ST INTERNATIONAL EDITION* CHAPTER 11 (1st Ed.), available at <https://opentextbc.ca/socialpsychology/chapter/ingroup-favoritism-and-prejudice/>.

Traditionally, ingroup bias was explained by realistic conflict theory, which arises as groups compete over scarce resources.¹⁰⁷ Individuals thus favor their own ingroup out of self-interest.¹⁰⁸ More recent explanations, however, such as social identity and self-identity theory, focus on the symbolic psychological benefits, including enhancements to social identity and self-esteem, that result from an ingroup identity.¹⁰⁹ Proponents of these explanations describe how ingroup bias can bring satisfaction from complying with expectations of their role within a group and a corresponding distress from inability to appear congruent to one's identity as defined by the group's norms.¹¹⁰ In addition, and in accordance with these theories, ingroup bias has been shown to affect how individuals experience group outcomes as the group's success or failure becomes an important and positive part of an individual's own self-concept.¹¹¹

Research has shown that gender, perhaps unsurprisingly, is one of the characteristics for categorizing ingroup and outgroup status, including in the workplace.¹¹² Evidence of this can be seen in the hiring and promotion process, as studies have found that the genders show a strong preference toward their own in hiring.¹¹³ Women tend to hire women and men tend to hire men, which is concerning for women given that there are few women in positions of power.¹¹⁴ Unsurprisingly, the *woman-is-wonderful* effect is also evident in the ingroup/outgroup classification, as men show less of a bias against women when women adhere to traditional gender

¹⁰⁷ JOHN M. LEVINE & MICHAEL A. HOGG, REALISTIC GROUP CONFLICT THEORY, ENCYCLOPEDIA OF GROUP PROCESSES & INTERGROUP RELATIONS (2010) <https://sk.sagepub.com/reference/processes/n208.xml>.

¹⁰⁸ JHANGIANI & TARRY, *supra* note 106.

¹⁰⁹ Naomi Ellemers & S. Alexander Haslam, *Social Identity Theory*, in Paul A. M. Van Lange, Arie W. Kruglanski & E. Tory Higgins, 2 HANDBOOK OF THEORIES OF SOC. PSYCH. 379 (2012).

¹¹⁰ *Id.*

¹¹¹ JHANGIANI & TARRY, *supra* note 106.

¹¹² Stephanie Goodwin & Laura Rudman, *Gender Differences in Automatic In-Group Bias: Why do Women like Women More than Men like Men?*, 87 J. PERS. SOC. PSYCHOL. 494 (2004), https://www.researchgate.net/profile/Laurie_Rudman/publication/8226295_Gender_Differences_in_Automatic_In-Group_Bias_Why_Do_Women_Like_Women_More_Than_Men_Like_Men/links/0a85e5324b69af209e000000.pdf

¹¹³ Bailey Reiners, *What is Gender Bias in the Workplace?* BUILT IN (2020) <https://builtin.com/diversity-inclusion/gender-bias-in-the-workplace>.

¹¹⁴ *Id.*

roles.¹¹⁵ Furthermore, the negative effects of these classification have been shown to persist even when women and men belong to the same organization.¹¹⁶ Studies have found that men “perceived their group as a whole more negatively, and were less interested in future collaborations, as the proportion of women in the group increased.”¹¹⁷

Although more research needs to be conducted, it seems intuitive that the effect of the #MeToo movement has increased the ingroup/outgroup distinctions of women and men. If men are afraid to even interact with women, it seems logical that men are also unlikely to classify women as belonging to the same group. If men do, they are more likely to view the group negatively.

IV. THE BENEFITS OF WOMEN MENTORING MEN

That women and men may demonstrate an ingroup bias toward their own gender and an outgroup bias toward the other is hardly revolutionary. After all, the trope of the divide between the genders is as old as society itself. But the importance in approaching the gender divide from an ingroup/outgroup perspective is in how it frames the problem and the potential solutions. It shows that the problem is not simply informational; gender bias cannot be solved solely through increased awareness. It will require active steps that cause the genders to re-categorize their workplace identities. This approach is reinforced by recent studies measuring the effectiveness of strategies for combatting implicit bias.¹¹⁸ These studies found that awareness of implicit bias, while

¹¹⁵ Glick & Fiske, *supra* note 69.

¹¹⁶ Tessa V. West et al., *Building Blocks of Bias: Gender Composition Predicts Male and Female Group Members' Evaluations of Each Other and the Group*, 48 J. EXPERIMENTAL SOC. PSYCH. 1209 (2012), https://www.researchgate.net/publication/256752829_Building_blocks_of_bias_Gender_composition_predicts_male_and_female_group_members'_evaluations_of_each_other_and_the_group.

¹¹⁷ *Id.* at 1211.

¹¹⁸ Chloë FitzGerald et al., *Interventions Designed to Reduce Implicit Prejudices and Implicit Stereotypes in Real World Contexts: a Systematic Review*, 7 BMC PSYCHOL. (2019) <https://bmcpyschology.biomedcentral.com/articles/10.1186/s40359-019-0299-7>.

a necessary first step, is insufficient on its own at reducing implicit bias.¹¹⁹ In some cases, awareness even had the opposite effect, as telling people “to avoid implicit stereotyping can actually increase their biases.”¹²⁰ Likewise, although training is sometimes beneficial at reducing or eliminating bias, implicit bias training is notoriously challenging and can do more harm than good in some cases, either by being ineffective or by giving participants false confidence.¹²¹

Rather, to break the ingroup/outgroup barriers requires more than increased awareness or training, but actual positive interactions. One of the key techniques for reducing intergroup bias is through interdependence and cooperative interaction, which reduce bias as groups work to achieve common goals.¹²² This can be “seen in the success of cooperative learning techniques, such as the jigsaw classroom.”¹²³ The jigsaw classroom is a method developed to combat racism at the University of Texas at Austin in the 1970s that requires participants to work together to teach a common goal.¹²⁴ It operates by segmenting a project into distinct parts that the participants complete individually before combining their portions and knowledge in assembling the ultimate product.¹²⁵ By only providing each participant with information on their portion, the participants are forced to rely on one another and work together.¹²⁶ This reliance fosters interdependence that can work to combat biases and prejudices.¹²⁷ The jigsaw classroom and other similar methods also

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² CHAPTER 1 in JOHN F. DOVIDIO ET AL., THE SAGE HANDBOOK OF PREJUDICE, STEREOTYPING AND DISCRIMINATION (2010) <http://iscap.upenn.edu/sites/default/files/GoldmanMutzchapter.pdf>.

¹²³ *Id.*

¹²⁴ Jigsaw Collaborative Discussion Method, U. OF MICH. C. OF LITERATURE, SCI., AND THE ARTS, <https://sites.lsa.umich.edu/inclusive-teaching/inclusive-classrooms/jigsaw/#:~:text=Jigsaw%20was%20first%20developed%20as,students%20had%20recently%20been%20integrated.>

¹²⁵ *Id.*

¹²⁶ *Id.*

¹²⁷ *Id.*

help to avoid a win-lose, zero-sum competitive relation, which “initiates mutually negative feelings and stereotypes toward the members of the other group.”¹²⁸

Fostering interdependence and cooperative interaction between the genders might be easier said than done. An issue in the post-#MeToo era is that some men eschew any form of interaction between the genders, including the cooperative, interdependent interaction needed to reduce gender bias.¹²⁹ Furthermore, the responses by companies, while arguably necessary to combat sexual harassment, likewise have increased the barriers to positive interaction between the genders. The focus on men sponsoring women, although necessary for helping women obtain equal career opportunities, may not be the most effective avenue for reducing gender bias given the inherent power imbalance and the lack of interdependence. In addition, these programs may not be effective at changing the views and attitudes of the male mentors, who would likely be in the later stages of their career and unlikely to undergo dramatic behavioral shifts prior to leaving the workforce.

Women mentoring men, on the other hand, may offer a way to recondition the ingroup/outgroup categorizations of the genders and reduce gender bias in the long term. Women mentoring men avoids an important issue in the post-#MeToo era—the current state of paranoia among men and the tendency for men to avoid interactions with women. The reality is that it will take substantial effort to encourage senior level men to interact with junior women. These barriers, however, may not apply to encouraging senior women to mentor junior men. Ostensibly, senior women would, unlike their male counterparts, not fear a perception of impropriety or otherwise hesitate at interacting with junior men. However, this argument is largely theoretical, as recent studies and academic research has focused on the opinions of men and largely ignored the

¹²⁸ *Id.*

¹²⁹ Bower, *supra* note 6.

views of women.¹³⁰ Studies measuring workplace interaction between the genders often only survey men regarding their views on working with men and omit the views of women on working with men.¹³¹ A study by LeanIn and Survey Monkey, for example, despite interviewing both women and men on the state of the workplace in the post-#MeToo era, only surveyed men when asking about activities with the other gender made them uncomfortable.¹³² When the views of women are explored, it is often limited to narrow questions regarding a fear of sexual assault or harassment, and fails to measure overall preferences or attitudes.¹³³ However, some insight may be gleaned from the survey conducted by LeanIn and Survey Monkey.¹³⁴ The survey found that women underestimated how reluctant men are to work with women.¹³⁵ This could be an indication that women view workplace interaction between the genders as less of a source of conflict. This, in turn, may be an indication that women view interaction between the genders with less trepidation than their male counterparts. Further studies, however, should be undertaken to comprehensively measure the views of women on interactions with men in the workplace. The research should pay particular care to explore how comfortable senior women are with working with junior men.

Furthermore, there is additional evidence that mentoring relationships between senior women and junior men could potentially be created and fostered, either formally or informally, with less financial expenditure for companies than traditional training programs aimed at reducing gender bias. This is because a mentoring relationship may circumvent the general reluctance that

¹³⁰ E.g., Jilesa Gebhardt, *How #MeToo has impacted mentorship for women*, SURVEY MONKEY, <https://www.surveymonkey.com/curiosity/mentor-her-2019/>.

¹³¹ *Id.*

¹³² E.g., *Id.*

¹³³ E.g., Sophie Walker, *On the 2nd anniversary of #MeToo, 1 in 4 young women still fear they'll be fired for reporting sexual harassment*, YOUNG WOMEN TRUST (Oct. 15, 2019),

<https://www.youngwomenstrust.org/what-we-do/media-centre/press-releases/1036-1-in-4-young-women-fear-being-fired-for-reporting-sexual-harassment>.

¹³⁴ Gebhardt, *supra* note 130.

¹³⁵ *Id.*

men exhibit towards traditional programs. One of the shortfalls with traditional gender and diversity training is that it often elicits negative reactions from men, particularly senior white men, who may feel threatened or targeted.¹³⁶ The end result is that the training may “activate bias” as men “rebel against rules that threaten their autonomy.”¹³⁷ A mentoring relationship could potentially avoid this shortfall as the relationship would be less structured than traditional programs, and the junior men less likely to believe they are a target of a formal program because of their gender. The junior men may thus be more likely to view a mentoring relationship as a positive interaction where they are part of a solution, as opposed to training where they feel threatened.¹³⁸ At the very least, just having a mentoring relationship may serve to teach the participants to value one another.¹³⁹

In addition, and most importantly, this form of mentoring relationship could naturally create the interdependence and cooperative interaction needed to break gender bias. In such a relationship, the success of the junior men would be irrevocably tied to the success of the senior women. The junior men would rely on the senior women for opportunities and their ability to capitalize on these opportunities would be tied to the success and approval of the senior women. This should help normalize cooperative interaction between the genders. Through these mentoring relationships, junior men may then be reconditioned into viewing women and men as belonging to the same workplace group. The interactions would also allow (or force) junior men to confront their gender bias. It is one thing to learn about gender bias through training, it is another to confront

¹³⁶ Joanne Lipman, *How Diversity Training Infuriates Men and Fails Women*, TIME (Jan. 25, 2018), <https://time.com/5118035/diversity-training-infuriates-men-fails-women/>.

¹³⁷ Andie Kramer, *Why Gender Diversity Is Stalled*, FORBES (Dec. 5, 2019), <https://www.forbes.com/sites/andiekramer/2019/12/05/why-gender-diversity-is-stalled/#4cfae4044fad>.

¹³⁸ Frank Dobbin & Alexandra Kalev, *Why Diversity Programs Fail*, HARV. BUS. REV. (July-August 2016 Issue), <https://hbr.org/2016/07/why-diversity-programs-fail>.

¹³⁹ *See id* (noting that the mentors, through the relationship, learn to value their protégés. However, the article does not explore the reverse perspective, whether protégés gain an appreciation of their mentors.).

gender bias by interacting with women directly. By working with senior women, junior men may grow accustomed to interacting with women in a position of authority and learn to value women for their knowledge and guidance. These interactions would directly counter the prescriptive stereotypes created by the *women-are-wonderful* effect.

On the other hand, the mentoring relationship could also help junior men gain an appreciation for the very attributes for which women have been stereotyped. Although women, like men, have varied skills and approaches, only women face criticism for adhering to traditional gendered behavior.¹⁴⁰ Importantly, research has indicated that “the negative effect of gender stereotypes can persist even in the presence of disconfirming behavioral evidence.”¹⁴¹ It is thus not enough by itself to provide evidence of the equal or superior work performance of women. This is exactly why the mentoring relationship may succeed where traditional methods have failed. By allowing junior men to work with women and share in and appreciate their success, the junior men would be conditioned to value women based on their capability and not their adherence or deviation from gendered attributes. This shared success is critical, as it would cause men to process their interactions with women as a part of their own self-concept identity.

Furthermore, the mentoring relationship would place senior women in a position to educate junior men regarding appropriate conduct. On an inactive level, junior men could learn boundaries and appropriate conduct by modeling the behavior of senior women. This may be one of the most important benefits of the mentoring relationships. One of the common themes of the post-#MeToo surveys is that men report feeling nervous or anxious at basic interactions with women. A survey by LinkedIn found that “60% of male managers report feeling ‘too nervous’ about being accused of harassment to interact with women in common workplace activities such as mentoring, socializing

¹⁴⁰ Men, however, may face criticism for deviating from gender roles.

¹⁴¹ West et al., *supra* note 116, at 1209.

and one-on-one meetings.”¹⁴² A different study by the Pew Research Center found that a majority of Americans “believe the increased focus on sexual harassment has made it more difficult for men to know how to interact with women at work.”¹⁴³ These mentoring relationships should reduce this apprehension and help normalize relationships between the genders. The ultimate benefit would be that the relationships in the low-risk environment allow men to overcome their fears and work with women in different environments. To this end, the mentoring relationships could work in tandem with sexual harassment or unconscious bias training by giving a tangible experience to otherwise abstract lessons.

On an active level, senior women could teach and educate junior men throughout the mentoring relationship, correcting behavior or microaggressions that junior men may otherwise believe are innocuous. Furthermore, the presence of senior women could reinforce the understanding of junior men that sexual harassment and discrimination are not tolerated in the organization. Studies have indicated that one of the strongest predictors of sexual harassment in work organizations is the perception of organizational tolerance.¹⁴⁴ Organizational tolerance, in turn, is determined in large part by authority figures, who act “as a force encouraging or discouraging men to sexually harass, demonstrating the power of practiced social norms.”¹⁴⁵

¹⁴² Rob Bailey-Millado, *Men are Afraid to Mentor Women after #MeToo and it Hurts us All: Study*, N.Y. POST (2019) <https://nypost.com/2019/05/17/men-are-afraid-to-mentor-women-after-metoo-and-it-hurts-us-all-study/>.

¹⁴³ Twana Harris, *#MeToo Consequence: Male Leaders Are Backing Away From Mentoring Women*, TLNT (2019), <https://www.tlnt.com/metoo-consequence-male-leaders-are-backing-away-from-mentoring-women/>.

¹⁴⁴ Louise F. Fitzgerald and Lilia M. Cortina, *Sexual Harassment in Work Organizations: A View from the Twenty-First Century*, in J.W. WHITE & C. TRAVIS (EDS.), *HANDBOOK ON THE PSYCHOLOGY OF WOMEN 11* (2018) <https://www.icos.umich.edu/sites/default/files/lecturereadinglists/Fitzgerald%20%26%20Cortina%20%28in%20pres%2C%20APA%20Handook%29.pdf>; F.F. Benya, S.E. Widnall, and P.A. Johnson, *Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine*, NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE COMMITTEE ON WOMEN IN SCIENCE, ENGINEERING, AND MEDICINE (2018) <https://www.ncbi.nlm.nih.gov/books/NBK519455/>; MARGARET S. STOCKDALE, *SEXUAL HARASSMENT IN THE WORKPLACE: PERSPECTIVES, FRONTIERS, AND RESPONSE STRATEGIES VOL. 5* 132 (1996).

¹⁴⁵ PAULA A. JOHNSON ET AL., *SEXUAL HARASSMENT OF WOMEN: CLIMATE, CULTURE, AND CONSEQUENCES IN ACADEMIC SCIENCES, ENGINEERING, AND MEDICINE* (2018). <https://www.linguisticsociety.org/sites/default/files/24994.pdf>.

Having women in authority positions interact with junior men could thus help set an organizational tone against sexual harassment and discrimination. It could also encourage men to report sexual harassment as the junior men learn to value their female colleagues. Lastly, at the very least, the mentoring relationships could allow senior women to monitor for potential warning signs among the junior men and take corrective action if necessary.

Importantly, the focus on women mentoring men should not be seen as an approach aimed solely at educating junior or younger men. Rather, these mentoring relationships should be fostered throughout all stages of the organizational structure. In particular, mentoring is essential at and before each stage of the hiring and promotion process. It is important to include women in the hiring and promotion process so that more women are hired and promoted; it is also important to involve women in the hiring and promotion process so that more of the right type of men are hired and promoted. These mentoring relationships can help ensure that male allies are promoted. It is thus especially important to have senior women mentor men who are about to take leadership roles within a company.

At least one company has put a version of this idea to practice. Recently, Menttium, a corporate mentoring company, launched a program entitled “Women Mentoring Men: Standing Together for Change.”¹⁴⁶ In this program, which is in the pilot phase, male executives are paired with women executives from different firms who serve as their mentors.¹⁴⁷ The executives meet monthly both one-on-one and as a group. There are five pairs participating in the pilot program. According to one male participant, “I think more men are exposed to the everyday life and experience and how hard it can be, that awareness is what is greatly underappreciated. . . .” A

¹⁴⁶ William Morris, *Women Mentoring Men Takes on Inequity, Finance and Commerce* (Mar. 27, 2020), <https://www.bi.gale.com.proxy.lib.umich.edu/essentials/article/GALE%7CA619186048?u=umuser>.

¹⁴⁷ *Id.*

woman mentor remarked, “I like engaging men in the question of how we achieve gender equity and inclusion in the workplace and remove barriers that are there.” “With my pairing we were able to jump right in to talk about some situations he was facing, and questions he had that he maybe didn’t feel comfortable asking in his own company and didn’t know how to ask.”¹⁴⁸ Furthermore, we recommend that employers let employees know that people at the top are participating in outside mentoring programs. This would send a signal that the leaders believe mentoring is important.

This is not to say that women mentoring men is without potential drawbacks. Perhaps the strongest counterargument against women mentoring men is that women should focus their limited time and resources on mentoring junior women. In light of the few numbers of women in positions of power, it is vital that senior women focus their resources on assisting the next generation of women. Yet, one of the benefits of women mentoring men is in the structure of the mentoring relationships. As the benefits stem from normalizing interactions and mutual codependency between the genders, many of the benefits can be realized from shorter work-focused projects. It is not essential that senior women devote extensive social capital or energy in developing these relationships. Senior women should continue to focus their resources on sponsoring junior women, as they need the career support and gateways for career progression more than their male counterparts. Rather, mentoring relationships with junior men can be a supplement to these relationships. That said, given the scarcity of women in senior roles and the significant demands on their time, companies should develop programs and other tools to facilitate the development of mentoring relationships between senior women and junior men.

¹⁴⁸ *Id.*

A larger issue may be directing junior men to senior women.¹⁴⁹ The first issue is the tendency of the genders to gravitate toward their own gender when seeking a mentor or protégé.¹⁵⁰ Research consistently indicates that mentors naturally tend to select protégés who they view as similar to themselves.¹⁵¹ It is likely that the inverse is true and protégés tend toward mentors of the same demographics, including gender, as the protégés may assume that mentors of a similar gender will also “have similar attitudes, beliefs, values, and experience.”¹⁵² This may be a particularly troublesome issue for junior men, as there are already many male mentors from which to choose. It therefore could be the path of least resistance for junior men to continue to select men as their mentors.

In addition, junior men may face stigma in reaching out to senior women. Just as women may be penalized for adopting traditionally masculine roles, so may men when they adopt traditionally feminine roles.¹⁵³ This is not to say that men will adopt traditionally feminine behaviors because of these relationships (though, of course, one of the benefits for junior men is learning skills more prevalent in senior women), but that junior men may be labeled merely from association with the senior women. Junior men thus may face internal and external pressure to select men who they view as powerful in their organization as they look to position themselves for future success. Furthermore, because of their own bias and gender stereotyping, junior men may

¹⁴⁹ O’Neill & Blake-Beard, *supra* note 13 (discussing several barriers that may impede the formation of female mentor-male protégé relationships).

¹⁵⁰ *Id.* at 54.

¹⁵¹ Jena McGregor, *Nearly Three-Quarters of Executives Pick Protégés Who Look Just Like Them*, WASH. POST (2019) <https://www.washingtonpost.com/business/2019/01/09/nearly-three-quarters-executives-pick-protoges-who-look-just-like-them/>.

¹⁵² O’Neill & Blake-Beard, *supra* note 13, at 54.

¹⁵³ David M. Mayer, *How Men Get Penalized for Straying from Masculine Norms*, HAR. BUS. REV. (2018) <https://hbr.org/2018/10/how-men-get-penalized-for-straying-from-masculine-norms>; Paul J. Fleming, Joseph Lee & Shari Dworkin, “Real Men Don’t”: *Constructions of Masculinity and Inadvertent Harm in Public Health Interventions*, 104 AM. J. PUBLIC HEALTH 104 1029, 1029-1035 (2014) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4062033/>.

view women as “less likely than men to exhibit successful managerial performance,” and thus less valuable as a mentor.¹⁵⁴ This is particularly pernicious, as the junior men with such values are likely those most in need of a mentor to assist in gender bias reduction. Formal programs may be needed to facilitate these relationships and reduce stigma through institutional support.

Finally, concerns of sexual impropriety, or the appearance thereof, may discourage both senior women and junior men from entering into a mentor relationship. As discussed above, this concern is largely conjectural. Regardless, formal programs may also be an effective tool toward-reducing the perception of impropriety in the women mentor male protégé relationship.

There is some evidence, however, that junior men may accept female mentors. A study of undergraduate students from a Hispanic majority institution regarding their participation in STEM-focused summer research programs found that “[s]ame-gender mentoring was valued more by women than men in the study” and that “[g]ender concordance did not seem to impact the relationships men in this study built with their official faculty research mentors.”¹⁵⁵ This study, while encouraging, is of a limited scope and involved a relatively small sample size of seventeen students.¹⁵⁶ As addressed above, further research is needed to more accurately measure the perceptions of the genders toward a female mentor male protégé relationship.

¹⁵⁴ O’Neill & Blake-Beard, *supra* note 13, at 56.

¹⁵⁵ Heather A. Daniels et al., *Navigating Social Relationships with Mentors and Peers: Comfort and Belonging among Men and Women in STEM Summer Research Programs*, 18 CBE LIFE SCI. EDUC. 1, 6-7 (2019).

¹⁵⁶ *Id.* at 3.

V. THE COVID-19 CRISIS: CHALLENGES AND OPPORTUNITIES

In November 2019, the first reports of the COVID-19 virus emerged out of Wuhan, China.¹⁵⁷ On January 21, 2020, the United States reported its first case.¹⁵⁸ And on March 20, 2020 California Governor Mark Newsom issued the country's first stay at home order.¹⁵⁹ In the following weeks, almost every other state followed suit¹⁶⁰ and tens of millions of Americans lost their jobs and tens of millions were faced with learning how to work and survive in the COVID-19 era.¹⁶¹ The number of Americans working from home, which had been growing relatively rapidly even without the outbreak, increased exponentially over the course of several weeks.¹⁶²

As is sadly the case with most catastrophes and natural disasters, the COVID-19 pandemic disproportionately impacted the marginalized of society. Studies found that immigrants and workers without college educations were more likely to lose their job and suffer negative career affects.¹⁶³ Women too, despite their strides toward equality in the workplace and workforce, were disproportionately affected by the pandemic. Women were more likely to lose their jobs as a result of the COVID-19 pandemic and as a result now represent less than half of the workforce in the

¹⁵⁷ Helen Davidson, *First COVID-19 Case Happened in November, China Government Records Show – Report*, GUARDIAN (2020) <https://www.theguardian.com/world/2020/mar/13/first-covid-19-case-happened-in-november-china-government-records-show-report> .

¹⁵⁸ Centers for Disease Control and Prevention, *First Travel-Related Case of 2019 Novel Coronavirus Detected in United States*, CDC NEWSROOM (2020) <https://www.cdc.gov/media/releases/2020/p0121-novel-coronavirus-travel-case.html>.

¹⁵⁹ Office of Governor Gavin Newsom, *Governor Gavin Newsom Issues Stay at Home Order*, CA GOVERNMENT (2020) <https://www.gov.ca.gov/2020/03/19/governor-gavin-newsom-issues-stay-at-home-order/>.

¹⁶⁰ Jason Silverstein, *43 States Now Have Stay-at-Home Orders for Coronavirus. These are the 7 that Don't*, CBS NEWS (2020) <https://www.cbsnews.com/news/stay-at-home-orders-states/>.

¹⁶¹ Grace Hauck, Karl Gelles, Veronica Bravo & Mitchell Thorson, *Five Months In: A Timeline of How COVID-19 has Unfolded in the U.S.*, USA TODAY N. (2020) <https://www.usatoday.com/in-depth/news/nation/2020/04/21/coronavirus-updates-how-covid-19-unfolded-u-s-timeline/2990956001/>.

¹⁶² Jackson Burke, *As Working from Home Becomes More Widespread, Many Say They Don't Want to Go Back*, CNBC NEWS (2020) <https://www.cnbc.com/2020/04/24/as-working-from-home-becomes-more-widespread-many-say-they-dont-want-to-go-back.html>.

¹⁶³ Rakesh Kochnar, *Hispanic Women, Immigrants, Young Adults, Those with Less Education Hit Hardest by COVID-19 Job Losses*, PEW RES. CEN. (2020) <https://www.pewresearch.org/fact-tank/2020/06/09/hispanic-women-immigrants-young-adults-those-with-less-education-hit-hardest-by-covid-19-job-losses/> .

United States.¹⁶⁴ Although part of the effect may be explained by the type of jobs lost, which were larger in retail, restaurant, and other industries with higher representations of women, this not the whole picture. According to a recent study, one of the reasons women may disproportionately lose their jobs is that they generally have less seniority than men.¹⁶⁵ Policies that operate on a “color blind,” first-in-first-out basis thus disproportionately hurt women. Worse yet, the studies indicate that almost all the negative career effects experienced by women were further increased for women of color.¹⁶⁶

In addition, the negative effects were not just limited to losing jobs or other explicit negative career effects. Rather, the same gender bias that prevents women from advancing in the corporate workforce also caused them to bear the effects of the COVID-19 pandemic. Studies and reports indicate that childcare and domestic responsibilities increased significantly more for women than their male counterparts as a result of the COVID-19 pandemic.¹⁶⁷ The first reason for this disproportionate increase is less representative of gender bias on an individual basis but representative of a lack of support of women on a societal basis. That is, there are far more single

¹⁶⁴ See Tappe, Anneken, “The Coronavirus Recession is Hitting Women the Hardest,” *CNN Bus.* (May 11, 2020) <https://www.cnn.com/2020/05/11/economy/women-disadvantaged-economy-coronavirus/index.html> (noting that women consisted of 59% of U.S. job losses).

¹⁶⁵ Alexandra Kalev, *Research: U.S. Unemployment Rising Faster for Women and People of Color*, HARVARD BUS. REV. (2020) <https://hbr.org/2020/04/research-u-s-unemployment-rising-faster-for-women-and-people-of-color>.

¹⁶⁶ Sarah Fielding, *Young Women’s Careers May Never Recover from the Coronavirus Crisis*, INSTYLE (2020) <https://www.instyle.com/lifestyle/young-women-careers-coronavirus-setback>.

¹⁶⁷ See *A Child Care Crisis*, N.Y. TIMES (2020); United Nations, “Policy Brief: The Impact of COVID-19 on Women,” at 13 (Apr. 9, 2020) <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/policy-brief-the-impact-of-covid-19-on-women-en.pdf?la=en&vs=1406>; see also Diana Boesch and Katie Hamm, *Valuing Women’s Caregiving During and After the Coronavirus Crisis*, CENT. FOR AM. PROGRESS (2020) <https://www.americanprogress.org/issues/women/reports/2020/06/03/485855/valuing-womens-caregiving-coronavirus-crisis/>.

women parents.¹⁶⁸ As a result of the pandemic, schools across the country closed.¹⁶⁹ At the same time, childcare and other educational centers also closed, leaving parents with little assistance for the increased responsibility.¹⁷⁰ Travel and other restrictions likewise limited family and other outside support.¹⁷¹ Single parents especially lacked the resources to cope with the increased childcare responsibilities.¹⁷² The disproportionate number of women single parents, nearly 60 million in the United States, inevitably meant that women would face significant challenges as a result of the pandemic.¹⁷³

Adding to the increased challenge for women is that a higher percentage of women are considered “essential” because they work in businesses such as grocery stores, pharmacies, medical care, and public transportation. They thus need child care but are less able to afford it even if it is available.¹⁷⁴ As discussed earlier, women earn less than men in general, and many essential jobs are low-wage.¹⁷⁵ These problems will persist once the economy begins to reopen and may be even worse because many daycare centers will not reopen. Those that do reopen will be

¹⁶⁸ Stephanie Kramer, *U.S. Has World's Highest Rate of Children Living in Single-Parent Households*, PEW RES. CEN. (2019) <https://www.pewresearch.org/fact-tank/2019/12/12/u-s-children-more-likely-than-children-in-other-countries-to-live-with-just-one-parent/> (noting that “women ages 35 to 39” are more likely to be single parents than men).

¹⁶⁹ Titan Alon et al., *The Impact of COVID-19 on Gender Equality*, NAT'L BUR. ECON. RES. at 12 (2020) https://faculty.wcas.northwestern.edu/~mdo738/research/COVID19_Gender_March_2020.pdf?campaign_id=10&mc=edit_gn_20200331&instance_id=17223&nl=in-her-words®i_id=70888943&segment_id=23427&te=1&user_id=e0b62bca98be50572d286b8e7c414f96.

¹⁷⁰ See *Editorial: As Economy Reopens, Who Will Watch the Kids*, SEATTLE TIMES A16 (2020); Alon et al., *supra* note 169.

¹⁷¹ Alon et al., *supra* note 169.

¹⁷² Kristen Rogers, *Frosted Flakes for Dinner. Hiding in the Laundry Room. This is the Life for Single Moms Right Now*, CNN HEALTH (2020), <https://www.cnn.com/2020/05/08/health/single-mom-challenges-mothers-day-coronavirus-wellness/index.html>; Emily Bobrow, ‘Some Days I feel like I’m Melting’: How Single Mothers in New York City are Coping with Quarantine, NEW YORKER (2020), <https://www.newyorker.com/news/news-desk/some-days-i-feel-like-im-melting-how-single-mothers-in-new-york-city-are-coping-with-quarantine>.

¹⁷³ Danielle Kurtzleben, *Women Bear the Brunt of Coronavirus Job Losses*, NPR (2020), <https://www.npr.org/2020/05/09/853073274/women-bear-the-brunt-of-coronavirus-job-losses>.

¹⁷⁴ David Gelles, *Working People Want Real Change*, N.Y. TIMES, May 24, 2020, at BU3.

¹⁷⁵ See *supra* notes 17-21 and accompanying text. Some companies, such as Target, raised wages to retain workers during the pandemic, but most treat it as a temporary measure. See Sarah Nassauer, *Target to Boost Minimum Wage For Employees to \$15 an Hour*, WALL ST. J., June 18, 2020, at B2.

accommodating fewer children due to social distancing.¹⁷⁶ Indeed, it is estimated that for some ages, the cost will nearly double.¹⁷⁷ Since women who could work from home during the shutdown will now have to return to the office, the ability to find affordable care will be much more difficult.¹⁷⁸ The “motherhood penalty” will either increase or jobs will be lost. And the longer women are out of the workforce, the harder it is to get back in.¹⁷⁹

The COVID-19 pandemic also unmasks how pervasive gender bias remains in modern society, and how modern government programs may treat the symptoms of gender bias without addressing the roots of gender inequality. The experience of women in European countries is a good example of how pervasive the modern gender bias remains. In many western European countries, substantial childcare and education programs help women to participate in the corporate workforce.¹⁸⁰ In France, for example, support for parents includes tax breaks and widespread care for children after the age of three months.¹⁸¹ Although these and other programs are vital for allowing women, and parents generally, the opportunity to succeed in their careers, the effect when the programs were removed show how little has actually changed from a cultural perspective.

As businesses started to reopen, childcare centers and schools remained closed. Once again, even in France and other countries with progressive policies, women were expected to care for the children. One study of over 30,000 French management-level workers demonstrated the difference.¹⁸² The study found that nearly half of women with children under the age of 16 reported

¹⁷⁶ *As Economy Reopens*, *supra* note 170, at A16.

¹⁷⁷ *Id.* (citing figures from Child Care Aware WA).

¹⁷⁸ What’s New, *A Child Care Crisis*, N.Y. TIMES, June 7, 2020, at BU2.

¹⁷⁹ *Id.*

¹⁸⁰ However, support for women in the European Union is far from perfect. *See* Chantal Remery and Joop Schippers, *Work-Family Conflict in the European Union: The Impact of Organizational and Public Facilities*, INT. J. ENVIRON. RES. PUBLIC HEALTH 16(22) (2019) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6888593/>.

¹⁸¹ Rachel Donadio, *The Coming Setback for Women in the Workplace*, THE ATLANTIC (2020), <https://www.theatlantic.com/international/archive/2020/05/france-women-workplace-coronavirus-pandemic/612136/>.

¹⁸² *Id.*

spending an additional four hours a day looking after their children, compared with 26 percent of men.¹⁸³

To some extent, this is not surprising. As discussed above, women face a number of stereotypes and double standards that their male counterparts do not. Notably, the double standard exists regardless of the division of labor in households. A Pew study found that women consistently spent more time managing children's schedules and activities, handling household chores, and conducting other domestic tasks even when both parents worked full time.¹⁸⁴ The problem is not limited to childcare. Women are more likely to be responsible for caring for elderly and sick family members than their male counterparts, despite being given less latitude to do so.¹⁸⁵ Even more notable is the distinction between the perceptions of the genders regarding the problem: women noted the inequality, while men were more likely to claim that the division of labor between the genders is fair.¹⁸⁶ The COVID-19 pandemic, therefore, did not create the problem; it just removed social programs that masked its effects.

These reports thus temper theories that COVID-19 could benefit women in at least two ways: first, the pandemic may cause business to become "much more aware of the childcare needs of their employees and respond by rapidly adopting more flexible work schedules and telecommuting options;"¹⁸⁷ second, in families where women work in critical businesses that continue during the virus, men will learn to care for children and reallocate their domestic

¹⁸³ *Id.*

¹⁸⁴ Kim Parker, *Women More than Men Adjust their Careers for Family Life*, PEW RES. CEN. (2015) <https://www.pewresearch.org/fact-tank/2015/10/01/women-more-than-men-adjust-their-careers-for-family-life/>.

¹⁸⁵ Fielding, *supra* note 166.

¹⁸⁶ *Raising Kids and Running a Household: How Working Parents Share the Load*, PEW RES. CEN. (2015) <https://www.pewsocialtrends.org/2015/11/04/raising-kids-and-running-a-household-how-working-parents-share-the-load/>.

¹⁸⁷ Alon et al., *supra* note 169, at 2.

https://faculty.wcas.northwestern.edu/~mdo738/research/COVID19_Gender_March_2020.pdf.

workload.¹⁸⁸ Overall, the hope is that the programs would both give women more resources and lead to a shift in social norms.

These theories, however, may be unrealistically optimistic. As discussed above, women are not being asked to do less in the pandemic, even when both parents work full time. Further, the pandemic has also highlighted how corporate policies, both formal and informal, discriminate against women. For example, women are less likely than men to have formal employment agreements and associated benefits.¹⁸⁹ The effects of these imbalances can be especially pronounced considering that women are asked to bear more of the domestic and family workload. One study found that despite women traditionally being asked to care for sick family members more than their male counterparts in the COVID-19 era, “only 11% of female employees were offered additional paid or unpaid sick leave, compared to 20% of men.”¹⁹⁰ Furthermore, and especially disconcerting, is that women are given less latitude with remote working than their male counterparts. Despite their increased domestic workload, women are both less likely to be able to work from home and are less likely to be encouraged to work from home by their employers.¹⁹¹

It is also unclear how effective remote working will be at ultimately reducing gender bias. In fact, it is easy to see how gender bias and the *women-are-wonderful* effect could be exacerbated through an increase in remote working. Companies already devalue women based on the assumption that women cannot balance their careers with their children and domestic responsibilities. Although remote technologies ostensibly give women more time and flexibility to do so, it may also increase the incorrect perception that women are responsible for doing so.

¹⁸⁸ *Id.* at 3.

¹⁸⁹ Janet Currie, *Gender Gaps in Benefits Coverage* (Nat'l. Bureau of Econ. Res. Working Paper No. 4265, 1993), <http://www.nber.org/papers/w4265>.

¹⁹⁰ Fielding, *supra* note 166.

¹⁹¹ *Id.*

Men may be allowed to work from home with impunity (and even may be encouraged to do so for efficiency and cost-reducing measures), while companies perceive women who work from home as more likely to be distracted by their children or domestic life. Furthermore, men generally do not need to worry about their perception when working from home, yet women may be forced to maintain a burdensome level of professionalism when working remotely.

Furthermore, the motherhood penalty is only one type of gender bias. As discussed above, women face gender bias and discrimination in all sorts of manners. Even if remote working and other policies reduce the motherhood penalty, the other forms of gender bias and discrimination may prevent women from achieving equality. For example, remote working may make it even easier for senior men to exclude women from workplace and other social activities. Although it is vital that women be given access to equal resources and opportunities, including the ability to work remotely, the reality is that social programs and flexible workplace policies cannot end gender bias and discrimination. Ultimately, equality will require a reconceptualization of the role of women in the workplace.

The COVID-19 and post COVID-19 era may be a good time for this reconceptualization, and women mentoring men may be a promising avenue for change. The first step begins with a reconceptualization of the mentoring relationship. The benefits of mentoring on the mentee are traditionally framed in two categories: (1) career functions (2) and psychosocial support.¹⁹² Career functions can be measured through career advancement, and can include promotions or income growth.¹⁹³ In comparison, psychosocial support relates to an individual's sense of competence,

¹⁹² THE HANDBOOK OF MENTORING AT WORK: THEORY, RESEARCH, AND PRACTICE. INDIA: SAGE PUBLICATIONS 230 (2007) (citing K.E. Kram 74-75 (1985)); See generally Scott Foresman, *Mentoring at Work*.

¹⁹³ *Id.* at 453.

identity, and effectiveness in a professional role.¹⁹⁴ Additionally, benefits for mentors are traditionally framed from a similar perspective – mentors may benefit from the mentor relationship as a result of shared success with the mentee or through increased credibility in their company.¹⁹⁵ A key emphasis of the women mentor-male mentee relationship is the potential to extend the purpose and mechanism of the mentoring relationship beyond these categories.

As discussed in the prior section, women mentoring men may result in benefits extending outside the mentoring relationships. These positive externalities may be critical in ensuring that the transition to remote working and other responses to the COVID-19 pandemic are positive. Research has shown that men developing empathy may be key for overcoming their biases, with one study finding that “men needed to increase their empathy for the target of sexism to change their endorsement of modern and neosexist beliefs.”¹⁹⁶ The study found that “whereas simply attending to sexism may be sufficient to reduce women’s endorsement of sexist beliefs, men may need to be encouraged to take an empathic perspective.”¹⁹⁷ Mentoring may be an effective medium for men to gain such empathy. Empathy can be “encouraged by taking another’s perspective, [and] is an effective method for reducing racial and ethnic prejudice.”¹⁹⁸ The psychosocial function of the mentoring relationship, “whereby the mentor assists the protégés through role modeling, acceptance and confirmation, counseling, and friendship,” inevitably involves the sharing of perspectives and knowledge. As senior women and junior men continue to work together and develop their mentoring relationship, the “[p]sychosocial functions [may thus] tap into empathy

¹⁹⁴ MARY NEARY, *TEACHING, ASSESSING AND EVALUATION FOR CLINICAL COMPETENCE: A PRACTICAL GUIDE FOR PRACTITIONERS AND TEACHERS*, STANLEY THORNES 37 (2000).

¹⁹⁵ Schipani & Dworkin, *supra* note 50, at 1286.

¹⁹⁶ Julia C. Becker & Matthew J. Zawadzki, *Confronting and Reducing Sexism: A Call for Research on Intervention*, 70 J. SOC. ISSUES 603, 608 (2014).

¹⁹⁷ Julia C. Becker & Janet K. Swim, *Seeing the Unseen: Attention to Daily Encounters with Sexism as Way to Reduce Sexist Beliefs*, 35 PSYCHOL. WOMEN. QTLY. 227, 228 (2011).

¹⁹⁸ *Id.*

and compassion,” and allow the junior men to develop an understanding of the challenges women face and the subtle forms of gender bias to which they are exposed.¹⁹⁹ Ultimately, this could encourage the junior men to intervene against sexism.²⁰⁰

The repeated interactions may be important for other reasons as well. Women mentoring men may also allow for women to reconceptualize how the male protégés view the competencies of the genders, and combat gender stereotypes. One of the benefits of the mentoring relationship is that it “allows proteges to demonstrate their value to mentors and ultimately the organization’s decision makers.”²⁰¹ For women, these interactions are essential, as women often lack the opportunities to demonstrate their value to the company.²⁰² Although further research should be conducted, mentoring junior men may also provide an opportunity for the inverse to occur—for the senior women to demonstrate their wealth of knowledge and competency to junior men, who may learn to view their mentors as sources of knowledge and rely on them for their career growth.²⁰³ Similarly, one of the benefits of mentoring is that it teaches networking skills.²⁰⁴ For women, the benefit is in the access to networks traditionally reserved for men.²⁰⁵ For junior men being mentored by women, however, the benefit may be in learning how to network, communicate, and interact with women. The ultimate goal would be for junior men to use these gained skills in mentoring and networking with women later in their careers.

Regardless of the type of benefit, the key emphasis is that the benefit is not necessarily for the mentor or the protégé. Rather, the benefits extend beyond the relationship, to the company and

¹⁹⁹ Anthony K. Tjan, *What the Best Mentors Do*, HARV. BUS. REV. (Feb. 27, 2017), <https://hbr.org/2017/02/what-the-best-mentors-do>; Julia C. Becker & Janet K. Swim, *Seeing the Unseen: Attention to Daily Encounters With Sexism as Way to Reduce Sexist Beliefs*, 35 PSYCHOL. WOMEN. QTLY. 227, 228 (2011).

²⁰⁰ Becker & Zawadzki, *supra* note 196.

²⁰¹ Schipani & Dworkin, *supra* note 50, at 1286.

²⁰² *Id.*

²⁰³ *Id.*

²⁰⁴ *Id.*

²⁰⁵ *Id.*

to the larger community. In particular, by mentoring junior men, senior women may help future generations of women who will benefit as junior men develop empathy and become allies. These positive externalities involve a reconceptualization of the mentoring relationship, which involves a focus on the benefits that extend outside the relationship. The importance of this emphasis is that academics, as well as organizations and corporations, should examine and even focus on externalities when studying the benefits of the mentoring relationship and in structuring formal and informal mentoring programs. It may be that encouraging and fostering these mentoring relationships, with a mindset toward developing the positive externalities that extend outside the mentoring relationship, is different than structuring traditional mentoring programs that are aimed at immediately benefiting the protégé.

This way of thinking is critical in the COVID-19 and post-COVID-19 eras. During the COVID-19 era, the prevalence of remote working and social disconnection has led to isolation and a lack of physical proximity, the effects of which have taken its toll on the general public. Evidence indicates that the isolation has led to “surges in mental health concerns, substance abuse, and domestic violence.”²⁰⁶ This is worrisome on a number of levels, including the effects that the isolation may have on marginalized groups, including women, in the workforce. Isolation has been shown to increase the risk for bias and discrimination.²⁰⁷ This occurs for a number of reasons. First, the isolation of the remote working may make it easier for purposeful or accidental exclusion.²⁰⁸ This in turn can limit the ability of the individual to “engage with other networks and

²⁰⁶ Julianne Holt-Lunstad, *The Double Pandemic of Social Isolation and COVID-19: Cross-Sector Policy Must Address Both*, HEALTH AFFAIRS (June 22, 2020), <https://www.healthaffairs.org/doi/10.1377/hblog20200609.53823>.

²⁰⁷ Dominic Abrams, *Processes of prejudice: Theory, evidence and intervention, Equality and Human Rights Commission*, EQUALITY & HUM. RTS. COMMISSION, U. KENT (2010), <https://www.equalityhumanrights.com/sites/default/files/research-report-56-processes-of-prejudice-theory-evidence-and-intervention.pdf>.

²⁰⁸ *Id.*

individuals,” including the opportunity to dispel inaccurate stereotypes.²⁰⁹ This can further lead to an unawareness of discrimination, as those being discriminated against may be unaware that they are being excluded. Isolation may also encourage in-group interaction and out-group exclusion because remote working can tend to cause individuals to only interact with members of their own group.²¹⁰ With remote working, there is less accountability for individuals to be caught excluding others and less chance that the excluded parties realize they have been excluded.²¹¹

For women, this isolation may be particularly worrisome. As women are less likely to be in a position of power to lead or organize remote meetings, women risk being excluded or minimized during meetings.²¹² The nature of remote meetings limit interaction among the participants, and women may be particularly vulnerable for minimization.²¹³ This can extend to virtual social interactions.²¹⁴ Online socializing occurs primarily through different applications and digital spaces.²¹⁵ If women are not connected with their male counterparts, particularly senior male managers, on these applications or digital spaces, there may be limited opportunities for positive interactions between the genders. Furthermore, studies indicate that “men’s networks benefit from tighter, more personal ties with work colleagues, while women’s relationships with coworkers tend to be less close and more transactional.”²¹⁶ The virtual social environment in the COVID-19 and post-COVID-19 era could “exacerbate this disparity, with women likely to be looped in only or primarily to formal, official channels of information.”²¹⁷ A focus on the positive

²⁰⁹ *Id.*

²¹⁰ *Id.*; Colleen Ammerman & Boris Groysberg, *Why the Crisis Is Putting Companies at Risk of Losing Female Talent*, HARV. BUS. REV. (May 05, 2020), <https://hbr.org/2020/05/why-the-crisis-is-putting-companies-at-risk-of-losing-female-talent>.

²¹¹ Abrams, *supra* note 207; Ammerman & Groysberg, *supra* note 210.

²¹² Ammerman & Groysberg, *supra* note 210.

²¹³ *Id.*

²¹⁴ *Id.*

²¹⁵ *Id.*

²¹⁶ *Id.*

²¹⁷ *Id.*

externalities of mentoring, including the creation and fostering of relationships, may thus be especially important in the COVID-19 and post-COVID-19 era, where remote working is common or even mandatory. Evidence indicates that “professional isolation of telecommuters is inextricably linked to employee development activities,” including mentoring.²¹⁸

Although these concerns are likely more relevant to junior women, senior women mentoring junior men is also important in the COVID-19 and post-COVID-19 era. If junior men are isolated from interactions with women, then their bias and prejudices may grow as they only associate with their in-group male counterparts. An emphasis on the positive externalities that mentoring can have, including the connections it may foster throughout the organization, may help combat this effect. Furthermore, senior women may be able to mentor junior men in a way that immediately helps junior women. Senior women can encourage (and even help facilitate) junior men to include junior women in remote work projects and remote workplace and social events. Furthermore, senior women can use the mentoring relationship to monitor for potential exclusion by discerning whether junior men are being exposed to more opportunities, both work and social, than junior women.

CONCLUSION

Bridging the gender divide in a post #MeToo era requires new approaches where traditional methods, including legal avenues, have failed. One potential approach is for women to mentor men. By mentoring men, women may be able to reduce gender bias, normalize interactions between the genders, and create a new generation of allies. Women mentors will also receive the same benefits that all mentors traditionally receive from the mentoring relationship, including the opportunity to gain from the success of the mentees and shape culture in their respective

²¹⁸ Cecily D. Cooper & Nancy B. Kurland, *Telecommuting, professional isolation, and employee development in public and private organizations*, 23 J. ORG. BEHAV. 511, 519 (2002).

institutions. Similarly, male mentees will receive the benefits of having a mentor, including a sharing of knowledge, expertise and experience.

Little research has been conducted on the benefits of women mentoring men and future research should explore whether these effects can be identified and, if so, quantified. The most important study will pertain to whether the male mentees pass down the benefits they receive from the mentoring process to the next generation of workers. Surveys and studies should thus measure whether having women mentors leads men to mentor women more in the future. The studies could also measure whether there is a difference in effect between mentoring relationships between women and men that developed informally and those created through formal mentoring programs. Furthermore, studies should measure whether age or other demographics affect the mentoring process.