

**Community Matters: Uncovering the Societal Mechanisms Undergirding Workplace
Discrimination and Inequality**

by

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In Memory of Violeta Hodge.

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ABSTRACT

With a specific focus on the extent of occupational segregation by race and sex, my dissertation sets out to understand whether—and if so, how—the local social infrastructure of the communities in which firms are embedded affects the nature of workplace discrimination and inequality and, moreover, to uncover the mechanisms by which variation in these inequities are created and maintained across communities. I address two major theoretical limitations of research on discrimination and inequality at work. First, a large body of research identifies disparities in organizations along lines of ascriptive characteristics such as race and gender, but has failed to explain *how* groups come to be stratified based on these characteristics. Second, when mechanisms are specified, they are largely assumed to be found *within* firms. This dissertation contributes to theory by speaking exactly to the local social fabric in which organizations are enmeshed and also specify the community-based mechanism driving workplace inequality.

I develop a series of theoretical predictions which are tested using 799,935 establishment-years over four annual panels of data (1993-2008) derived from a variety of sources, but most importantly from data collected annually by the Equal Employment Opportunity Commission (EEOC) which is protected by federal law. A key takeaway from this dissertation is that communities do indeed matter. Establishments are embedded in

different, localized contexts which influence how minorities and women are segregated across occupational categories. Most prominently, establishments located within the jurisdiction of a more progressive appellate court or with greater representation of minorities and women in the district court judiciary experienced lower levels of occupational segregation. However, a qualification of this finding is necessary: Greater representation of minorities in the judiciary led to lower levels of occupational segregation *by race*, but to *greater* levels of segregation by sex. A similar pattern of findings was found with the representation of women in the judiciary. This dissertation expands upon previous approaches to workplace discrimination and inequality through the examination of differences across communities in occupational segregation, and provides a basis upon which future research on the relationship between organizations and their local environments can build.

CHAPTER I

Introduction

“In some communities, employers dislike to employ women. In others, they are reluctant to hire Negroes. We can no longer afford to indulge such prejudices or practices.”

-President Franklin D. Roosevelt (1942)

The struggle for equality of opportunity in the United States during the Civil Rights era culminated in a series of laws making discriminatory practices in the workplace illegal. Perhaps the most extensive equal employment opportunity (EEO) law, Title VII of the Civil Rights Act of 1964 (Title VII) not only outlawed employment practices that discriminate against employees on the basis of race, color, religion, sex, or national origin, but also created a federal agency, the Equal Employment Opportunity Commission (EEOC), charged with the responsibility of ending employment discrimination (Burstein and Monaghan 1986; Nelson, Berrey and Nielsen 2008). Despite the comprehensiveness of employment discrimination legislation in the United States—including Title VII, the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), and, most recently, the Genetic Information Nondiscrimination Act (GINA)—the total number of discrimination charges during 2009 was at a near-historic level, with 93,277 workplace charges filed with the EEOC (the second highest ever) and monetary relief for victims totaling over \$376 million (U.S. EEOC 2010). Both jurisprudence (e.g., *Barrett v. Whirlpool Corp.* 2009, *Dukes v. Wal-Mart, Inc.* 2007, *EEOC v. Outback Steakhouse of Florida, Inc.* 2007, *Jaffe*

v. Morgan Stanley & Co, Inc. 2008) and social scientific research (e.g., Bertrand and Mullainathan 2004; Kalev 2009; Pager, Western and Bonikowski 2009; Stainback and Tomaskovic-Devey 2009) suggest that discrimination and inequality of opportunity remain social opprobrium that plague the American workplace.

Aside from issues of justice and fairness, there are real and pervasive consequences of discrimination and inequality being played out in and around organizations, whether in hiring (Bertrand and Mullainathan 2004; Pager and Quillian 2005; Pager, Western and Bonikowski 2009), mobility and managerial access (Baldi and McBrier 1997; Baron, Davis-Blake and Bielby 1986; Cohen and Huffman 2007; Guthrie and Roth 1999a; Kalev, Dobbin and Kelly 2006; Maume 1999; Stainback and Tomaskovic-Devey 2009), earnings (Beggs 1995; Cohen and Huffman 2003; Cotter et al. 1995; Neckerman and Torche 2007), or occupational segregation (Stainback, Robinson and Tomaskovic-Devey 2005; Tomaskovic-Devey 1993; Tomaskovic-Devey et al. 2006). For instance, despite gains in education by blacks and Hispanics and moves into higher paying occupations, they still have considerably lower earnings than whites: In 2008, the median weekly earnings of black and Hispanic men who were full-time wage and salary workers were \$620 and \$559, respectively, in comparison to the \$825 earned by white men, mirroring the \$554 and \$501 earned by black and Hispanic women, respectively, relative to the \$654 earned by their white counterparts (U.S. Department of Labor 2009). Even more startling, however, are findings from field studies demonstrating that minorities and women are less likely than equally qualified whites to receive a callback or job offer (Bertrand and Mullainathan 2004; Correll, Benard and Paik 2007; Pager, Western and Bonikowski 2009) and that minority applicants with clean backgrounds were no better off than a white applicant with a criminal record (Pager 2003;

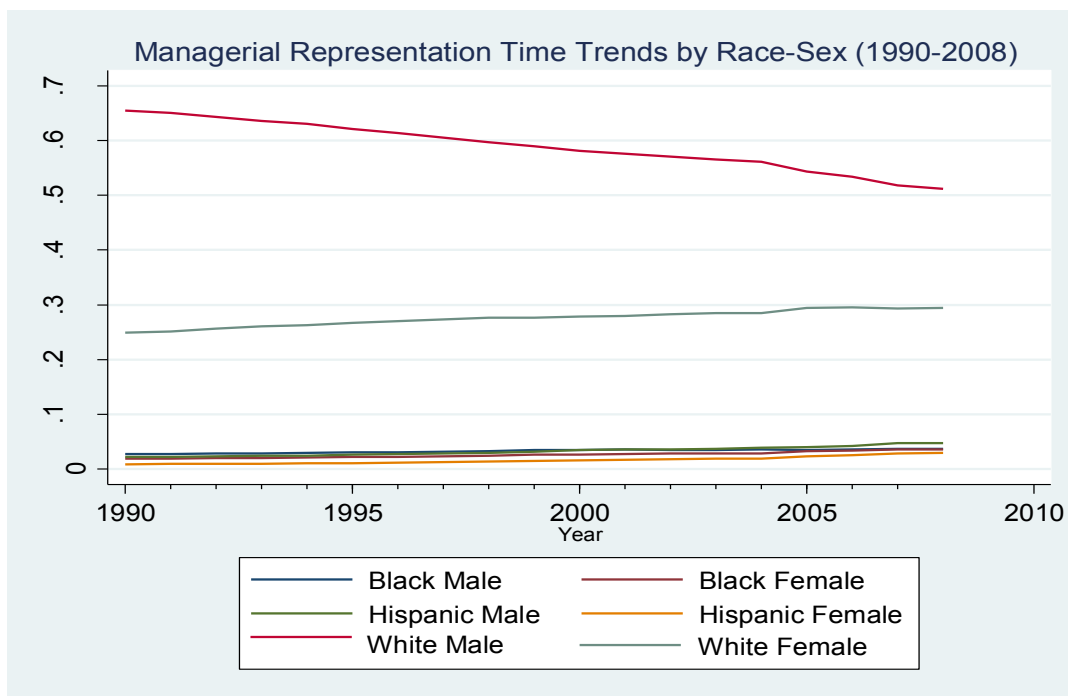
Pager, Western and Bonikowski 2009). Clearly, organizations are a consequential stage on which discrimination and inequality are performed.

A considerable body of literature, consistent with Baron and Bielby's (1980) call to "bring the firms back in," exists on the organizational dynamics of workplace discrimination and inequality. Research demonstrates the many ways that internal workplace conditions, such as personnel policies and the organization of work, affect the extent to which patterns of inequality found in society at large are replicated and maintained at work (e.g., Baron, Davis-Blake and Bielby 1986; Brief et al. 2005; Dobbin et al. 1993; Guthrie and Roth 1999a; Kalev 2009; Reskin and McBrier 2000). Although organizational characteristics are certainly important for understanding the potential antecedents of workplace discrimination and inequality, the local geographic contexts in which firms are embedded also play an important role. While research in this vein rightfully recognizes attributes of the economic environments where firms operate as influential in shaping equal employment opportunity—for example, characteristics of the industrial sector (Beck, Horan and Tolbert 1978; Guthrie and Roth 1999b; Tomaskovic-Devey et al. 2006), the demographic composition of the local labor market (Cohen and Huffman 2007; Hirsh 2009; Hirsh and Kornrich 2008; Kalev, Dobbin and Kelly 2006; Reskin 2000; Reskin, McBrier and Kmec 1999), and regional black-white income inequality (Skaggs 2009) and unemployment rates (Skaggs 2008; Skaggs 2009)—much less attention has focused on communities as potential incubators—legally, normatively, and socially—of discrimination and inequality at work.

National aggregates of indicators of discrimination and inequality (see Figure 1), such as total discrimination charges, awards to plaintiffs, and numbers of minority and women managers, seem to suggest that we, as a country, have not made adequate progress toward parity in the workplace, especially since the 1980s (Amaker 1988; Kalev and Dobbin 2006;

Kelly and Dobbin 1998; Leonard 1990; Nielsen and Biem 2004; Nielsen and Nelson 2005; Stainback and Tomaskovic-Devey 2009). For example, although white women have made substantial gains in managerial positions—growing from 15 to 26 percent in an average private establishment from 1971 to 2002—the representation of black women and men in managerial positions only rose from 0.4 and 2.0 percent to 1.3 percent and 3.1 percent, respectively, in the same 29-year span (Kalev and Dobbin 2006). In over 45 years since the passage of the Civil Rights Act and almost 70 years since President Roosevelt admonished prejudicial employment practices, why is it that inequality remains an hegemonic institution characterizing the American workplace?

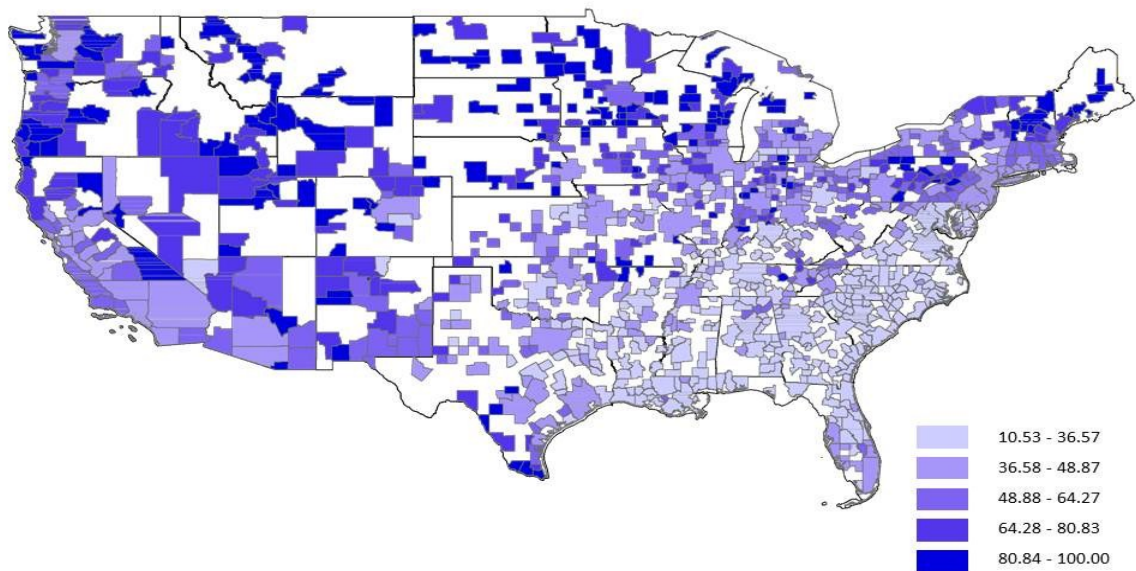
Figure I.1. National Estimates of Managerial Representation by Race and Sex, 1990-2008



Perhaps, as Roosevelt implied, there is variation in “prejudices and practices” across communities, with such variation masking potential progress in equal employment opportunity (see Figures I.2a-d). To this point, however, prior research on discrimination and equality of opportunity at work has suffered from two major limitations: (1) little

attention has been paid to acknowledging and exploring sources of workplace discrimination and inequality that are rooted in the local environments where firms are situated and (2) the mechanisms driving such inequality are either unspecified (Reskin 2003) or are largely assumed to be found *within* firms (Cohen and Huffman 2007). To address these limitations, my dissertation seeks to understand whether—and if so, how and to what extent—the local social infrastructure of the communities in which firms are embedded affects the nature of workplace discrimination and inequality and, moreover, to uncover the mechanisms by which variation in these inequities are created and maintained across communities. In other words, I focus on the societal mechanisms undergirding workplace discrimination and inequality with a specific focus on the extent of occupational segregation by race and sex.¹

Figure I.2a. Occupational Segregation by Race Across U.S. Communities, 1993



¹ At points in this dissertation, I use the term *race* as shorthand for race and ethnicity.

Figure I.2b. Occupational Segregation by Race Across U.S. Communities, 1998

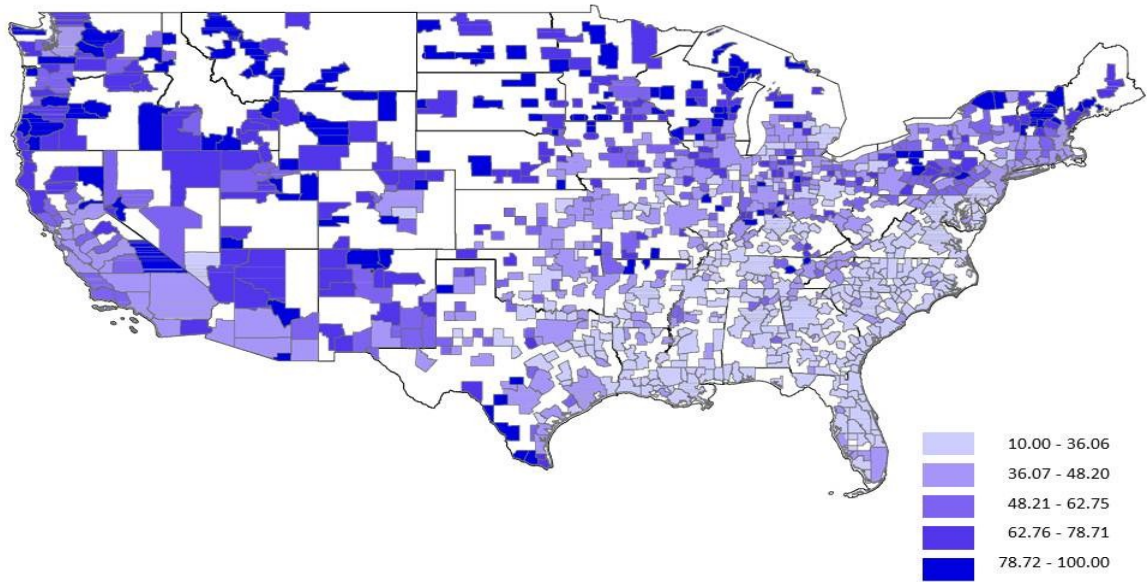


Figure I.2c. Occupational Segregation by Race Across U.S. Communities, 2003

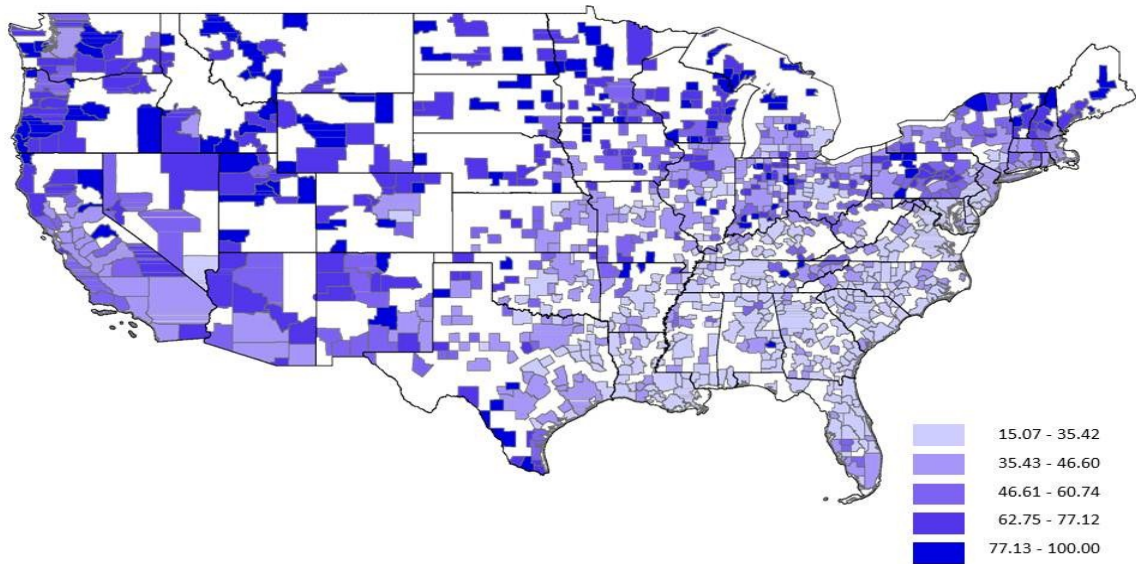
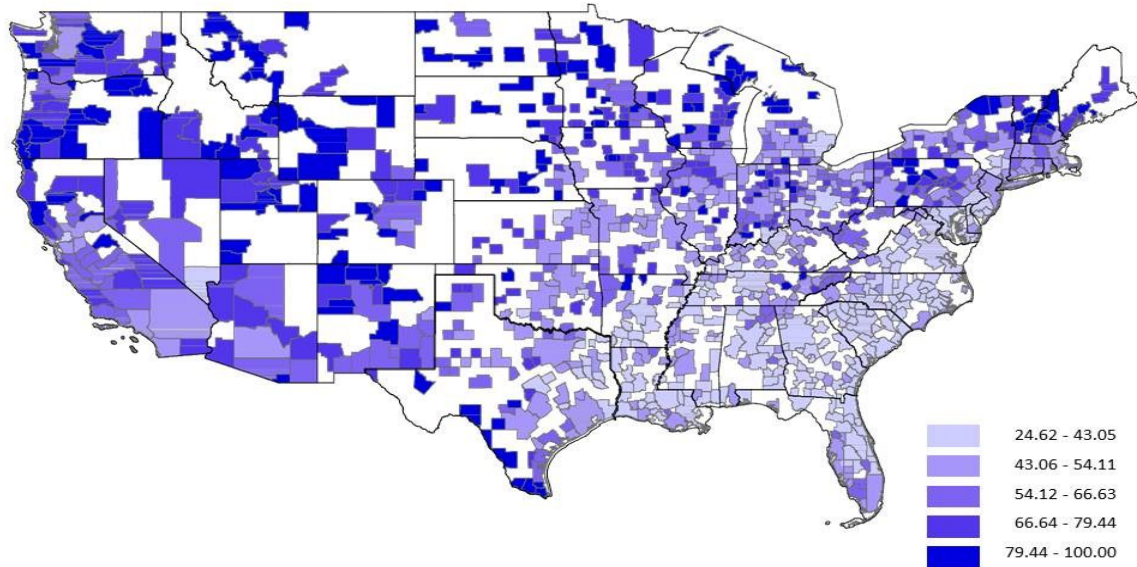


Figure I.2d. Occupational Segregation by Race Across U.S. Communities, 2008



Dissertation Overview

Recent research has situated workplaces spatially in their broader contexts as sites of the creation and reproduction of inequality (Beggs, Villemez and Arnold 1997; Cohen 2001; Cohen and Huffman 2003; Cohen and Huffman 2007; Huffman and Cohen 2004a; Huffman and Cohen 2004b; Stainback, Robinson and Tomaskovic-Devey 2005). I build upon these approaches by focusing specifically on the local communities in which firms are embedded, and how their distinctive characteristics affect the level of racial and sex occupational segregation. To my knowledge, this is one of the first large-scale studies on workplace discrimination and inequality to link actual work establishments to their local legal and normative communities. Although there are certainly other sources of employment inequality than the ones presented here, the current study takes a unique approach to workplace discrimination and inequality, with the intent of better understanding the local social fabrics of which organizations, and the individuals employed within, are a part.

This dissertation is organized in five parts. First, I provide an overview of the history of equal employment opportunity policy and legislation in the United States. In the second section, I draw on organizational, sociological, and legal theory to develop expectations for community-based differences in workplace discrimination and inequality by specifying potential societal mechanisms underlying spatial patterns in occupational segregation by race and sex. In the third section, I outline how I tested my theoretical predictions with longitudinal data derived from a variety of sources, but most importantly from data collected annually by the EEOC which is protected by federal law. I present the results, concluding with a discussion of the findings and the expected contributions of this dissertation, along with directions for future research.

CHAPTER II

The Context of Discrimination and Inequality in the U.S. Workplace

“I am not asking for social equality, because no such thing exists, but I am asking for equality of opportunity for all human beings.”

-President Harry S. Truman (1945)

A Country Divided: The Genesis of Equal Employment Opportunity

Because the goal of this dissertation is to better understand workplace discrimination and inequality, particularly in relation to the local geographic communities in which firms are embedded, it is important to situate equal employment opportunity in its broader historical context. As such, I briefly review the struggle for equality that took place (and continues) in the United States by focusing specifically on key federal antidiscrimination legislation, the civil rights movement, and important differences across presidential political eras in support for equality in employment and more broadly.

The United States is a country founded on principles equality, but is also one that has struggled since its founding with the proposition that all men are created equal.² Despite a history riddled with fights for liberty and justice, the normalcy of inequality became particularly self-evident as the nation prepared itself for World War II. The increased funds for the nation’s defense industries issued by President Franklin Roosevelt and Congress

² The U.S. Declaration of Independence states: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” Abolitionist Thomas Day, however, criticized the hypocrisy of the Declaration, writing: “If there be an object truly ridiculous in nature, it is an American patriot, signing resolutions of independency with the one hand, and with the other brandishing a whip over his affrighted slaves” (quoted in Armitage, David. 2007. *The Declaration of Independence: A global history*. Cambridge, MA: Harvard University Press.)

provided much-needed relief in the way of jobs after the Great Depression. However, at a time when national unity was of utmost importance for the impending fight for freedom abroad, a very large schism emerged domestically on the basis of race relations in the nation's defense preparations. The social landscape of America was anything but equal: Not only were almost all of the defense plants hiring only white men, but the armed forces were also highly segregated (Anderson 2004). With Roosevelt's call for unity, many blacks noted the irony, as remarked by civil rights activist Roy Wilkins: "It sounds pretty foolish to be *against* park benches marked 'Jude' [Jew] in Berlin, but to be *for* park benches marked 'Colored' in Tallahassee, Florida."

Civil rights leader A. Phillip Randolph, backed by the National Association for the Advancement of Colored People (NAACP) and the National Urban League, called for the cessation of the gross inequities between whites and blacks through the integration of the defense industry, training opportunities for black servicemen, inclusion of blacks on local draft boards, and the appointment of black advisers to the War and Navy Departments (Anderson 2004). After several controversial meetings between Randolph and the president, coupled with a very realistic threat to march on Washington, D.C., Roosevelt issued Executive Order 8802 in June 1941. Also known as the Fair Employment Act, the order declared that there "shall be no discrimination in the employment of workers in *defense industries* or *government* because of race, creed, color, or national origin" (emphasis added). Although not a law, the order—dubbed a "second Emancipation Proclamation"—was significant in that it was the first major federal response to the economic struggle of blacks since Reconstruction (Reed 1972) and was also the first federal action to promote equal opportunity and prohibit employment discrimination in the U.S. In conjunction with the order, the president created a temporary Fair Employment Practices Committee (FEPC),

whose purpose was to substantiate further the idea that all taxpayers, regardless of race, should have the right to be employed by public agencies and private contractors accepting federal funds. Others fervently disagreed, maintaining that Jim Crow was a fact of life and that the federal government had no right to legislate against local traditions.³

Historically, the federal government, with few exceptions such as child labor, did not intervene in the employment practices of firms. The Roosevelt administration changed that tradition, despite being unable to squelch the problem of discrimination in the American workplace: Most jobs for blacks continued to be unskilled, the unions kept their discriminatory practices, and the influx of women during the wartime economy was relegated to low-skilled or secretarial positions. Moreover, the U.S. military, in the face of growing unrest among black servicemen and supporting civil rights organizations, remained segregated. Perhaps losing the battle for equality of opportunity in the workplace while the nation fought for freedom abroad, the Roosevelt administration and the events occurring during World War II laid the foundation for the civil rights movement and subsequent antidiscrimination legislation. Leading the charge for equal employment opportunity introduced by the prior administration, President Harry Truman later abolished state poll taxes, supported a federal anti-lynching law, made permanent the FEPC, created a civil rights division of the U.S. Department of Justice, established the President's Committee on Civil Rights, and ended discrimination and segregation in the armed services by issuing Executive Order 9981 (Anderson 2004).

Both the Roosevelt and Truman administrations demonstrated that the federal government—through advocacy for equality and federal policies and laws to end

³ For instance, Mississippi Senator Bilbo maintained that the purpose of the FEPC was to “break down the color line in order to aid the day of miscegenation and mongrelization between the races” (quoted in Anderson 2004: 35).

discrimination—could create opportunities for citizens, particularly in the realm of work. In fact, federal legislation and regulatory changes increased black employment opportunities even before the passage of the Civil Rights Act of 1964 (Collins 2003; Landes 1968; Stainback, Robinson and Tomaskovic-Devey 2005). The precedent set by the aforementioned presidential administrations regarding equal employment opportunity, later complemented by President Kennedy’s issuance of Executive Order 10925 in 1961,⁴ also had an impact on local governments, albeit to varying degrees: By 1964, nearly half of all U.S. states enacted their own EEO laws, called fair employment practice (FEP) laws, that barred employment discrimination on the basis of race, color, creed, or national origin (Anderson 2004; Collins 2003; Stainback, Robinson and Tomaskovic-Devey 2005). The concept that all taxpayers were owed the right to be employed in jobs supported by their taxes became increasingly recognized as fair.

In the Pursuit of Fairness: The Civil Rights Act and Beyond

Considered to be a social movement largely responsible for the statutory construction and implementation of federal antidiscrimination legislation in the U.S. (Burstein and Monaghan 1986; Kelly and Dobbin 1998; Pedriana and Stryker 2004; Stainback, Robinson and Tomaskovic-Devey 2005), the civil rights movement catapulted issues of equal opportunity, particularly in employment, to the forefront of American consciousness. The civil rights movement culminated in the first federal legislation, Title VII of the Civil Rights Act (1964), barring employment discrimination on the basis of race, color, religion, sex, or national origin. Not only were minority groups and women protected under

⁴ Executive Order 10925 requires that all government contractors to take “affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin.” This order also established the President’s Committee on Equal Employment Opportunity (which later became the EEOC with the Civil Rights Act of 1964).

Title VII, but they were protected in employment by private employers and federal contractors. Shortly after the Civil Rights Act (1964), President Lyndon B. Johnson issued an order⁵ that extended protection coverage to all employment by contractors and subcontractors. These legal mandates to end employment discrimination and the requirement for federal contractors to take “affirmative action” fundamentally changed the role of the federal government in the employment relationship (Kalev and Dobbin 2006).

This early era of EEO law was formative in terms of enforcement and standards for compliance, as well as statutory construction. The EEOC, created by Title VII for its enforcement, had no formal adjudicative or prosecutorial powers until 1972.⁶ In other words, for its first seven years, the EEOC’s responsibility was restricted to individual complaint investigation and conciliation (Anderson 2004; Pedriana and Stryker 2004). Further complicating matters, key terms such as “discrimination” and “affirmative action” were not defined in antidiscrimination legislation (Anderson and Roscigno 1995; Blumrosen 1993; Edelman 1990; Graham 1990; Kelly and Dobbin 1998; Stryker 1996). Legal ambiguity, in addition to constraints faced by the EEOC, made both enforcement and compliance particularly difficult. Although outside the scope of the current research, the broad construction of Title VII as retrospective rather than solely prospective—that is, eliminating the present effects of past discriminatory practices as well as requiring that future hiring decisions be made without regard to protected ascriptive characteristics (for further

⁵ Executive Order 11246 prohibits federal contractors and subcontractors from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin and requires contractors to “take affirmative action” to ensure that equal opportunity is provide in all aspects of their employment.

⁶ The EEOC was established as an administrative agency, similar to other standard-setting agencies such as the Occupational Safety and Health Administration and the Environmental Protection Agency, which differs from adjudicative rule-making agencies, such as the Federal Trade Commission and the National Labor Board (see Stryker 2000). The EEOC handles all cases of suspected discrimination outlawed by federal antidiscrimination law, with the exception of complaints filed under the Equal Pay Act. The Equal Employment Opportunity Act of 1972, among other things, provided the EEOC with the authority to initiate lawsuits against private employers.

discussion, see Pedriana and Stryker 2004)—allowed room for the co-construction of EEO legislation, particularly with respect to acceptable standards for compliance, by the legislative branch and firms, along with pressure from civil rights activism (Dobbin et al. 1993; Edelman 1992; Edelman, Uggen and Erlanger 1999).

In addition to the complexity resulting from the legal ambiguity inherent in EEO legislation as well as the separation of its primary enforcement agencies,⁷ the EEOC, although an independent regulatory agency, was heavily influenced by the political philosophies of respective presidential administrations (Anderson 2004; Kelly and Dobbin 1998; Stainback, Robinson and Tomaskovic-Devey 2005). The ebb and flow of presidential support for equal employment opportunity had consequential effects on firm trends toward equality and desegregation, particularly through differences in rhetoric, Supreme Court appointees, and the allocation of resources for enforcement (Stainback, Robinson and Tomaskovic-Devey 2005). Whereas the presidential administrations from 1966 up until 1980 demonstrated general support for equality of opportunity in employment—even in the face of the animus displayed by the Supreme Court during the Ford and Carter administrations—progress, by most accounts, dramatically stalled during the Reagan and Bush administrations (Amaker 1988; Kalev and Dobbin 2006; Kelly and Dobbin 1998; Leonard 1990; Shull 1993; Shull 1999; Stainback, Robinson and Tomaskovic-Devey 2005). This political era was characterized by open opposition to EEO legislation from the executive branch which, coupled with legislative interpretations by the Supreme Court that severely restricted the rights of individuals meant to be protected by these laws (Stainback, Robinson and

⁷ Whereas the EEOC is responsible for enforcing EEO law in private employment and labor unions, the Office of Federal Contract Compliance Programs (OFCCP), formerly the Office of Federal Contract Compliance (OFCC), is responsible for enforcement of EEO law in all employers contracted or subcontracted by the federal government.

Tomaskovic-Devey 2005),⁸ resulted in the least pressure for firms to pursue programs and practices that promote equality. Much of the Clinton era, highlighted by the passage of the Civil Rights Act of 1991, was characterized by offsetting the damage to EEO that occurred during the prior two administrations (Skaggs 2008; Stainback, Robinson and Tomaskovic-Devey 2005). However, Clinton's lukewarm support for antidiscrimination legislation and the lack of funding for enforcement signaled that perhaps the end of EEO and affirmative action legislation was on the horizon (Kelly and Dobbin 1998; Yakura 1996).

Although just a snapshot, the historical context of equal EEO legislation presented here illustrates how, particularly without any attempt at draconian enforcement efforts, there was inconsistency in its effectiveness over time. Following recent sociological and legal research that emphasizes the importance of situating workplace discrimination and inequality in its relevant historical and social contexts (Beggs, Villemez and Arnold 1997; Brief, Butz and Deitch 2005; Cohen and Huffman 2007; Hirsh and Cha 2008; Stainback, Robinson and Tomaskovic-Devey 2005; Tomaskovic-Devey and Roscigno 1996), I suggest that there are also meaningful sources of inconsistency in employment equality that are rooted in the local communities within which firms are located. The present research expands upon previous approaches to workplace discrimination and inequality by making explicit the legal, normative, and social mechanisms that undergird variations in occupational segregation occurring across communities from 1993 to 2008.

⁸ For example, *City of Richmond v. J.A. Croson Co.* 1989; *Wards Cove Packing Co., Inc. vs. Antonio* 1989; *Patterson v. McLean Credit Union* 1989; *Price Waterhouse v. Hopkins* 1989; *Martin v. Wilks* 1989.

CHAPTER III

Theoretical Background

Workplace Discrimination and Inequality

Discrimination and inequality are inextricably linked: Broadly, discrimination involves the unequal treatment of persons based on characteristics that are “functionally irrelevant” (Merton 1972:20). Such differential treatment, whether or not intentional, results in inequality across groups defined by some ascriptive characteristic, such as race or sex (Hirsh and Kornrich 2008; Kalev 2009; Reskin 2003; Reskin and McBrier 2000). In the workplace, discrimination manifests itself in a variety of ways throughout the entire employment process including hiring, promotion, and wage allocation (Baron and Pfeffer 1994; Brief, Butz and Deitch 2005; Pager, Western and Bonikowski 2009). In a study of a low-wage labor market, for instance, Pager and colleagues (2009) found that, when hired, blacks and Latinos were disproportionately funneled into job positions other, and lower, than the ones for which they applied, in comparison to their white counterparts who were often channeled into better positions than those for which they applied. In this instance, individuals were presumably treated differently in job allocation on the basis of race.

A bulk of the foundational research in the domain of workplace discrimination and inequality was largely predicated upon motive-based conceptions of employment discrimination and ascriptive inequality (Reskin 2003). For example, Becker (1957) spoke of employers' "taste for discrimination," with the strength of such a taste manifested in the

above-market wages paid to whites or men in the avoidance of employing minorities or women. Additionally, intergroup conflict and competition approaches (e.g., Blalock 1956; 1967; Giles 1977) assume that threat is experienced by majority group members with increasing concentrations of minorities, motivating those in the majority to discriminate in an effort to maintain the dominant position (Beggs, Villemez and Arnold 1997; Burr, Galle and Fossett 1991; Tomaskovic-Devey and Skaggs 2002). These approaches to employment discrimination and inequality are not only difficult to test empirically (Reskin 2003), but also largely ignore broader patterns of inequality that are more subtle and contextually embedded.

With the passage of Civil Rights Act (1964) and associated EEO legislation, identifying employment discrimination is not as clear-cut as it once was; there has seemingly been a shift from blatant, “old-fashioned” discrimination to more subtle forms (Bobo and Smith 1999; Brief et al. 2000; Gaertner and Dovidio 1986; Hirsh and Cha 2008; McConahay 1983; Rudman 2004; Wolsko, Park and Judd 2006). Perhaps a bit more removed than the interpersonal, discriminatory intent explanations described above are the more covert forms of discrimination often housed in organizational structures, practices, and patterns of unconscious biases (Bielby 2008; Bisom-Rapp 1998; Ely and Thomas 2001; Hirsh and Cha 2008; Sturm 2001) which lead to the systematic disadvantage of some ascriptive groups in comparison to others (Hirsh and Cha 2008; Reskin 2001). For example, seniority systems, although a seemingly race- and sex-neutral employment practice, often led to discriminatory outcomes, particularly for racial minorities in the case of massive layoffs (for a further discussion, see Anderson 2004; Pedriana and Stryker 2004). Broader patterns of inequality highlight the need to consider the social environment in which individuals and firms are embedded, as well as how such patterns vary across employment contexts.

The present research investigates two interrelated manifestations of workplace discrimination and inequality—managerial representation, or the representation of minorities and women in managerial positions relative to whites and men, and occupational segregation by race and sex—which are important for several reasons. First, because the Civil Rights Act (1964) and associated legislation explicitly targeted the discrimination and segregation of employees based on characteristics such as race and sex, an investigation of racial and sex occupational segregation at the establishment level, as done here (see also Tomaskovic-Devey et al. 2006), helps to provide an account of how effective EEO legislation has been in integrating American workplaces over time. Whereas national occupation-based estimates give the appearance of minorities and women having increased access to a wider set of occupations, Tomaskovic-Devey and colleagues (2006) recently uncovered an unsettling pattern in employment at the establishment level: Trends in racial and sex occupational segregation decreased after the passage of the CRA and stalled during the early 1980s, with improvements continuing only for women since that time. Moreover, the overrepresentation of white men in a consequential occupational category—that is, managers—has not changed much over time, although gains have been made by women and black men, but concentrated primarily in less-desirable industries, such as the service economy (Stainback and Tomaskovic-Devey 2009).

Second, while these patterns of segregation are worthy of attention in their own right, there are also important employment inequalities tied to segregation, such as remuneration, mobility, the distribution of authority, and the cultural valuation of work (Elliott and Smith 2004; Hirsh 2009; Kmec 2003; Petersen and Morgan 1995; Reskin and Ross 1992; Tomaskovic-Devey 1993; Wolf and Fligstein 1979). For example, managers typically outearn those employees in non-managerial positions and also enjoy more prestige,

job autonomy, and authority (Cohen and Huffman 2007; Jacobs 1992; Reskin 2000). In the case of black employees, Cohen and Huffman (2007) discovered their underrepresentation in management to be a key mechanism driving racial inequality in the labor market. The allocation of employees to occupational positions, particularly management, has clear implications beyond the boundaries of the firm. Research in employment discrimination and inequality has increasingly recognized the pivotal role played by context, demonstrating the wide-ranging effects of broader economic factors such as industrial structure and local labor market demographic composition (Beck, Horan and Tolbert 1978; Cohen and Huffman 2007; Tomaskovic-Devey et al. 2006), and attributes of the workplace, such as organizational structures and personnel practices (Baron, Davis-Blake and Bielby 1986; Bielby and Baron 1986; Dobbin et al. 1993; Guthrie and Roth 1999a; Kalev, Dobbin and Kelly 2006; Konrad and Linnehan 1995; Reskin and McBrier 2000), on employment discrimination and inequality. Although such research is valuable, there has been a general tendency to neglect sources of workplace discrimination and inequality that reside in the social infrastructure of the communities where firms are situated.

Spatial Variation and the Community

The importance of local context—for both intergroup relations and for organization studies—has a long history. For instance, the minority composition of local populations has mattered in several instances (see Taylor 1998) including its positive associations with lynchings (Corzine, Creech and Corzine 1983; Reed 1972); homicide arrests and incarcerations, more broadly (LaFree, Baumer and O'Brien 2010; Myers 1990); police expenditures (Jackson 1986); senatorial support for David Duke (Giles and Buckner 1993); and residential and school segregation (Emerson 1994; Pettigrew 1957). Research, as in early

institutionalism (e.g., Selznick 1949; Zald 1970), has demonstrated the strong influence of local environments on organizations more specifically. Recent work shows that factors rooted in geographic localities influence patterns of corporate philanthropy (Galaskiewicz 1997; Marquis, Davis and Glynn 2012), corporate governance practices (Davis and Greve 1997), economic organization (Haveman and Rao 1997; Haveman, Rao and Paruchuri 2007; Schneiberg 2002; Schneiberg et al. 2008), creativity and innovation (Florida 2003), new business foundings (Audia, Freeman and Reynolds 2006; Neuman 2008), and perceived ethnic conflict and quality of work relationships (Brief et al. 2005). Researchers have attributed such variation across localities to geographic proximity and interorganizational networks (Davis and Greve 1997; Marquis 2003), variations in local laws (Guthrie and McQuarrie 2005), and prevailing institutional logics and shared frames of reference (Galaskiewicz 1997; Haveman, Rao and Paruchuri 2007; Lounsbury 2007; Marquis, Glynn and Davis 2007). With respect to equal employment opportunity specifically, broad geographic variation in patterns of discrimination and inequality have emerged (e.g., Abrahamson and Sigelman 1987; Beggs 1995; Cohen and Huffman 2003; Cohen and Huffman 2007; Fossett, Galle and Kelly 1986), although a more systematic investigation of such variation, along with associated explanatory mechanisms, is needed.

In conjunction with the belief that "employees come to the organization with heavy cultural and social baggage obtained from interactions in other contexts" (Scott 1992: 20), I situate managerial representation and racial and sex occupational segregation in a larger, localized context—the community. In so doing, the approach taken here acknowledges that discrimination and inequality are social processes heavily influenced by their broader environment (e.g., Hirsh and Cha 2008; Reskin 2000; Sturm 2001). Echoing Marquis and Battilana (2009: 286), the community is treated as "a local level of analysis corresponding to

the populations, organizations, and markets located in a geographic territory and sharing, *as a result of their common location, elements of local culture, norms, identity, and laws*" (emphasis added).

Consideration of the local social infrastructure in which individuals and firms are embedded provides the opportunity to examine whether patterns of discrimination and inequality vary across employment contexts. With a broader conceptualization of inequality—one that not only recognizes its local economic context but also places it in its legal, normative, and political environments—my goal is to understand the societal mechanisms undergirding workplace inequalities that are rooted in the surrounding community yet reproduced and maintained in organizations.

Legal Environment

The pursuit of equal opportunity both inside and outside of the workplace was facilitated greatly by the passage of extensive EEO legislation, particularly the Civil Rights Act (1964). In recognizing the integral role played by legislation in the fight for equal rights, James T. McCain of the Congress for Racial Equality (CORE) commented that “the Emancipation Proclamation freed the Negro physically; the Supreme Court freed him mentally” (*Negro Digest* 1961: 13-14). While the Civil Rights Act and associated legislation were promulgated at the federal level, legal and sociological research indicates considerable variation in its interpretation and enactment across geographic regions (Farhang and Wawro 2004; Guthrie and Roth 1999a; Guthrie and Roth 1999b; Howard 1981; Skaggs 2009). At the state level, for example, statutory provisions making explicit reference to EEO law—although existing in nearly every state—vary greatly in number and in language (Guthrie and Roth 1999a).

Whether resulting from the weak enforcement mechanisms characteristic of federal legislation and the legal ambiguity inherent in EEO legislation (Donohue and Siegelman 1991; Edelman 1992; Leonard 1989; Pedriana and Stryker 2004) or the fragmentation of the federal judiciary (Howard 1981), different legal environments, particularly with respect to equality of opportunity at work, have emerged within which individuals interact and firms operate. These environments supply firms and their inhabitants with different “rules of the game...that is, [the] formal written rules as well as typically unwritten codes of conduct that underlie and supplement formal rules” (North 1990: 4). These rules, as embodiments of the legal environment, provide a sense of which behaviors, such as EEO compliance mechanisms, are deemed appropriate and legitimate for firms (Hirsh and Cha 2008; Scott 2001) as well as impose costs and provide benefits for deviation from and compliance to sanctioned organizational behaviors, respectively (Edelman and Suchman 1997).

Over time, legal environments have become increasingly prevalent, “as organizations face increased levels of litigation, regulation, and certification in many areas of activity” (Edelman and Suchman 1997: 480), including equal employment opportunity. Being complex and multifaceted, legal environments exert both indirect and direct influences on firm behaviors with respect to equality of opportunity (Hirsh 2009), whether through the ideology and composition of the judiciary or with more coercive attempts to mobilize the law through litigation and advocacy. While providing legitimated standards for compliance, legal efforts also produce normative effects by establishing environments that dissuade behaviors not legally sanctioned, such as discriminatory practices at work (Edelman and Suchman 1997; Suchman 1997). For instance, research supports the existence of systematic variation in employment law across federal circuit courts, with clear implications for equality of opportunity in the workplace. Guthrie and Roth, for example, found that firms located in

federal circuit court jurisdictions with a more progressive history related to EEO laws were more likely to have female CEOs (1999a) and more likely to institutionalize paid maternity leave policies for full-time employees (1999b). Similarly, Hirsh (2009) recently found that greater sex desegregation occurred in establishments located in progressive circuits in comparison to those located in more conservative jurisdictions. These findings are further supported by Skaggs' (2008; 2009) work in the supermarket industry which shows that blacks and women were better represented in managerial and official positions when employed in supermarkets located in progressive court jurisdictions.

In short, behaviors regarding employment equality understood to be legitimate in one legal environment may differ from that in another which, in turn, differentially influences attempts by firms to maintain legitimacy. At the risk of losing important resources and legitimacy, expectations arising from the legal environment expose firms to indirect and direct pressures to align their behaviors with those in *their* social environment (DiMaggio and Powell 1983). Firms embedded in progressive legal environments—where there are strong expectations of what constitutes fair and nondiscriminatory employment practices and where equality of opportunity is expected and, if not realized, demanded through the mobilization of law—will likely foster environments within their bounds that value equality of opportunity in the workplace. As such, I propose the following hypothesis:

HYPOTHESIS 1.—*Establishments located in more progressive legal communities will have lower levels of occupational segregation by race and sex.*

Normative Environment

Until recently, research on employment inequality has focused largely on the plethora of economic factors contributing to the observed disparities between whites and minorities

and men and women in the American labor market—ranging from industrial structure (Beck, Horan and Tolbert 1978) and organizational size (Bielby and Baron 1986; Stolzenberg 1978; Villemez and Bridges 1988) to formal governance structure and production technology (Bielby and Baron 1986), for example. Organizational reality, however, is not predicated solely upon the economic landscape; rather, firms, and those individuals employed within, are also beholden to the institutionalized rules and norms in which they are embedded (DiMaggio and Powell 1983; Meyer and Rowan 1977; Scott 1992; Selznick 1949; Tolbert 1985). Along with economic factors and legal pressures, the cultural expectations, or "normative obligations" (Meyer and Rowan 1977: 341), arising from local environments influence organizational practices and structures by establishing shared understandings and standards for appropriate behavior (DiMaggio and Powell 1983; Meyer and Rowan 1977; Tolbert 1985). In the hopes of extending previous research demonstrating the relationship between organizations and their social environments (e.g., Beggs 1995; DiMaggio and Powell 1983; Meyer and Rowan 1977; Tolbert 1985; Tolbert and Zucker 1983), I focus specifically on the progressiveness of a firm's local normative environment and its implications for equal opportunity at work.

Organizations, situated squarely between the "macro" and "micro" dimensions of work organization and inequality (Baron and Bielby 1980: 738), act as a mechanism through which patterns of discrimination and inequality found in society at large are replicated and maintained at work (Baron and Bielby 1980; Bielby and Baron 1986; Selznick 1949). In addition to legal and regulative pressures, part of the "macro" dimension of work that influences organizational behavior is the normative environments encapsulating firms and their employees. Because my goal is to better understand workplace discrimination and equal opportunity, I narrow my focus specifically to aspects of the community that demonstrate

norms of equality (e.g., Beggs 1995; Skaggs 2008). Normative environments vary considerably across local contexts and exert differing degrees of pressure for equality of opportunity in employment (Beggs 1995). The cultural expectations concerning equality that arise from the local normative environment, rooted in the communities within which firms operate, serve as models for appropriate behavior. In following these templates for legitimate and sanctioned action, firms, to a certain extent, become reflections of their environments (Brief, Butz and Deitch 2005; Dietz et al. 2003; Scott 1992).

Research is consistent with the argument that local normative environments influence firm behavior, particularly with respect to employment equality. For example, Sutton, Dobbin, Meyer, and Scott (1994), in their study of workplace legalization in the context of employment law, found that the adoption rates of due-process governance mechanisms, such as grievance procedures, were higher among employers in California, who are considered to be working within more progressive normative environments. Furthermore, Beggs (1995) showed that the local normative environment was associated with levels of inequality in jobs and earnings among racial minorities and women relative to white men, with higher employment equality experienced by blacks and women in states expressing greater support for equality. In her study of the effects of discrimination litigation on women's access to managerial positions in the supermarket industry, Skaggs (2008) recently demonstrated that supermarkets located in broad geographic regions (e.g., New England, Middle Atlantic) with progressive norms and attitudes regarding equal opportunity possessed higher numbers of women in managerial positions. In sum, firms are subject to the pressures exerted by their local normative environments and risk the loss of legitimacy if they do not act in accordance with the shared understandings in which they are entrenched. For instance, firms will most likely not be pressured to propagate fair employment practices

in normative environments where egregious forms of discrimination are commonplace, as opposed to those communities viewed as bastions of equality, where workplace inequality and discrimination are not tolerated. Given the above arguments, I propose the following:

HYPOTHESIS 2.—*Establishments located in more progressive normative communities will have lower levels of occupational segregation by race and sex.*

The Moderating Role of Cohesion

The arguments presented above revolve around how the legal and normative aspects of communities influence managerial representation and occupational segregation in firms as a result of a shared geographic location. While the local social infrastructure in which firms are situated is, in and of itself, important for understanding workplace discrimination and inequality, the extent of these community effects is also dependent on how much of a “community” a given geographic locality actually is. Building on research demonstrating the prevalence of interfirm networks in shaping firm behavior, particularly with respect to geographic location (e.g., Davis 1991; Davis and Greve 1997; Galaskiewicz 1985; Marquis 2003), and that highlighting the importance of collective engagement and social cohesion in the differentiation between local contexts (e.g., Markowitz et al. 2001; Morenoff, Sampson and Raudenbush 2001; Morenoff 2003; Sampson, Raudenbush and Earls 1997; Swaroop and Morenoff 2006), I investigate two mechanisms binding communities together as well as the firms and individuals embedded within—corporate and community cohesion. Whereas the legal, normative, and political dimensions create variation *between* communities, I suggest that corporate and social cohesion contributes to the degree of homogeneity observed *within* communities.

Corporate Cohesion

That corporate elite networks are meaningful for firm processes and behaviors is not a novel insight. A litany of research demonstrates the powerful influence of such networks on firm practices including response to takeover threats (Davis 1991; Davis and Greve 1997), use of debt (Mizruchi, Stearns and Marquis 2006), what stock market to list on (Rao, Davis and Ward 2000), and philanthropic efforts and norms for community involvement (Galaskiewicz 1985; Galaskiewicz and Wasserman 1989; Marquis, Glynn and Davis 2007), for example. The corporate network is treated here as "a 'community of practice' with its own more-or-less shared understandings (ideologies, assumptions, scripts, norms) that form a background for constructing economic strategies and goals that determine what will count as appropriate or deviant" (Davis and Greve 1997: 8). Through both overlapping board memberships among firms and geographic co-location, corporate elite networks provide mechanisms through which these shared understandings are communicated (Davis and Greve 1997; Hirsch 1986).

Not all networks, however, are created equal; more cohesive networks facilitate greater consensus and coherence of behaviors among its constitutive parts. For example, Festinger and colleagues (1950), in their study of social networks in MIT student housing, uncovered that more cohesive apartment courts—that is, those with a greater numbers of co-located friends—"should be able to induce stronger forces on its members" (Festinger, Schachter and Back 1950: 91). Aside from the friendship ties and patterns of gossip among college students, more recent work convincingly argued the effects of cohesion as it relates to social class, with more similar business practices likely occurring in cities with greater upper-class cohesion (Mizruchi 1992; Palmer and Barber 2001). Cohesion, as in previous research, is captured here by the density of network ties (e.g., Burt 1992; Festinger, Schachter

and Back 1950; Frank 1996; Frank and Yasumoto 1998; Reagans and McEvily 2003), which has been shown to vary systematically among the corporate elite across communities (Marquis 2003). The ability of local corporate networks to establish and maintain norms of appropriate corporate behavior should vary with the extent of their cohesion, such that cohesive networks more strongly promote cogent templates for locally sanctioned firm behaviors, thus strengthening the influence of community standards regarding workplace equality as well as promoting conformity to those local standards. As such:

HYPOTHESIS 3.—*The relationship between an establishment's legal environment and occupational segregation will be magnified in communities with greater corporate cohesion.*

Community Cohesion

While the cohesion of the corporate elite plays an important role in propagating local standards for firm behavior including those related to equality of opportunity, the cohesion of a given locality also serves as a mechanism underlying community effects on employment equality. As ecological settings, communities provide a window into the local social context within which firms and their employees are embedded. Just as there are systematic differences across communities in the cohesion of their corporate elites, so too are there differences in their broader social fabrics, including collective engagement by residents and the resources garnered from local social relationships (Coleman 1988; Leventhal and Brooks-Gunn 2000; Morenoff 2003; Sampson, Morenoff and Gannon-Rowley 2002). Community cohesion, represented as levels of participation among residents in community life (e.g., Markowitz et al. 2001; Sampson and Groves 1989), has been recognized as being "a cornerstone of successful communities" (Swaroop and Morenoff 2006: 1665) by both urban sociologists (e.g., Jacobs 1961; Putnam 2000) and policy makers (e.g., International Monetary

Fund 2009; MacArthur Foundation 2009; U.S. Department of Housing and Urban Development 2008). Compared to localities where more social isolation occurs, cohesive communities are literally and figuratively healthier, with better physical and mental health among residents and a lower incidence of problematic behavior in addition to greater social interaction, mutual trust, and shared expectations (Morenoff and Lynch 2004; Morenoff, Sampson and Raudenbush 2001; Sampson, Morenoff and Gannon-Rowley 2002; Swaroop and Morenoff 2006). Much like cohesion among the corporate elite, local standards of appropriateness are similarly transmitted through community cohesion, likewise bolstering the influence of local norms and inciting conformity in equal opportunity employment practices among firms within a given community:

HYPOTHESIS 4.—*The relationship between an establishment's normative environment and occupational segregation will be magnified in communities with greater community cohesion.*

Alternative Explanations [Controls]

To rule out possible alternative explanations, I included a series of control variables to increase confidence that the legal and normative environments in which firms are embedded are not merely correlates of other establishment-level or spatial variables. For several reasons, the literature on workplace inequality suggests that employment opportunities and organizational sorting processes are often a function of organizational size. First, large organizations tend to utilize formalized personnel practices, such as written job descriptions, job ladders, and formal performance evaluations, which are designed to facilitate the use of objective criteria in employment decisions and limit the influence of cognitive biases and irrelevant criteria, such as race and sex, thus reducing race- and sex-based ascription. In fact, research demonstrates a positive relationship between formalized

personnel practices and employment opportunities for minorities and women (Guthrie and Roth 1999a; Reskin and McBrier 2000; Sutton et al. 1994). Second, larger organizations have a greater capacity for differentiation among job titles, allowing minorities and women to be employed without usurping the position hierarchy topped by privileged groups (Reskin, McBrier and Kmec 1999). Lastly, in the neoinstitutional tradition, organizational size is associated with increased visibility and pressure to conform to societal expectations (Meyer and Rowan 1977), perhaps motivating firms to better integrate minorities and women throughout the organizational ranks. For the reasons above, I include establishment size as a control.

Because I am seeking to explain the degree of minority and female representation in managerial positions and occupational segregation by race and sex, there are several characteristics of establishments that must be controlled for. Observed segregation is dependent on the degree of occupational differentiation within an establishment by affecting the ability of employers to alter divisions of labor. It is important to note that while firms typically use job titles to make internal social and task distinctions (Stainback, Robinson and Tomaskovic-Devey 2005; Strang and Baron 1990), the EEOC data employed here require the use of nine occupational categories⁹ to report distinctions between employees' positions. Employment across these occupational categories can vary across establishments, thus influencing the extent of observed segregation within a given establishment. For instance, establishments displaying high levels of occupational heterogeneity—that is, with substantial employment in all nine occupational categories—are more likely to have high levels of segregation than establishments employing individuals in a few occupational categories

⁹ The occupational categories included in the EEO-1 reports are officials and managers, professionals, technicians, sales workers, administrative staff, craft workers, operatives, laborers and helpers, and service workers.

because there are more positions across which people can be distributed (Stainback, Robinson and Tomaskovic-Devey 2005; Tomaskovic-Devey et al. 2006). Two final controls of important establishment characteristics are necessary: federal contractor status and subsidiary status. Establishments holding federal contracts—making them subject to compliance reviews by the Office of Federal Contract Compliance Programs (OFCCP) and affirmative action requirements—are expected to be more responsive to EEO enforcement. Kalev and Dobbin (2006), for instance, found that federal contractors subject to OFCCP compliance reviews have greater representations of minorities and women in managerial positions than establishments not subject to such regulation. Separate from holding federal contracts, whether an establishment is a subsidiary of a parent organization has implications for equal employment opportunities. In comparison to stand-alone establishments of similar size, subsidiary and branch establishments are subject to the policies and oversight of their parent organization and, as a result, are more likely to have formal procedures and monitoring mechanisms in place (Hirsh and Kornrich 2008).

Viable labor pools from which establishments draw employees other than internal workforces are the local labor market and the industry in which establishments operate. As such, I will include measures of local labor market characteristics—including demographic composition and total employment—as well as industry characteristics, such as industry employment and demographic composition. Industry is not only relevant here as an available source of labor, but also because different industries have varying norms regarding equal opportunity and demonstrate considerable variation in status segregation (Hirsh and Kornrich 2008; Stainback and Tomaskovic-Devey 2009).

CHAPTER IV

Data and Methods

My examination of the community influences on workplace discrimination and inequality—specifically, the legal, normative, and social environments in which establishments are embedded—is based primarily on establishment-level data derived from reports filed annually with the Equal Employment Opportunity Commission (EEOC) between 1988 and 2008.¹⁰ As mandated by Title VII of the Civil Rights Act (1964), the EEOC requires all private work establishments with at least 100 employees, all federal contractors with at least 50 employees, and first-tier subcontractors in agreements worth at least \$50,000 to file these reports, known as EEO-1 reports, in an effort to document progress with respect to EEO law.¹¹ EEO-1 reports cover approximately 40 percent of private-sector employment nationally (Robinson et al. 2005) and contain information on the racial/ethnic¹² and sex composition of establishments across nine occupational categories: officials and managers, professionals, technicians, sales workers, office and clerical workers, craft workers, operatives, laborers, and service workers (see Appendix). In addition to the demographic characteristics of an establishment’s workforce, these reports also include information on the establishment’s parent company, establishment size, geographic location,

¹⁰ The EEO-1 reports, along with the discrimination charge data used for some of the analyses, are confidential and not publicly available; the data was obtained from the EEOC through an Intergovernmental Personnel Act (IPA) agreement.

¹¹ For a detailed discussion of the EEO data, see Robinson et al. (2005).

¹² The racial/ethnic groups categorized by the EEOC are white, black, Hispanic, Asian/Pacific Islander, and American Indian/Alaskan Native.

industry, and federal contractor status. This information is used by the EEOC to document progress with respect to EEO law and monitor employer compliance with such law, in addition to other federal, state, and local agencies whose responsibility is enforcement.

Unit of Analysis and Sample

This dissertation was conducted at the establishment level of analysis. The use of establishment-level data is particularly important because of the specific interest in potential variation across geographic localities in occupational segregation, which would likely be masked if the data were aggregated to the firm level. In focusing on establishments, my goal was to tease out the community-based factors posited here as central for understanding workplace discrimination and inequality. I operationalized communities using the Office of Management and Budget's (OMB) Core Based Statistical Areas (CBSAs), which the U.S. Census defines as a "core area containing a large population nucleus, together with adjacent communities having a high degree of economic and social integration with that core," of which 942 have been defined by the OMB as of March 2010.¹³ For example, the Chicago CBSA not only includes Cook County, but also eight surrounding counties that are both economically and socially integrated.

As noted above, I gained access to the data for every establishment meeting the EEOC's reporting guidelines. Communities not meeting a minimum threshold of 50 establishments were removed from the sample, as were those establishments not located in

¹³ Although there have been definitional changes in geographic reporting systems over time, I used the latest (December 2009) definition of CBSA. To achieve consistency over time, I obtained county-level data to aggregate the data to CBSA based on this definition.

the contiguous 48 U.S. states.¹⁴ The overall dataset consisted of four annual panels (1993, 1998, 2003, and 2008) of the dependent variables with matched independent variables measured in the year before, under the assumption that the effects of the community-based factors on occupational segregation should take at least one year to transpire. The establishment-year was the unit of analysis over four annual panels, resulting in a total of 799,935 establishment-years.

Measures

Dependent Variable

Occupational Segregation by Race and Sex.—As in previous work (Hirsh 2009; Stainback, Robinson and Tomaskovic-Devey 2005; Tomaskovic-Devey et al. 2006), I used the index of dissimilarity (D) to measure occupational segregation by race and sex:

$$D = 100 * \sum_{i=1}^9 [t_i^* |p_i - P| / 2TP(1-P)],$$

where t_i is the total number of workers in occupation i in the establishment, p_i is the proportion of nonwhites or females (for race and sex models, respectively) in occupation i , T is the total number of workers in the establishment, and P is the proportion of nonwhites or females (for race and sex models, respectively) in an establishment (Massey and Denton 1988: 284). The value of D , ranging from 0 to 100, represents how differently two groups, such as African Americans and whites or women and men, are distributed in an establishment across occupational categories or, more informally, “the percentage of people who would need to change jobs for equal representation of status groups in a workplace”

¹⁴ As in previous research (Hirsh 2009; Stainback and Tomaskovic-Devey 2009; Tomaskovic-Devey et al. 2006), Hawaii is excluded here because of ethnic distinctions incongruent with those listed on the EEO-1 reports as is Alaska, which lacks meaningful labor market areas.

(Tomaskovic-Devey et al. 2006: 570);¹⁵ thus, higher values of D indicate more occupational segregation between groups.

Independent Variables

Legal Environment.—Because of the complexity of legal environments, I investigated two aspects of an establishment’s legal environment potentially influencing occupational segregation by race and sex across communities: the diversity and progressiveness of the courts. A growing body of legal and political research, particularly on judicial decision making and minority representation, suggests that racial/ethnic and sex composition of the judiciary has important implications for firms vis-à-vis the legal environments in which they are located (Skaggs 2009). Those advocating the diversification of the judiciary argue that minorities and women on the bench, presumably because of their personal experiences with discrimination (Beiner 1999; Martin 1990; Songer, Davis and Haire 1994; Tobias 1991), are more likely to decide in favor of plaintiffs in discrimination cases (Beiner 1999; Goldman 1979; Ifill 2000), as well as advance legal doctrine more favorable to these plaintiffs (Smith 1994). Indeed, research shows that minority and women judges tend to be more liberal and sympathetic when making decisions in the area of civil rights (Davis, Haire and Songer 1993; Farhang and Wawro 2004; Songer, Davis and Haire 1994).¹⁶ However, separate from the individual decisions rendered by minority and female judges, their very presence in the

¹⁵ Segregation scores cannot be calculated for establishments with workers in only one occupational category and, as such, those observations were excluded. Moreover, race- and sex-homogenous establishments, although seemingly ambiguous with respect to the segregation measure, actually reflect race- and sex-based exclusion (Huffman et al. 2009; Tomaskovic-Devey et al. 2006). Accordingly, I assigned race- and sex-homogenous establishments a dissimilarity score of 100, reflecting complete segregation (Huffman et al. 2009).

¹⁶ Anecdotal evidence (e.g., Ifill 2000; Martin 1990) supports the notion that minorities and women bring their personal experiences to the bench, which is elucidated by Supreme Court Justice Sonia Sotomayor, who has repeatedly spoken of her racial/ethnic and gender identities playing a role in her judicial decisions: “I would hope that a wise Latina woman with the richness of her experiences would, more often than not, reach a better conclusion than a white male who hasn’t lived that life” (see Sotomayor, Judge Sonia. 2001. "A Latina's judge's voice." Berkeley, CA: UC Berkeley School of Law.)

judiciary sends a signal to the firms within their jurisdictions. Because the judiciary, at every level, is predominantly white and male (Farhang and Wawro 2004; Smith 1994), the presence of minorities and women on the bench likely communicates to firms an intolerance for workplace discrimination and inequality (Skaggs 2009). As an aspect of legal progressiveness, court diversity was measured here as the proportion of racial/ethnic minorities and women presiding in the one of 94 federal district courts where an establishment is located. Data on judicial composition was hand-collected from the Federal Judicial Center (FJC; www.fjc.gov), the education and research agency for the federal courts. The FJC, in its “Biographical Directory of Federal Judges” database, provides information on the race/ethnicity and gender of every federal judge as well as political party and nominating president, among other biographical information.

In addition to the composition of the judiciary, legal and sociological research has demonstrated the influence of court ideology in establishing legal environments. A specific mechanism by which legal environments emerge is through the appellate court system (Guthrie and Roth 1999a; 1999b). The appellate, or circuit, court system is particularly relevant for our understanding of employment law because most EEO legislation is federal and influences the construction of the legal environment within their jurisdictions. Here, I took into consideration an establishment’s location in one of the 11 primary federal circuit courts.¹⁷ To capture the progressiveness of an establishment’s legal environment, I included a dummy variable for those establishments located in the Second or Third Appeals Circuits

¹⁷ As in previous research (e.g., Skaggs 2009), I excluded the Twelfth Circuit, located in the D.C. Circuit, because of its unique governance structure, in which Congress has ultimate authority. To explore the issue of potential bias resulting from such case omission, I estimated a series of basic models comparing outcomes for data with establishments located in Washington, D.C. and those without.

(1= yes, 0 = no), which are historically more progressive in comparison to elsewhere (Guthrie and Roth 1999a; Hirsh 2009).¹⁸

Normative Environment.—To capture the normative environment within which establishments are embedded, I included an indicator of the concentration of same-sex couples,¹⁹ colloquially known as “The Gay Index” (Black et al. 2000; Florida 2002). This index is relevant here because, as a group, gays have been subjected to high levels of discrimination (Florida 2002). As such, one can reason that communities that exhibit expressed tolerance of gays (as demonstrated by the concentrations of gays residing there) are also more tolerant of racial/ethnic minorities and women. The definition of same-sex couples has, interestingly, varied over time, with measurement approaches evolving from the initial data collection on same-sex couples on the 1990 Decennial Census through several iterations of the American Community Survey and, most recently, the 2010 Census. I derived estimates of the concentration of same-sex couples from the above-mentioned sources, despite varying empirical definitions of “same-sex households.” In essence, “The Gay Index” is the percentage of same-sex couples among all households in a community divided by the percentage of same-sex couples among households in the U.S.²⁰ After

¹⁸ My primary focus here is on federal circuit court jurisdictions, whereas with the indicators of court diversity I examined the composition of federal district courts. Research shows that the ideological position of supervisory courts influences the behavior of lower courts (Songer, Donald R., and Reginald S. Sheehan. 1990. "Supreme Court impact on compliance and Outcomes: Miranda and *New York Times* in the United States Court of Appeals." *The Western Political Quarterly* 43(2):297-316.), an intuition further confirmed in conversations with several judges and lawyers (personal communications with Honorable Deborah Stevens Modica, Honorable Salvatore Modica, Professor of Law & Associate Dean Sheila Foster, Fordham University, and Attorney Samuel Straight).

¹⁹ I also collected data on hate crimes from the Federal Bureau of Investigation (FBI) through their Uniform Crime Reporting (UCR) program. My hope was to have another indicator of an establishment’s normative environment because, by definition, hate crimes are driven by bias. Unfortunately, however, there was too much data missing; after employing several techniques to analyze the missing data, I chose not to include the FBI data to preserve the stability of the regression estimates.

²⁰ I went to great lengths to procure the best indicator of the concentration of same-sex couples over the years studied here. In consulting with Dr. Gary J. Gates, Senior Research Fellow at The Williams Institute, UCLA School of Law, the indicator used, although with some comparability issues over time, seemed to be the most ideal.

calculating “The Gay Index,” I included a dummy variable (1 = yes, 0 = no) for whether a given community was ranked in the top 50 of all communities within a given panel year.

Moderators.—Corporate cohesion is based on data on all firms with corporate headquarters located in the U.S. that are listed on either of the two major U.S. stock markets, the New York Stock Exchange and Nasdaq, and covered by Compact Disclosure in the years 1992, 1997, and 2002, and by BoardEx in 2007. Corporate cohesion is captured here through the construction of an interlock dataset of the directors shared among all firms in the aforementioned corporate sampling frame, yielding a total of 152,466 director-year observations across the four panel years and calculated as the mean local degree, or the average number of interlocks each firm in a community maintains with other firms in its community.²¹ Higher numbers indicate that local firms have directors that also serve on the boards of other local firms, representing higher levels of corporate cohesion. Although the current study focuses on levels of occupational segregation in private establishments, I used data on publicly-listed firms to capture the degree of corporate cohesion in a given community; I do not expect that the two differ fundamentally with respect to the influence of and mechanisms through which corporate norms are communicated and maintained in a given geographic locality.

Community cohesion is represented here as levels of participation among residents in community life (Markowitz et al. 2001; Sampson and Groves 1989). As an aspect of a community’s social structure, I used counts of community associations (e.g., Kaufman 2002; Putnam 2000; Rupasingha, Goetz and Freshwater 2006; Schneiberg et al. 2010) to represent the degree of community cohesion. Using “County Business Patterns” data available through

²¹ I am indebted to Chris Marquis, Jerry Davis, and Mary Ann Glynn for the 1992-2002 data (see Marquis, Davis, and Glynn (2010) for more details) and to Yong Hyun Kim for his help with the 2007 data.

the National Historical Geographic Information System (NHGIS; www.nhgis.org), I constructed community-level measures of the per capita densities of sports clubs, business associations, labor organizations, civic associations, religious organizations, bowling clubs, professional organizations, libraries, museums, political organizations, and other membership organizations (Schneiberg et al. 2010). Higher numbers of community associationalism are taken to represent greater community cohesion.

Control Variables.—Establishment size was measured as the natural log of the total number of full- and part-time employees (Cohen and Huffman 2007; Hirsh 2009; Stainback, Robinson and Tomaskovic-Devey 2005). Occupational heterogeneity (H) was measured by the Gibbs-Martin index of heterogeneity (Gibbs and Martin 1962):

$$1 - \left(\sum \left(P_{oe1-9}^2 \right) \right) / \left(T_e^2 \right) \times 100,$$

where $\left(\sum \left(P_{oe1-9}^2 \right) \right)$ is the sum of the total establishment employment in each occupational category squared then summed across all nine occupations, and $\left(T_e^2 \right)$ is total establishment employment squared (Hirsh 2009; Tomaskovic-Devey et al. 2006). Dummy variables were included to indicate whether an establishment is a federal contractor (1 = yes, 0 = no) and a subsidiary of a parent organization (1 = yes, 0 = no), which is information included in the EEO-1 reports. To control for characteristics of the external labor supply, I calculated measures of the proportions of minorities and women in the local labor market, as well as their proportions in the establishment's industry—data obtained from the EEOC and Bureau of Labor Statistics (BLS), respectively. Furthermore, I included the size of the local labor market and industry employment, measured as the natural log of the total number of employees in a given industry, calculated from the EEOC data, as controls. Finally, the more general influence of political ideology was controlled for with measures of state political

ideology; I included a dummy variable for whether there was a Democrat governor (0 = no, 1 = yes), hand-collected from the National Governors Association (www.nga.org). (For a summary of all variables, operationalizations, and data sources, see Table IV.1.).

Analytic Approach

The theoretical arguments presented above situate establishments within their geographic communities, with the implicit assumption that establishments co-located in a given community are more likely to be similar with respect to the dependent variable, occupational segregation by race and sex, than establishments in different communities. Because establishments naturally fall into geographic clusters, or communities, it is unreasonable to assume that there is conditional independence among establishments in the same community (Rabe-Hesketh and Skrondal 2012). Multilevel modeling allows for the correlation among residuals for establishments within a community, thus attenuating the occurrence of incorrect standard errors that would be likely be produced by ordinary regression models which fail to account for the hierarchical structure of clustered data. Before proceeding with tests of the hypotheses, however, I first examined whether between-community variance—while theoretically assumed—was actually empirically meaningful. By plotting a random sample of establishment-level occupational segregation scores against the community identifier with a horizontal line representing the overall mean, the resulting scatter plots (for both occupational segregation by race and sex) showed that the scores from the same community were closer to each other than to the scores from a different community. The scatter plots provided visual guidance that I could not assume that deviations from ξ_{ij} of y_{ij} from the population mean β were uncorrelated within communities in the regression model: $y_{ij} = \beta + \xi_{ij}$. As such, I modeled the within-community dependence

by splitting the residual ξ_{ij} into two uncorrelated components: a permanent component ζ_j , which is specific to each community j and constant across establishments i ; and an idiosyncratic component ε_{ij} , which is specific to each establishment i for each community j . The variance-components model is represented as $y_{ij} = \beta + \zeta_j + \varepsilon_{ij}$. In this model, ζ_j is the random deviation of establishment j 's mean measurement from the overall mean β . The component ζ_j —called the random effect of community or random intercept—has zero population mean and is uncorrelated across communities. The component ε_{ij} —called the level-1 residual or within-community residual—is the random deviation of y_{ij} from the establishment's j mean. The random intercept ζ_j has variance ψ , interpreted as the between-community variance, and the residual ε_{ij} has constant variance θ , interpretable as the within-community variance for establishment j .

In addition, the dependent variable is a percentage, with its distribution bound on the lower end by 0 and the upper end by 100. When data are censored on either or both sides, the normality assumption is violated and produces biased estimates in ordinary least squares (OLS) regressions (Acock 2010). I used Tobit regression to test my hypotheses within the multilevel modeling framework in order to correct for the censored distribution of the dependent variable as well as taking into account the clustered structure of the data.

Table IV.1. All Variables, Operationalizations, and Data Sources.

Variable	Operationalization	Data Source
Dependent Variables		
Occupational Segregation by Race/Sex	Index of Dissimilarity (<i>D</i>)	EEO-1
Independent Variables		
<i>Legal Environment</i>		
Minority/Female District Court Judicial Composition	Proportion Minority/Female	Federal Judicial Center
Circuit Court Progressiveness	Progressive Court, Dummy Variable	Guthrie and Roth (1999a)
<i>Normative Environment</i>		
Concentration of Gay Couples	Top 50 “Gay Index,” Dummy Variable	U.S. Census & American Community Survey
Moderators		
<i>Corporate Cohesion</i>		
Corporate Network Density	Mean Local Degree	Marquis et al. (2010) & BoardEx
<i>Community Cohesion</i>		
Residential Participation in Community Life	Community Associationalism, Count	NHGIS
Controls		
Establishment Size	Total Employees, Log	EEO-1
Occupational Heterogeneity	Index of Heterogeneity	EEO-1
Federal Contractor Status	Dummy Variable	EEO-1
Subsidiary Status	Dummy Variable	EEO-1
Minority/Female Composition, Industry	Proportion Minority/Female	BLS
Industry Employment/Size	Total Industry Employment, Log	BLS
%Black (Industry)	Proportion of Blacks (Industry)	BLS
%Female (Industry)	Proportion of Women (Industry)	BLS
Community Employment Size	Total Community Employment, Log	EEO-1
%Black (Community)	Proportion of Blacks (Community)	EEO-1
%Female (Community)	Proportion of Women (Community)	EEO-1
State Government Ideology	Democrat Governor, Dummy	NGA
Industry	Dummy Variable	

Notes: EEO-1 = EEOC’s annual EEO-1 reports; EEOC-CDS = EEOC’s Charge Data System; NELA = National Employment Lawyers Association; USCM = The United States Conference of Mayors; NHGIS = National Historical Geographic Information System; BLS= Bureau of Labor Statistics; NGA = National Governors Association.

CHAPTER V

Results

Descriptive Statistics

Table V.1 presents the correlations and descriptive statistics for all variables included in the models. Correlations among the variables of theoretical interest (i.e., variables 1 – 8) are small in magnitude, aside from the two dependent variables—occupational segregation by race and sex ($r = .33$)—which, although related conceptually, are empirically modeled separately. The mean levels of occupational segregation by race and sex based on the entire dataset are 39.70 and 36.23, respectively. Estimates of mean-level occupational segregation by race and sex over the four annual panels suggest a downward trend in occupational segregation by sex (40.77, 36.90, 34.79, and 34.01) but not race (41.35, 38.60, 38.91, and 39.35), which is consistent with the times-series analysis (see Table V.11).

Because there were high correlations between some of the variables, I ran diagnostics to ensure that the regression results were not affected by multicollinearity. The mean variance inflation factor (VIF) across all models was well below the suggested threshold of 10, with no single VIF over 2; as such, I concluded that multicollinearity was not a serious threat.

Regression Analyses

Results from the variance-components models are presented in Table V.2, with the models separated by occupational race and sex across each panel year. I specifically tested

whether there was meaningful between-community variance, ψ . The null hypothesis in these models is equivalent to the hypothesis that $\zeta_j = 0$, or that there is no random intercept in the model. In other words, if the null model were true, there would be no need to include random intercepts varying by community. A likelihood-ratio test was used by fitting the model with and without the random intercept. In each of the models, the test of the null hypothesis $\psi = 0$ has a very small p -value ($p = 0.000$), and the null hypothesis was rejected at standard significance levels. The intraclass correlation, or the proportion of total variance that is between communities, is

$$\rho = \frac{\psi}{\psi + \theta}$$

(which is similar to R^2 in linear regression because it expresses how much of the total variability is “explained” by communities).

The results of the regression analyses are presented in Tables V.3-V.10, which model the effects of the hypothesized variables on occupational segregation by race and sex, respectively, over each of the annual panels. Each table has five models, with the first three in each table being mainly informational, the fourth model showing the main effect predictions with the controls, and the last providing full model, including the interaction effects. Table V.11 presents the results from the time-series analysis.

Table V.1. Descriptive Statistics and Correlations.

Variable	Mean	S.D.	1	2	3	4	5	6	7	8	9	7	8
1 Occupational Segregation (Race)	39.70	27.69	--										
2 Occupational Segregation (Sex)	36.23	23.72	.330	--									
3 Court Progressiveness	.16	.37	-.002	.005	--								
4 Court Diversity (Race)	.16	.13	-.033	-.046	-.100	--							
5 Court Diversity (Sex)	.22	.15	-.033	.066	.039	.239	--						
6 Gay Index	.50	.50	-.033	-.038	.093	.101	.176	--					
7 Corporate Cohesion	1.20	.50	-.021	.003	.002	.048	.131	-.003	--				
8 Community Cohesion	214.99	95.34	-.075	-.059	.272	.115	.294	.190	.351	--			
9 Establishment Size, Log	5.07	.97	.179	.034	-.043	.022	-.001	-.015	-.024	-.018	--		
10 Occupational Heterogeneity	.53	.22	.372	.565	.020	-.020	-.016	.013	.012	-.020	-.237	--	
11 Federal Contractor Status	.51	.50	.028	.134	.001	-.001	-.018	.035	.043	.022	-.047	.120	--
12 Subsidiary Status	.70	.46	-.112	-.181	-.047	.009	-.021	-.022	-.039	-.061	.362	-.300	.067
13 State Government Ideology	.45	.50	-.018	-.006	.075	-.117	-.032	.007	.122	.200	.007	-.006	-.006
14 Total Emp., Log (Industry)	16.29	1.04	-.031	-.128	.022	.046	.080	-.036	.017	.117	-.208	.054	-.010
15 %Black (Industry)	.14	.02	-.170	-.349	.009	.079	.110	.003	-.012	.108	.082	-.278	-.122
16 %Female (Industry)	.19	.12	-.155	-.389	.016	.019	.025	.061	-.014	.005	.101	-.268	-.163
17 Total Emp., Log (Community)	13.19	1.75	-.101	-.048	.186	.244	.343	.578	.449	.514	-.040	.013	.017
18 %Black (Community)	.13	.08	-.240	.000	-.021	.012	.008	.027	.121	.261	.010	-.030	-.002
19 %Female (Community)	.47	.05	.008	-.038	.078	-.163	-.056	-.060	-.042	-.005	.008	-.024	-.034
20 Industry – Construction	.02	.15	.063	-.025	-.025	.016	.003	-.005	-.008	.007	.011	.043	.044
21 Industry – Wholesale Trade	.21	.41	-.126	-.027	-.027	-.010	-.031	-.004	-.030	-.056	.185	-.246	-.247
22 Industry – Retail Trade	.07	.25	.003	.020	.027	.006	.020	.045	.018	.029	.043	.024	.075
23 Industry – Services	.27	.44	-.056	-.216	-.001	.044	.051	.007	-.033	.065	.085	-.189	-.035

Table V.1. Descriptive Statistics and Correlations (Continued)

	Variable	9	10	11	12	13	14	15	16	17	18	19	20	21	22
10	Occupational Heterogeneity	-.020	--												
11	Federal Contractor Status	.022	.120	--											
12	Subsidiary Status	-.061	-.296	.067	--										
13	State Government Ideology	.200	-.006	-.006	-.016	--									
14	Total Employment (Industry)	.117	.054	-.010	-.284	.004	--								
15	%Black (Industry)	.108	-.278	-.122	.117	-.003	.455	--							
16	%Female (Industry)	.005	-.268	-.163	.128	-.013	.263	.741	--						
17	Total Employment (Community)	.514	.013	.017	-.053	-.018	.018	.046	.049	--					
18	%Black (Community)	.261	-.029	-.002	.020	.073	.010	.042	.014	.210	--				
19	%Female (Community)	-.005	-.024	-.034	-.005	.046	.052	.074	.037	-.177	-.027	--			
20	Industry – Construction	.007	.043	.044	-.063	.004	-.358	-.424	-.466	-.004	.010	-.009	--		
21	Industry – Wholesale Trade	-.056	-.246	-.246	.285	-.004	-.218	.071	.272	-.055	-.006	.004	-.079	--	
22	Industry – Retail Trade	.029	.024	.024	.038	-.002	-.294	-.120	.265	.062	.003	.008	-.041	-.142	--
23	Industry – Services	.065	-.189	-.189	.084	.013	.217	.695	.526	.034	.029	.032	-.092	-.317	-.165

Table V.2. Estimates for Variance-Components Models.

	1993 EST (SE)		1998 EST (SE)		2003 EST (SE)		2008 EST (SE)	
	Race	Sex	Race	Sex	Race	Sex	Race	Sex
Fixed Part								
β	46.22(.84)	41.91(.23)	44.68(.06)	37.92(.21)	43.89(.72)	36.20(.21)	46.16(.62)	36.13(.20)
Random Part								
$\sqrt{\psi}$	16.65(.60)	14.02(.21)	16.12(.56)	13.83(.23)	14.80(.51)	13.86(.27)	15.73(.37)	14.56(.26)
$\sqrt{\theta}$	26.02(.43)	23.66(.18)	25.62(.42)	23.37(.16)	25.79(.43)	23.02(.15)	26.44(.41)	23.43(.16)
Log likelihood	-746781.58	-731101.17	-885274.73	-856432	-904948.3	-882451.23	-1219525.7	-1187484.1
LR χ^2	10295.02**	1153.35**	11086.22**	1117.54**	10184.94**	1312.79**	14300.78**	2233.55**
ρ	.29	.26	.28	.26	.25	.26	.26	.28
Observations	159457	159457	187302	187302	193629	193629	259547	259547
Groups	403	403	432	432	431	431	679	679

Notes. Robust standard errors in parentheses. LR = likelihood-ratio.

The effects of some of the control variables merit attention. Larger establishments, measured as the total number of employees (log), have greater levels of occupational segregation by race and sex, which is consistent with prior research showing that larger workplaces can foster segregation through bureaucratic control mechanisms such as job title proliferation (Bielby and Baron 1986; Strang and Baron 1990). Interestingly, establishments that are subsidiaries of parent firms have lower levels of occupational segregation, suggesting that firms offer some buffering effect on occupational segregation at the establishment level. Organizations with developed personnel offices and greater formalization of work policies and procedures—as is presumed to be the case in multi-establishment parent companies—typically have lower levels of occupational segregation, which is consistent with the negative relationship between occupational segregation and subsidiary status found here.

Unsurprisingly, greater proportions of blacks in both industry and community employment were related to lower levels of occupational segregation by race; the relationship between female employment and occupational segregation by sex was not quite as clear but

Table V.3. Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Race, 1993.

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Court Progressiveness				-4.07(1.59)**	-6.20(1.80)**
Court Diversity (Sex)				-1.70(2.96)	9.20(4.26)*
Court Diversity (Race)				-4.01(2.33)+	-4.79(1.92)**
Gay Index				-2.43(1.57)	-3.43(1.97)+
Community Cohesion				.08(.03)+	.07(.06)
Corporate Cohesion				.07(.90)	.09(1.1)
Court Progressiveness*Corporate Cohesion					-5.23(1.5)**
Court Diversity (Sex)*Corporate Cohesion					4.29(1.70)*
Court Diversity (Race)*Corporate Cohesion					-6.35(2.53)**
Gay Index*Community Cohesion					.023(.04)
Establishment Size	282.30(10.81)**	287.59(10.96)**	287.88(13.81)**	287.97(13.81)**	287.97(13.81)**
Occupational Heterogeneity	53.39(1.05)**	49.14(1.16)**	50.52(1.05)**	50.52(1.05)**	50.52(1.05)**
Federal Contractor Status	-1.00(.21)**	-1.61(.19)**	-1.57(.17)**	-1.57(.17)**	-1.57(.17)**
Subsidiary Status	-5.70(.26)**	-5.26(.32)**	-4.84(.23)**	-4.84(.23)**	-4.84(.23)**
State Government Ideology		.48(1.52)	-.32(2.65)	-.63(2.89)	-.63(2.89)
Total Employment (Industry)		4.09(.51)**	3.59(.33)**	3.59(.33)**	3.59(.33)**
%Black (Industry)			-256.56(16.19)**	-265.04(18.47)**	-265.52(18.45)**
%Female (Industry)			-55.23(8.62)**	-46.51(5.24)**	-46.53(5.21)**
Total Employment (Community)			-1.66(.34)**	-3.29(1.03)**	-3.22(1.02)**
%Black (Community)			-104.79(6.39)**	-111.79(10.91)**	-113.02(10.99)**
%Female (Community)			12.97(8.97)	9.59(11.98)	12.28(12.02)
Industry – Construction			-5.25(.98)**	-5.09(1.10)**	-5.12(1.10)**
Industry – Wholesale Trade			4.87(.94)**	3.98(.82)**	3.98(.81)**
Industry – Retail Trade			11.07(2.04)**	9.43(1.16)**	9.44(1.16)**
Industry – Finance			18.36(2.73)**	15.47(1.77)**	15.45(1.76)**
Industry – Services			22.82(1.97)**	20.92(1.15)**	20.93(1.15)*
Constant β	46.22(.07)**	-2.98(1.40)*	6.25(8.57)	31.48(14.46)*	30.03(14.32)*
Observations	159457	158584	158584	112519	112519
Number of Communities	403	403	403	194	194

Note. Robust standard errors are in parentheses.

+ $p < 0.1$; * $p < 0.05$; ** $p < 0.01$

Table V.4. Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Sex, 1993.

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Court Progressiveness				-1.58(.59)*	-2.05(.78)**
Court Diversity (Sex)				-3.69(1.17)**	-3.10(.92)*
Court Diversity (Race)				3.92(1.42)**	4.76(2.29)**
Gay Index				-2.37(.53)**	-2.71(.85)**
Community Cohesion				.04(.01)*	.03(.02)
Corporate Cohesion				.24(.27)	.07(.32)
Court Progressiveness*Corporate Cohesion					-1.54(.72)+
Court Diversity (Sex)*Corporate Cohesion					-2.60(1.22)*
Court Diversity (Race)*Corporate Cohesion					9.22(3.99)*
Gay Index*Community Cohesion					.03(.02)
Establishment Size	145.92(2.66)**	156.81(2.05)**	154.77(1.85)**	154.77(1.85)**	154.64(2.32)**
Occupational Heterogeneity	67.15(.67)**	58.55(.57)**	58.74(.28)**	58.74(.28)**	58.74(.73)**
Federal Contractor Status	3.60(.23)**	.10(.09)	.10(.11)	.10(.11)	.09(.16)
Subsidiary Status	-4.82(.30)**	-6.24(.12)*	-2.74(.14)**	-2.74(.14)**	-2.75(.25)**
State Government Ideology		.64(.25)	.07(.34)	.07(.34)	.07(.47)
Total Employment (Industry)			-6.44(.17)**	-6.44(.36)**	-6.45(.36)**
%Black (Industry)			89.68(5.23)**	133.12(12.27)**	134.98(12.27)**
%Female (Industry)			44.82(.50)**	45.38(.59)**	43.53(.59)**
Total Employment (Community)			-.36(.17)	-.79(.28)	-.69(.31)
%Black (Community)			6.52(1.62)**	7.22(2.36)**	6.29(2.32)**
%Female (Community)			-7.96(.00)**	-3.95(3.04)	-4.44(2.99)
Industry – Construction			13.71(.88)**	14.59(1.00)**	14.65(1.00)**
Industry – Wholesale Trade			-12.07(.98)**	-11.62(1.04)**	-11.63(1.02)**
Industry – Retail Trade			-29.04(1.15)**	-28.46(1.17)**	-28.50(1.14)**
Industry – Finance			-27.89(1.16)**	-24.69(1.73)**	-24.70(1.71)**
Industry – Services			-27.89(1.16)**	-27.86(1.19)**	-27.91(1.16)**
Constant β	41.91 (.23)**	-6.10(.40)**	89.86(6.15)**	85.53(7.14)**	85.26(7.16)**
Observations	159457	159457	158584	112519	112519
Number of Communities	403	403	403	194	194

Note. Robust standard errors are in parentheses.

* $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Table V.5. Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Race, 1998.

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Court Progressiveness				-5.20(1.71)**	-7.91(2.49)**
Court Diversity (Sex)				5.31(1.34)**	15.18(3.33)**
Court Diversity (Race)				-7.55(1.67)**	-12.22(3.88)**
Gay Index				.34(2.13)	-1.73(3.30)
Community Cohesion				.04(.04)	.03(.06)
Corporate Cohesion				.70(1.44)	1.59(1.51)
Court Progressiveness*Corporate Cohesion					-8.19(3.06)**
Court Diversity (Sex)*Corporate Cohesion					6.01(1.84)**
Court Diversity (Race)*Corporate Cohesion					-14.21(5.31)**
Gay Index*Community Cohesion					.04(.06)
Establishment Size	265.36(10.66)**	278.17(10.94)**	276.76(13.13)**	276.82(13.13)**	276.82(13.13)**
Occupational Heterogeneity	53.24(.97)**	48.82(1.02)**	49.96(1.04)**	49.96(1.04)**	49.96(1.04)**
Federal Contractor Status	.16(.17)	-.86(.16)**	-.86(.17)**	-.87(.18)**	-.87(.18)**
Subsidiary Status	-5.18(.23)**	-3.11(.22)**	-3.00(.28)*	-2.99(.24)**	-2.99(.24)**
State Government Ideology			1.52(.34)**	4.48(2.34)*	5.22(2.22)*
Total Employment (Industry)			.58(.21)**	.48(.12)*	.48(.19)*
%Black (Industry)			-190.25(15.42)**	-193.76(18.12)**	-193.82(18.11)**
%Female (Industry)			21.06(1.53)**	21.98(1.74)**	21.98(1.74)**
Total Employment (Community)			-1.75(.34)**	-2.83(1.20)*	-2.64(21.20)*
%Black (Community)			-94.25(6.28)**	-92.73(8.81)**	-93.53(8.77)**
%Female (Community)			9.43(8.15)	3.86(10.67)	9.13(11.26)
Industry – Construction			2.58(.62)**	2.82(1.25)*	2.83(1.25)*
Industry – Wholesale Trade			-1.25(.45)**	-1.33(.99)	-1.32(.99)
Industry – Retail Trade			-5.81(.18)**	-5.57(.43)**	-5.57(.43)**
Industry – Finance			-7.55(.40)**	-7.76(.80)**	-7.78(.80)**
Industry – Services			--	--	--
Constant β	44.84(.78)**	-2.87(1.40)*	29.72(7.01)**	44.93(2.89)**	39.64(11.66)**
Observations	187302	187302	186295	133363	133363
Number of Communities	432	432	432	202	202

Note. Robust standard errors are in parentheses.

* $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Table V.6. Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Sex, 1998.

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Court Progressiveness				-1.79(.71)**	-2.97(1.12)**
Court Diversity (Sex)				-4.83(1.81)**	-2.30(1.76)
Court Diversity (Race)				4.12(1.06)**	-.74(1.95)
Gay Index				-1.01(.58) ⁺	-.75(.96)
Community Cohesion				.02(.01) ⁺	.04(.02) ⁺
Corporate Cohesion				.16(.39)	-.06(.51) ⁺
Court Progressiveness*Corporate Cohesion					-2.94(1.40) ⁺
Court Diversity (Sex)*Corporate Cohesion					-2.08(1.62)
Court Diversity (Race)*Corporate Cohesion					4.19(2.02) ⁺
Gay Index*Community Cohesion					-.01(.02)
Establishment Size		156.56(1.44)**	165.70(2.28)**	165.36(2.60)**	165.34(2.61)**
Occupational Heterogeneity		64.71(.22)**	56.27(.52)**	56.02(.60)**	56.02(.60)**
Federal Contractor Status		3.76(.09)**	.58(.15)**	.49(.15)**	.49(.15)**
Subsidiary Status		-5.20(.26)**	-2.96(.29)**	-3.12(.31)**	-3.23(.30)**
State Government Ideology			-.22(.21)	-.70(.35) [*]	-.97(.37) [*]
Total Employment (Industry)			-.45(.06)**	-.30(.07)**	-.30(.27)
%Black (Industry)			45.27(6.18)**	65.41(7.10)**	65.37(21.61)**
%Female (Industry)			-57.57(.71)**	-58.12(.83)**	-58.10(1.88)**
Total Employment (Community)			-.58(.01)**	-.80(.28)**	-.75(.32) [*]
%Black (Community)			6.05(1.37)**	8.38(2.30)**	8.03(2.45)**
%Female (Community)			-11.442(2.12)**	-5.19(3.00) ⁺	-6.89(3.53) ⁺
Industry – Construction			3.41(.49)**	5.01(.56)**	5.01(1.81)**
Industry – Wholesale Trade			-2.55(.35)**	-1.56(.41)**	-1.58(1.23)
Industry – Retail Trade			-6.05(.14)**	-5.96(.16)**	-5.96(.33)**
Industry – Finance			7.83(.32)**	8.60(.37)**	8.60(1.00)**
Industry – Services			--	--	
Constant β	37.92(.21)**	-8.47(.43)**	37.90(.12)**	32.23(3.70)**	32.35(8.07)**
Observations	187302	187302	186295	133363	133363
Number of Communities	432	432	432	202	202

Note. Robust standard errors are in parentheses.

⁺ $p < 0.1$; ^{*} $p < 0.05$; ^{**} $p < 0.01$

Table V.7. Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Race, 2003.

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Court Progressiveness				-3.76(1.60) ⁺	-5.89(1.92)**
Court Diversity (Sex)				1.51(1.56)	11.97(2.62)**
Court Diversity (Race)				-10.71(2.30)**	-10.43(3.95)**
Gay Index				.62(1.71)	-.81(2.56)
Community Cohesion				.01(.04)	-.02(.05)
Corporate Cohesion				-.50(.39)	1.19(2.15)
Court Progressiveness*Corporate Cohesion					-8.13(2.84)**
Court Diversity (Sex)*Corporate Cohesion					13.16(2.21)**
Court Diversity (Race)*Corporate Cohesion					-24.68(3.67)**
Gay Index*Community Cohesion					.05(.06)
Establishment Size		-268.56(11.02)**	265.32(11.00)**	265.02(13.53)**	265.12(13.54)**
Occupational Heterogeneity		53.31(.92)**	50.74(.96)**	51.25(.84)**	51.25(.84)**
Federal Contractor Status		.41(.20)*	-1.04(.22)**	-.79(.25)**	-.78(.25)**
Subsidiary Status		-5.12(.21)**	-5.01(.22)**	-4.97(.23)**	-4.96(.23)**
State Government Ideology			-.14(1.33)	1.47(.33)**	3.06(1.38)*
Total Employment (Industry)			-.70(.42) ⁺	-.93(.21)**	-.93(.49) ⁺
%Black (Industry)			-199.41(18.85)**	199.54(10.13)**	-199.39(23.86)**
%Female (Industry)			.36(7.13)	5.54(3.44)	5.57(8.14)
Total Employment (Community)			-1.47(.31)**	-1.08(.86)	-.99(.97)
%Black (Community)			-87.74(5.77)**	-80.16(8.00)**	-82.03(8.02)**
%Female (Community)			-4.07(8.11)	-15.22(9.85)	-8.59(10.96)**
Industry – Construction			-5.84(1.06)**	-5.08(1.07)**	-5.07(1.07)**
Industry – Wholesale Trade			-3.96(1.03)**	-4.13(1.38)**	-4.12(1.37)**
Industry – Retail Trade			-3.78(1.19)**	-4.57(1.38)**	-4.58(1.39)**
Industry – Finance			-2.96(2.07)	-4.15(1.08)**	-4.16(2.63)
Industry – Services			6.36(1.18)**	5.47(1.08)**	5.46(1.09)**
Constant β	43.89(.72)**	-4.37(1.32)**	63.46(8.34)**	64.48(13.54)**	59.64(15.02)**
Observations	193629	193629	192536	135478	135478
Number of Communities	431	431	431	193	193

Note. Robust standard errors are in parentheses.

⁺ $p < 0.1$; * $p < 0.05$; ** $p < 0.01$

Table V.8. Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Sex, 2003.

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Court Progressiveness				-.86(.54)	-1.04(.75)
Court Diversity (Sex)				-4.68(1.73)**	-.88(1.42)
Court Diversity (Race)				4.57(1.44)**	1.52(1.75)
Gay Index				-1.63(.51)**	-1.30(.77)*
Community Cohesion				.02(.01)	.03(.02)
Corporate Cohesion				.31(.39)	.83(.54)
Court Progressiveness*Corporate Cohesion					-.60(.88)
Court Diversity (Sex)*Corporate Cohesion					-5.83(2.07)**
Court Diversity (Race)*Corporate Cohesion					5.16(1.93)**
Gay Index*Community Cohesion					-.01(.01)
Establishment Size		159.16(3.09)**	158.10(2.74)**	157.02(2.78)**	156.97(2.78)**
Occupational Heterogeneity		62.97(.72)**	57.99(.70)**	58.39(.96)**	58.39(.96)**
Fed. Contractor Status		3.62(.22)**	1.34(.17)**	1.12(.27)**	1.12(.19)**
Subsidiary Status		-4.33(.26)**	-3.35(.21)**	-3.29(.13)**	-3.29(.13)**
State Government Ideology			.97(.18)**	.70(.22)**	.28(.35)
Total Employment (Industry)			-5.27(.31)**	-5.25(.33)**	-5.25(.33)**
%Black (Industry)			264.36(15.14)**	299.31(17.15)**	299.01(17.23)**
%Female (Industry)			-12.79(4.26)**	-15.70(4.38)**	-15.68(4.38)**
Total Employment (Community)			-.66(.10)**	-.70(.26)**	-.83(.26)**
%Black (Community)			6.98(1.67)**	7.53(2.36)**	7.93(7.93)**
%Female (Community)			-7.93(3.27)*	-1.57(3.82)	-3.28(3.80)
Industry – Construction			16.96(.67)**	18.23(.76)**	18.23(.76)**
Industry – Wholesale Trade			-4.90(.70)**	-4.34(.67)**	-4.34(.67)**
Industry – Retail Trade			-14.90(.87)**	-14.60(.86)**	-14.60(.86)**
Industry – Finance			-11.25(1.30)**	-10.62(1.29)**	-10.61(1.30)**
Industry – Services			-16.44(.44)**	-17.00(.86)**	-16.99(.86)**
Constant β	36.20(.21)**	-9.31(.40)**	67.28(5.32)**	60.36(5.95)**	32.59(5.91)**
Observations	193629	193629	192536	135478	135478
Number of Communities	431	431	431	193	193

Note. Robust standard errors are in parentheses.

* $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Table V.9. Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Race, 2008.

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Court Progressiveness				-.31(1.41)	-1.23(1.57)
Court Diversity (Sex)				1.71(.96) ⁺	3.72(1.13)**
Court Diversity (Race)				-3.45(1.05) ⁺	-4.47(1.32)**
Gay Index				.98(1.49)	.98(2.0)
Community Cohesion				.00(.01)	.00(.01)
Corporate Cohesion				.31(.64)	.86(2.01)
Court Progressiveness*Corporate Cohesion					1.43(.59) ⁺
Court Diversity (Sex)*Corporate Cohesion					1.85(.98) ⁺
Court Diversity (Race)*Corporate Cohesion					-5.05(2.63) ⁺
Gay Index*Community Cohesion					.00(.01)
Establishment Size		271.48(10.11)**	268.11(10.21)**	259.14(1.68)**	259.14(11.67)**
Occupational Heterogeneity		50.14(1.14)**	47.51(1.15)**	46.26(.25)**	46.26(1.29)**
Federal Contractor Status		--	--	--	--
Subsidiary Status		-6.90(.27)**	-6.57(.28)**	-6.53(.12)**	-6.53(.33)**
State Government Ideology			-.10(1.02)	-.03(.41)	-.20(1.63)
Total Employment (Industry)			-1.90(.57)**	-1.37(.19)**	-1.36(.76)**
%Black (Industry)			-219.53(17.21)**	-220.95(6.24)**	-220.91(22.55)**
%Female (Industry)			12.23(1.95)**	5.98(2.36) ⁺	5.95(3.03) ⁺
Total Employment (Community)			-2.04(.26)**	-1.22(.59) ⁺	-1.31(.76) ⁺
%Black (Community)			-75.18(4.76)**	-81.46(6.74)**	-81.84(9.12)**
%Female (Community)			-.51(6.20)	4.71(9.60)	6.65(10.39)
Industry – Construction			-6.67(1.36)**	-6.73(.42)**	-6.74(1.63)**
Industry – Wholesale Trade			-4.21(1.09)**	-3.61(.42)**	-3.62(1.49)**
Industry – Retail Trade			-2.22(1.02) ⁺	-1.38(.38)**	-1.38(.87) ⁺
Industry – Finance			-5.35(1.68)**	-4.20(.58)**	-4.19(2.26) ⁺
Industry – Services			6.26(1.01)**	7.63(.31)**	7.63(1.14)**
Constant β	46.16(.62)**	.36(1.30)	86.81(9.04)**	69.80(8.55)**	69.94(15.09)**
Observations	259547	259547	258206	211904	211904
Number of Communities	679	679	679	177	177

Note. Robust standard errors are in parentheses.

⁺ $p < 0.1$; * $p < 0.05$; ** $p < 0.01$

Table V.10. Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Sex, 2008.

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Court Progressiveness				.17(.55)	.51(.62)
Court Diversity (Sex)				-5.02(2.94)*	-2.61(.85)**
Court Diversity (Race)				-1.09(2.93)	2.22(1.54)
Gay Index				-1.97(.47)**	-1.72(.72)*
Community Cohesion				.00(.00)	.00(.00)
Corporate Cohesion				.12(.16)	1.45(.58)*
Court Progressiveness*Corporate Cohesion					-.80(1.04)
Court Diversity (Sex)*Corporate Cohesion					-1.26(.43)**
Court Diversity (Race)*Corporate Cohesion					4.52(1.55)**
Gay Index*Community Cohesion					.00(.00)
Establishment Size	155.75(3.18)**	154.02(3.04)**	147.88(3.16)**	147.86(3.16)**	147.86(3.16)**
Occupational Heterogeneity	60.21(.65)**	55.47(.58)**	55.12(.67)**	55.12(.67)**	55.12(.67)**
Federal Contractor Status	--	--	--	--	--
Subsidiary Status	-5.30(.23)**	-3.60(.17)**	-3.55(.20)**	-3.55(.20)**	-3.55(.20)**
State Government Ideology			.23(.54)	-.37(.79)	.30(.60)
Total Employment (Industry)			-4.90(.33)**	-4.21(.40)**	-4.21(.40)**
%Black (Industry)			201.21(8.25)**	208.57(10.11)**	208.53(10.11)**
%Female (Industry)			-21.57(3.29)**	-28.59(4.01)**	-28.60(4.01)**
Total Employment (Community)			-.64(.08)**	-.42(.24)*	-.56(.25)*
%Black (Community)			6.84(1.13)**	9.26(2.96)**	9.90(3.00)**
%Female (Community)			-13.77(2.54)**	-9.05(4.92)*	-9.69(4.73)*
Industry – Construction			22.29(.66)**	23.22(.79)**	23.22(.79)**
Industry – Wholesale Trade			-3.28(.61)**	-2.03(.74)**	-2.02(.73)**
Industry – Retail Trade			-12.02(.66)**	-10.40(.71)**	-10.40(.70)**
Industry – Finance			-8.21(.80)**	-6.45(.99)**	-6.44(.98)**
Industry – Services			-10.86(.66)**	-9.56(.68)**	-9.56(.68)**
Constant β	36.13(.20)**	-5.70(.48)**	77.20(4.81)**	64.41(7.41)**	64.65(4.27)**
Observations	259547	259547	258206	211904	211904
Number of Communities	679	679	679	177	177

Note. Robust standard errors are in parentheses.

* $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

Table V.11. Time-Series Tobit Regression with Random-Intercept Models for Establishment-level Occupational Segregation by Race and Sex (Full Model)

Variable	Race	Sex
Court Progressiveness	-5.19(2.62)*	-1.51(.72)*
Court Diversity (Sex)	1.45(.45)*	-1.36(.49)*
Court Diversity (Race)	-1.30(.21)**	1.96(.91)*
Gay Index	.26(.21)	-.54(.35)
Community Cohesion	.00(.00)	.00(.00)
Corporate Cohesion	-.50(.17)*	.52(.16)*
Court Progressiveness*Corporate Cohesion	-1.26(.56)*	-1.27(.98)*
Court Diversity (Sex)*Corporate Cohesion	2.15(.76)**	-1.71(.78)*
Court Diversity (Race)*Corporate Cohesion	-1.33(.03)**	1.04(.49)*
Gay Index*Community Cohesion	.00(.00)	.01(.01)
Establishment Size	270.48(12.11)**	157.90(2.18)**
Occupational Heterogeneity	49.02(.94)**	57.90(.73)**
Federal Contractor Status	-.88(.14)**	.48(.12)**
Subsidiary Status	-5.18(.21)**	-3.12(.26)**
State Government Ideology	-.41(.30)	.36(.18) ⁺
Total Employment (Industry)	1.79(.21)**	-3.66(.20)**
%Black (Industry)	-176.00(9.40)**	126.34(9.34)**
%Female (Industry)	-18.42(3.26)**	1.99(2.18)
Total Employment (Community)	-1.40(.50)**	-.58(.16)**
%Black (Community)	-20.12(7.10)**	5.70(1.84)**
%Female (Community)	4.62(1.69)**	-6.33(1.87)**
Industry – Construction	-2.29(.78)	15.59(.68)**
Industry – Wholesale Trade	1.19(.51)*	-4.69(.44)**
Industry – Retail Trade	2.10(.69)*	-17.15(.64)**
Industry – Finance	5.04(1.13)*	10.58(.72)**
Industry – Services	9.73(.75)**	-15.32(.73)**
Year	-1.03(1.40)	-.40(.02)**
Constant β	4.09(.57)**	5.97(1.42)**

Note. Robust standard errors are in parentheses.

* $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

followed a similar trend, with a greater proportion of women in community employment related to lower levels of occupational segregation by sex. Interestingly, greater proportions of blacks in industry and community employment tended to relate to *increases* in occupational segregation by sex. The patterns at the community level—that is, positive relationships between black employment and occupational segregation by sex and between female employment and occupational segregation by race—seem to suggest a possible competitive dynamic between the two minority groups, where the employment of one group threatens the other, manifested in higher levels of segregation. These results are consistent with theories about intergroup relations (e.g., Campbell 1965; Sherif 1966) that address the conflict between groups when trying to obtain resources, whether material or symbolic, typically results in the perception that one group’s gain is another group’s loss (Sidanius and Pratto 1999: 17). The findings here imply that a greater presence of one group in the local community workforce—for instance, blacks—*does* result in another group’s loss—that is, women experiencing higher levels of segregation.

Hypothesis 1 predicted that establishments located in more legally progressive communities would be associated with lower levels of occupational segregation by race and sex. Legal progressiveness was represented with three variables in the regression models: court progressiveness, indicating historically progressive appellate courts, and the representation of women and racial minorities in district courts. There is mixed support for this hypothesis. The time-series analysis (Table V.11) shows that there is, indeed, a negative relationship between court progressiveness and occupational segregation by both race and sex, which means that establishments located in the jurisdiction of courts with more progressive ideologies (i.e., the Second and Third Appeals Courts) have lower levels of segregation,

providing initial support for hypothesis 1. However, court diversity exhibits an interesting patterns of relationships with respect to the type of diversity—whether racial or sex diversity. As suspected, a greater representation of minorities in the judiciary was associated with lower levels of occupational segregation by race, with a similar pattern of results in the sex models—that is, a greater representation of women in the judiciary was associated with lower levels of occupational segregation by sex. Unexpected, however, were the effects of each group’s representation in the judiciary on the opposite group. Rather than the mere presence of any “minority” group (whether by race or sex) mitigating levels of occupational segregation across both groups, a greater representation of racial minorities in the judiciary was associated with *greater* levels of occupational segregation by sex, while the presence of women judges was associated with *greater* levels of segregation by race. These results, which will be discussed in further detail in the discussion, provide partial support for hypothesis 1.

Hypothesis 2 focused on the normative progressiveness of the communities in which establishments are located, suggesting that establishments located in more normatively progressive environments will have lower levels of occupational segregation by race and sex. The normative environment was represented by the concentration of same-sex couples, or “The Gay Index.” In the time-series analysis, we see that there was no relationship between an establishment’s normative environment and occupational segregation, although there was a negative relationship between the concentration of same-sex couples and occupational segregation by both race and sex in 1993 and in 2003 and 2008 only for sex. For most of the models, there was no support for hypothesis 2.

The interaction between an establishment's legal environment and cohesion of the local corporate network (represented by corporate network density) was the focus of hypothesis 3. The time-series analysis shows that the interaction is negatively related to occupational segregation, which is also supported by results from several of the panel years (race models: 1993, 1998, 2003 and sex models: 1993, 1998). These results indicate that there was a significant interaction between court progressiveness and corporate cohesion, such that establishments located in more legally progressive appellate courts with denser local corporate networks experienced lower levels of occupational segregation. Similar patterns of results emerged for court diversity, with significant negative interactions between the representation of racial minorities in the judiciary and corporate cohesion in the race models and the representation of women in the judiciary and corporation cohesion in the sex models. More specifically, establishments located in court districts with a greater representation of minorities and women and cohesive local corporate networks had lower levels of occupational segregation by race and sex, respectively. Similar to the main effects of court diversity presented above, the opposite effect occurred when looking at the levels of occupational segregation for those *not* represented in the judiciary. That is, establishments experienced *greater* levels of occupational segregation by race, for instance, in communities with cohesive local corporate networks where women were more highly represented in the judiciary, with the opposite being true for occupational segregation by sex when located in cohesive local networks with greater representation of racial minorities in the judiciary. Partial supported was provided for hypothesis 3.

Where hypothesis 3 proposed corporate cohesion as a moderator of the relationship between an establishment's legal environment and occupational segregation, hypothesis 4 focused on the interaction between an establishment's normative environment and

community cohesion. In other words, I hypothesized that the concentration of same-sex couples would be moderated by community cohesion—or, the extent to which residents participate in community life—such that higher concentrations of same-sex couples in cohesion communities would lead to lower levels of occupational segregation by race and sex. There was no support for hypothesis 4.

CHAPTER VI

Discussion

With recent discussions of the United States entering into an era of ‘post-racialism’ gaining increasing prominence (Kaplan 2011; Touré 2011), can we safely assume that America is beyond the point of discrimination and inequality? While indicators of present-day discrimination and inequality (e.g., discrimination charges, occupational segregation, etc.) pale in comparison to the more vivid images of the Greensboro, North Carolina lunch counter sit-in and fire hoses and police dogs being turned on students peacefully protesting Jim Crow laws in Birmingham, Alabama, discrimination and inequality still plague America, both inside and outside of the workplace. To say that there is a declining significance of race, as William Julius Wilson (1978) declared over 30 years ago, or even gender would grossly underestimate the challenges still experienced by minorities and women in the workplace today. For example, the unemployment rate among blacks was double that of whites in 2011 (15.8 vs. 7.9; BLS 2010), and women who were full-time wage and salary workers earned approximately 80 cents on every dollar earned by their male counterparts in 2009 (BLS 2010). National aggregates of indicators of discrimination and inequality suggest that the strides made toward workplace parity—while tremendous since the inception of several key EEO laws—seemed to have stalled since the 1980s.

By taking an interdisciplinary approach grounded primarily in organization studies, sociology, and law, this dissertation addresses two major theoretical limitations of research on discrimination and inequality at work. First, a large body of research identifies disparities in organizations along lines of ascriptive characteristics such as race and gender, but has failed to explain *how* groups come to be stratified based on these characteristics. Without specific examination of the mechanisms underlying manifestations of workplace inequality—for example, the female-male pay gap (e.g., Jacobs 1999; Petersen and Morgan 1995)—we learn little about what causes levels of inequality to vary, rendering the theoretical import of such empirical findings debatable. Second, when mechanisms are specified, they are largely assumed to be found *within* firms (Cohen and Huffman 2007; Reskin 2003). Research on the role of organizations in generating and propagating inequality has appropriately burgeoned since Baron and Bielby's (1980) call to 'bring the firms back in' to the study of workplace inequality, stratification, and segmentation. While I echo Arthur Brief's (2008:3) sentiment that "the organization is not only the breeding ground for many of these problems [stereotyping, conflict, inequality, etc.], but also a potential instrument for change," I also contend that organizations' local communities are the petri dishes providing the conditions under which issues of discrimination and inequality can either grow or be inoculated. This dissertation contributes to theory by speaking exactly to the local social fabric in which organizations are enmeshed and also specify the community-based mechanism driving workplace inequality.

A key takeaway from this dissertation is that communities do indeed matter. Organizations are embedded in different, localized contexts which influence how minorities and women are segregated across occupational categories. Perhaps most prominent is the legal environment in which organizations are located. Legal and sociological scholars (e.g.,

Guthrie and Roth 1999a; 1999b) have referred to the appellate court as a mechanism through which laws on the books are interpreted and enacted, becoming laws in action. For instance, the Second and Third Appellate Courts—recognized as having a progressive ideology particularly with respect to equality of opportunity at work—envelopes establishments located within their jurisdictions with legitimated standards for compliance. These standards—whether directly through case law and litigation or indirectly through norms of equality—dissuade behaviors not found to be legitimate in a given environment, such as workplace segregation. That there are different legal environments throughout the U.S. is supported by this dissertation. More specifically, I found that establishments located within the jurisdiction of progressive appellate courts had lower levels of occupational segregation by race and sex.

Court ideology is one component of an establishment's complex legal environment, and another component investigated here is court diversity. With diversity of the judiciary, I expected that the presence of minority and female judges would signal a lack of tolerance for discriminatory behaviors to organizations within their jurisdictions. In addition to these signals, prior research shows minority and female judges to be more liberal and sympathetic when making decisions relating to civil rights (Davis, Haire and Songer 1993; Farhang and Wawro 2004; Songer, Davis and Haire 1994). With the combined influence of their presence as well as ruling more favorably in civil rights cases, one would expect there to be less occupational segregation within establishments located in the jurisdictions of courts with greater representation of minorities and women. This claim, to some extent, was supported by the results: Greater representation of minority judges was associated with lower levels of occupational segregation by race and greater representation of female judges was associated

with lower levels of occupational segregation by sex. A more complex pattern of findings emerged, though, when unpacking the results further.

The representation of racial minorities in the judiciary—while associated with lower levels of occupational segregation by race—was related to *greater* levels of segregation by sex. A similar, intriguing pattern was true for the representation of women in the judiciary and segregation by race. While not hypothesized directly, I would expect that the presence of either minorities *or* women in the judiciary would signal to organizations within its jurisdiction the value of equality of opportunity in the workplace, rather than differential effects based on the race and gender of district court judges. Perhaps a signal to organizations *is* sent—the signal, however, is not one promoting overall equality of opportunity, but rather one that communicates to organizations which group ought to be prioritized over the other when distributing organizational resources (e.g., wages, jobs, promotions). In “bulletproofing” their workplaces (Bisom-Rapp 1999), organizations attempt to protect themselves in case of future lawsuits. With equal employment opportunity, the “protection” against an unfavorable ruling may be the mitigation of discrimination and inequality for one type of group (e.g., minorities) while, perhaps unknowingly, increasing the likelihood of inequality for another group (e.g., women). The representation of racial minorities and women might provide a cue to organizations about how best to invest organizational attempts to bulletproof the workplace.

Given the interaction between court diversity and corporate cohesion, there is a possibility that organizations are, in actuality, taking their cues from the demographic composition of the judiciary. More specifically, establishments located in the jurisdiction of diverse judiciaries with more cohesive local corporate networks have, for the most part, lower levels of occupational segregation. Again, a qualification is necessary: Denser local

corporate networks seemed to reinforce the impact of court diversity on occupational segregation, in that the representation of racial minorities in the judiciary was associated with lower levels of segregation by race and the presence of female judges with levels of segregation by sex, while the presence of minority judges was associated with *increases* in segregation by sex and female judges with *increases* in segregation by race. This pattern of results, coupled with the interaction between court progressiveness and corporate cohesion resulting in lower levels of occupational segregation, suggests that legal norms regarding workplace equality are communicated through and validated in more cohesive local corporate networks, as opposed to organizations necessarily setting the standards for what is appropriate with later validation from the courts (e.g., Edelman et al. 1999).

The mixed support for several of the hypotheses is a limitation of this dissertation. For example, there was no support for the hypothesized relationship between the normative environment and occupational segregation in the time-series analysis; however, there was a significant negative relationship between concentration of same-sex couples and occupational segregation by race and sex in 1993. Perhaps the presence of gay couples in a given community has changed in its meaning over the last two decades: Gay couples have come to be seen as less subversive and more normalized, which could have contributed to the lack of findings in the later panel years. Ideally, I would have liked to have multiple indicators of each community-based aspect in an effort to bolster the evidence in support of my theoretical arguments. Rather than including a dummy variable for community with high concentration of same-sex couples, for instance, I am currently collecting data on the types and numbers of gay-owned and gay-friendly establishments in each community; doing so will provide a more informationally rich indicator of the extent of normative progressiveness within a given community.

With the wealth of data that I currently have, coupled with ongoing data collection, I plan on diving more deeply into the interplay between community characteristics and establishment-level inequality. For example, I am interested in pursuing an examination of how within-community variance in occupational segregation varies across communities as a function of corporate and community cohesion. Yet another potential avenue for future research is to examine whether establishment-level occupational segregation is actually a function of community characteristics and/or if the firms of which they are subsidiaries exert an influence on these dependent variables. The main point would be to test whether firms can potentially neutralize toxic community environments, for example, through their human resources policies and practices—particularly those regarding issues of equal employment opportunity—or if the characteristics of the community overpower firm influences. In essence, I would pit the firm against the community. Another interesting approach to the data would be to uncover whether there are underlying spatial dynamics (e.g., Morenoff, Sampson and Raudenbush 2001; Morenoff 2003; Swaroop and Morenoff 2006) of workplace discrimination and inequality.

While just a start in uncovering the community-based mechanisms underlying workplace inequality, this dissertation has implications for several disciplines, including organization studies, law, and public policy. Aside from the theoretical contributions outlined above, uncovering the importance of local community characteristics in spilling over into the workplace suggests that organizational approaches to inequality and discrimination must be reevaluated. The effectiveness of organizational “diversity and inclusion” policies and practices may vary depending on the communities in which establishments are located. Perhaps, for example, mentoring networks for minorities and women increase their upward mobility in organizations in legally progressive communities,

but may not work as well in communities that lack normative progressiveness. In short, the effectiveness of human resources practices to promote equality of opportunity may depend on where organizations choose to be located, but also the extent to which the local community is considered when devising and implementing such practices.

Additionally, community-based effects on workplace inequality and discrimination have major policy implications. Legislation at the federal level is intended to impact individuals as uniformly as possible; differences between communities in the effectiveness of EEO legislation calls into question the laws enacted by our government. Moreover, identifying noncompliance with EEO laws becomes inherently more complex in light of community-based differences. Currently, the EEOC and courts generally make decisions about violations of EEO laws based on comparisons of firms in similarly situated labor markets—that is, in same industry and geographic location. The decision would be clear-cut if the industry and location has a high percentage of minorities, for instance, and the given establishment is a clear outlier, but what if the industry and/or community themselves are problematic? The answer is not obvious, but perhaps my dissertation will open up a discussion about how to identifying exemplary communities that appear to overcome or avoid problems frequently found elsewhere, such as in a given industry. Hopefully this study will help shed light on appropriate reference points for comparisons in labor market analyses of workplace inequality and discrimination.

APPENDIX

EEO-1 Report, Employment Data Section.

Section D – EMPLOYMENT DATA															SF 100 – Page 2
Employment at this establishment – Report all permanent full- and part-time employees including apprentices and on-the-job trainees unless specifically excluded as set forth in the instructions. Enter the appropriate figures on all lines and in all columns. Blank spaces will be considered as zeros.															
Job Categories	Number of Employees (Report employees in only one category)														
	Race/Ethnicity														
	Hispanic or Latino		Not-Hispanic or Latino												Total Col A - N
			Male						Female						
	Male	Female	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
Executive/Senior Level Officials and Managers 1.1															
First/Mid-Level Officials and Managers 1.2															
Professionals 2															
Technicians 3															
Sales Workers 4															
Administrative Support Workers 5															
Craft Workers 6															
Operatives 7															
Laborers and Helpers 8															
Service Workers 9															
TOTAL 10															
PREVIOUS YEAR TOTAL 11															

1. Date(s) of payroll period used: _____ (Omit on the Consolidated Report.)

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