Discrimination, diversity, and work

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Discrimination, diversity, and inequality, especially as they pertain to the workplace, have become core social science foci over the prior three decades due to political pressures, legal oversight, and social movements surrounding equal access and opportunity. Significant transformation has certainly occurred when it comes to greater institutional access and compositional diversity by race/ethnicity and sex within organizations. Inequalities, however, persist. Relative to the workplace, for example, research continues to note persistent group level disadvantages in status, rewards and mobility despite greater diversity, formalized and bureaucratic rules, and clear-cut civil rights mandates. This has pushed some to question the extent to which conceptualizations and methods for studying inequality and diversity are themselves adequate. Indeed, it has become all too clear that there remains a “black box” surrounding how and why such inequality persists, the extent to which discrimination is playing a role, and whether focusing solely on compositional diversity, also often referred to as “organizational demography,” is enough. Take, for instance, the following conclusions from recent work:

Thus, discrimination is not observed, but must be inferred as a residual significant effect, once presumably meritocratic factors have been statistically accounted for. It seems unlikely that we will ever advance knowledge of discrimination mechanisms with data collected in a human capital or status-attainment framework.

(Tomaskovic-Devey et al. 2005: 85)

Do employers engage in reasonable evaluation practices that accurately distinguish productive from less productive workers, or do they make such distinctions on the basis of informal criteria, which allow more leeway for the influence of stereotypes based on race and class background? … The large residual raises the possibility that unmeasured discrimination accounts for differential rates of employment exit and, again, intra-firm processes would shed light on the issue.

(Reid and Padavic 2005: 1257)

In this article, we provide theoretical guideposts for scholars interested in the “black box” of discrimination, inequality, and diversity alluded to in the quotes. We do so by first offering a brief
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An overview of influential research on workplace inequality and discrimination. Such literature is useful, to be sure, but it is restricted in its conception of discrimination and the relational processes that undergird it. By relational, we mean a “recognition of inequality’s complexity, the role of actors, and multiple social forces at structural, cultural and interactive levels.” Seeing discrimination in such a way, we argue, extends and moves us beyond the typical demographic compositional focus that permeates much inequality and diversity scholarship. Indeed, it provokes novel questions surrounding substantive diversity, or the extent and manner in which categorical distinctions, such as race and sex, are meaningful and enacted within organizational contexts and in the course of everyday interactions.

Workplace diversity, inequality, and discrimination in the contemporary era

Despite decades of civil rights oversight and higher levels of compositional diversity relative to the past, inequality remains a key feature of the employment context, intricately woven into organizational practices and interpersonal relations. Such inequality is particularly evident when examining attainment outcomes between disadvantaged and advantaged groups, using statistical or aggregate modeling. In this vein, we find persistent inequalities for women (Blau and Devaro 2007), sexual minorities (Antecol et al. 2007), mothers (Budig and England 2001), aging workers (Roscigno et al. 2007), and non-whites (Tomaskovic-Devey and Skaggs 2002) even when pertinent background attributes are accounted for. Similar disparities are observed when examining promotion and firing. Compared to white males, for instance, women and minorities who have comparable human capital are less likely to obtain promotions, and race/ethnic minorities are also more likely to be involuntarily terminated (Byron 2010). While such patterns may be a function of non- or poorly measured variations in worker attributes (i.e. human capital, personality, or social skills), many contend that remaining gaps are more likely the result of discrimination (Alon and Haberfeld 2007).

Along with the aforementioned disadvantages, we also know that, despite compositional diversity at the firm level, segregation within workplaces and across occupations persists and has implications for workplace opportunities and rewards (e.g. Mouw and Kalleberg 2010; Stainback and Tomaskovic-Devey 2012). Recent work highlights the importance of sorting and social closure mechanisms in stratifying workers into different, and unequal, jobs across and within workplaces (e.g. Kmec 2003; Pager et al. 2009; Semyonov and Herring 2007). Several core mechanisms are alluded to, including: (1) the cutting off of subordinate access to higher-status, higher-paying jobs (Huffman and Cohen 2004; McBrier and Wilson 2004); (2) the hoarding by superordinates of valued positions or advantages in job networks (McDonald et al. 2009; Royster 2003); (3) biased appraisals of performance and merit (Castilla 2012; Shwed and Kalev 2014); and (4) supervisory evaluations that err toward homophily (Maume 2011). Importantly, such inequalities persist despite compositional diversity. Scholars, constrained by methodological and data limitations, are often left speculating as to why or how.

Research regarding the role of cognitive bias offers a compelling starting point for filling some of these gaps. This work suggests that stereotypes and biases, conscious or unconscious, tend to influence employment-related decisions. Much research in this vein, drawing on experimental designs, indeed indicates that women are evaluated less favorably and as less capable when it comes to leadership (Eagly and Karau 2002). Moreover, they are also evaluated more harshly for displaying agentic qualities than men (Gill 2004); mothers are viewed as less competent than non-mothers (Correll et al. 2007); blacks are judged as having fewer “soft skills,” being less competent, and less able to be effective leaders than non-whites (Rosette et al. 2008); and
older people are seen as less competent and responsible than younger people (Cuddy et al. 2005). Not only can this affect mobility decisions, but it can also shape subtle verbal and nonverbal cues in a manner that taints group dynamics and interpersonal relationships (Quillian 2008).

Audit studies, like experimental designs, have allowed researchers to capture more directly evidence of bias and the discrimination that oftentimes ensues. Results show formal patterns of hiring discrimination on the basis of sex (Riach and Rich 2004), race (Pager et al. 2009), motherhood (Correll et al. 2007), age (Lahey 2005), and sexual orientation (Tilcsik 2011). Hebl et al. (2002), for instance, found that candidates portrayed as gay were treated more negatively in interactions and allotted less time with the employer than non-gay applicants. In an audit study on race, Pager et al. (2009) highlight ways in which employers use shifting standards to disqualify African Americans from jobs that white applicants are considered qualified for, and they also tend to steer blacks into lower-authority and lower-paying jobs. This type of methodology also provides a window onto the ways in which stereotypes operate. In an audit study testing sexual orientation discrimination, Tilcsik (2011) found that employers who posted job descriptions that consisted of male-typed characteristics (e.g. rational, competitive) were less likely to call back gay-signaled applicants, likely due to stereotypes that link gay men with effeminacy. Although such audit designs are illuminating, it is also the case that they are limited to the point of hire. Thus, various other dimensions of workplace discrimination, which can be as or even more pernicious, including firing, mobility, wages, and interactional harassment on the job, are overlooked.

It is important to recognize that the patterning of discrimination often coalesces with formal divisions of labor, leading employers to steer women and minorities into poorly rewarded jobs (Stainback et al. 2010). Indeed, contemporary organizations are structured in such a way that, even in the contemporary era, managers and supervisors continue to exert significant discretion, oftentimes with limited organizational oversight or effective accountability (Roscigno 2007). Petersen and Saporta (2004) refer to this discretion as the “opportunity structure” that allows inequitable decisions to be made. And, notably, we typically find similar disparities even in organizations with more formalized and bureaucratic merit-based systems (Castilla 2008). This suggests either that formalized procedures are somehow bypassed or that bias may exist within formalized procedures themselves – two points we return to shortly.

The potential for bias, discriminatory tendencies, and uneven allocations of individuals and groups to distinct and differentially rewarded positions in diverse workplaces has been and continues to be important. No less significant is recognition that these are not merely individual attitudes or actions about which we speak, but rather are processes that are forged in a broader, cultural milieu and that also operate at the structural level of organizations. Feminist scholars have been on the forefront here, outlining how broader cultural stereotypes and discriminatory potentials become inscribed and institutionalized in business practices and policies (Williams et al. 2012). Acker’s (1990) discussion of “gendered organizations” and Martin’s (2004) argument surrounding “gender as an institution” capture this, highlighting that, while proximate processes of interaction and social closure are certainly relevant, there is something more fundamental about the structures individuals and groups traverse that creates, or at least allows to persist, the unequal outcomes we find. Similarly, while state-structured and sponsored racism is less pronounced than it was in the past, ideological and structural dynamics that allow race/ethnic discrimination to permeate workplaces remain (Bonilla-Silva 2010). Broad insights such as these have provoked a new relational conception of discrimination – a relational conception that we now outline.
A relational framework for understanding discrimination, diversity, and inequality

The literature on discrimination, diversity, and inequality has witnessed fresh theoretical developments recently – theoretical developments surrounding the inherently relational nature of inequality production within otherwise (compositionally) diverse environments. The push here is not on statistical differences relative to the increasing, decreasing, or variable nature of workplace composition, but rather substantive diversity – that is, the ways in which workplace interactions (including discrimination) are conditioned by and constitutive of the organizational structures and cultures within which they are enfolded (in this regard, see especially Ridgeway 2011). Our conception of a more relational approach to understanding discrimination is displayed in Figure 29.1.

Such a conception challenges prevailing top-down depictions of structural constraint and/or neutrality in organizations while being explicit about the constitutive interplay of structure, culture, and interaction when it comes to discrimination and inequality in otherwise diverse contexts (Wilson et al. 2013). In this regard, “relational” entails the joint interplay of external and internal organizational structures and culture with hierarchical workplace interactions in which discrimination is often enacted. Conceiving of how and why discrimination emerges and persists using such a framework has generated at least four pertinent foci regarding substantive diversity and inequality within contemporary organizations. Each offers important insights on discrimination. Taken together, they bridge the processes outlined in Figure 29.1 and offer an orienting relational framework for understanding discrimination and its implications for diversity and inequality.

Discrimination and the enabling/constraining impact of structure

Legal and political environments, structures, and exerted pressures, are perpetually subject to change, and they constrain the abilities and opportunities of employers to engage in discrimination. In America, the passage of the Civil Rights Act of 1964 and the subsequent creation of the Equal Employment Opportunity Commission (EEOC) and the Office of Federal Contract Compliance Programs (OFCCP) have been instrumental in halting overt and blatant forms of discrimination and segregation so commonplace during the pre-civil rights era. Integrative gains, however, have stalled since the 1980s, especially in higher-level positions (Stainback and Tomaskovic-Devey 2012). Significant legal and political changes over the past few decades – changes that included the waning public sentiment and political advocacy for affirmative action programs and the federal deregulation of EEO organizations – are partly to blame for stalled progress given the implications they have had for regulation and enforcement. Further, the ways in which legal systems address discrimination (i.e. based largely on individual claims, rather than

![Figure 29.1](https://via.placeholder.com/150)

Figure 29.1  Relational conception of discrimination and its structural, cultural, and interactional foundations
collective harm) is limited and problematic inasmuch as the burden of proof is usually placed on the victim (Hirsh 2014).

Despite its limited impact, scholars have nevertheless identified two primary ways in which laws still influence organizations to diversify their workforces and/or decrease discriminatory practices: (1) direct coercion and (2) indirect coercion (Skaggs 2009). Direct coercion occurs when organizations are compelled to change organizational policies or practices either due to lawsuits or in response to compliance reviews of their firms. When they do so, according to some research, discrimination decreases and managerial diversity increases (Kalev et al. 2006; Skaggs 2009). However, deleterious effects, specifically backlash and increases in segregation, may also occur (Hirsh 2009; Roscigno 2007). Indirect coercion or constraint, in comparison, is the pressure exerted by legal and political environments that spurs firms to align organizational practices to culturally normative standards. Litigation against other firms in the same industries or legal contexts may, for example, motivate firms to reprioritize or restructure their own diversity efforts to avoid similar legal intervention or negative publicity (Hirsh 2009). As Skaggs notes, “inconsistencies with the institutional environment are likely to jeopardize legitimacy,” thereby introducing subtle prodding that incentivizes companies to more carefully monitor and sanction discriminatory behavior (Skaggs 2009: 227).

Importantly, and worth highlighting, is the fact that much of the focus on federal EEO agencies and companies themselves has centered on increasing compositional diversity rather than the broad array of discriminatory processes and mechanisms embedded within workplaces and/or substantive diversity on the shop floor. Although one might argue that human resources and diversity offices are set up to perform this function, rigorous and relatively representative recent work suggests that their effectiveness is limited at best. At worst, they provide legitimacy or window dressing to ensure legal compliance. This is due, at least in part, to the fact that such internal offices are seldom given tangible powers to oversee and enforce (Kalev et al. 2006). The same could be said for EEO federal agencies and policies, which, as Stainback and Tomaskovic-Devey (2012) and other scholars purport, act largely as symbolic offerings rather than change-oriented measures that achieve substantive, meaningful results for disadvantaged groups.

**Bureaucratic processes and discrimination**

How do we explain, in the face of developments such as civil rights law and, more generally, formalization and bureaucratic development, persistent workplace discrimination? One possibility, of course, surrounds simple cognitive biases and the possibility that “bad apples” circumvent bureaucratic constraints in the course of interactions and when undertaking discriminatory behaviors. It is difficult to deny that this is at least partially true, in which case scholarship on discrimination might reasonably and simply focus on the interactions between subordinate and dominant actors, represented at the bottom of Figure 29.1. Yet, at least two dominant strands of contemporary work – strands that challenge the assumption of bureaucratic neutrality itself – call for a more comprehensive relational focus that includes attention to structure and culture within the process. Indeed, although organizations may be bureaucratically rational on the face of it and seemingly immune from hierarchical abuses, such structures are a product of the histories and cultures in which they were formed (Dobbin 1994; Morrill 2008). What this means is that historically and culturally proscribed hierarchies become inscribed in bureaucratic structures, practices, and internal power dynamics, and with relevance for discrimination, diversity, and inequality.

Pertinent here, as well as several other general strands of theory (e.g. Acker 1990), is the work of Alexandra Kalev surrounding inequality and its roots in formalized organizational practices.
Kalev (2009) suggests that otherwise neutral appearing workplace policies may be part of the problem through the fostering of internal segregation and hierarchical interactions—segregation and interactions that essentially allow cognitive biases and biased evaluations to go unchecked. When organizations deformalize and allow for cooperative group interaction through self-directed teams and cross-training programs, on the other hand, the visibility of women and minorities improves, thus undermining the potential for stereotyping. Further work (Kalev 2014) on workplace downsizing suggests that formalized and indeed bureaucratic processes themselves disadvantage and discriminate against women and minorities unless legal oversight is introduced. In both cases, bureaucratic formalization is part and parcel of the discriminatory process.

A second, non-mutually exclusive, insight has to do with the malleability of bureaucratic structures and constraints themselves—structures and constraints that are typically seen in the social sciences as neutral and more or less applicable to all of those in the workplace environment. Through the analyses of thousands of workplace discrimination lawsuit filings, Roscigno et al. (2007) find that not only do employers and supervisors apply differential criteria when assessing women and minorities, but they also invoke otherwise neutral policies and organizational mandates in a discretionary manner to ostracize, penalize and remove minority, female, and aging employees. This is consequential for discrimination and the reification of hierarchy in workplaces, to be sure. It also challenges dominant conceptions and, specifically, the assumption that the bureaucratic character of contemporary organizations necessarily constrains power and its malicious manifestations, as predicted by Weber (see Weber and Eisenstadt 1968). Instead, formal bureaucratic rules and procedures can be used to discriminate and ultimately shape, constrain, and enable more proximate interactions where discrimination is often most evident. Whether through biased formalization or the malleability and use of bureaucratic tools, it is clear that understandings of discrimination must account for, and indeed integrate, attention to the structures within which inequality and diversity manifest.

**Discrimination, legitimation, and culture**

It is not simply external forces and bureaucratic structures that are consequential. Culture is also meaningful. Classic sociological theory makes this point straightforwardly: inequality, when and if maintained effectively, requires not only reifying structures and behaviors, but also normative frameworks, values, and systems of belief that are consistent with and legitimating of such structures and actions. Until recently, however, and with the exception of ethnographic work denoting the realities of internal cultures (e.g. Goffman 1961), organizational research, including that pertaining to the workplace, has remained loyal to acultural, universalistic assumptions and has neglected questions of legitimacy and the broader cultural foundations of organizational life. We now know, however, from neo-institutional research, that actors, institutions, and organizations draw from the cultures within which they are embedded to legitimate their existence and operations (Meyer and Rowan 1991; Powell and DiMaggio 1991; Zucker 1988).

Dominant cultural formulations permeate organizational settings in at least two key ways relative to discrimination. First, culture matters for actors’ cognitions, evaluations of others, and differential treatment—a fact now well established by recent experimental and audit designs (noted on p. 276), which demonstrate rather convincingly biases toward less powerful status groups, including assumptions of their lower levels of dependability and/or effort and commitment (Pager et al. 2009). Second, culture and the beliefs that it proliferates, which include values regarding merit and bureaucratic neutrality, help legitimate discriminatory actions as somehow justifiable (Castilla 2008). Indeed, cultural frameworks offer a construction of social
reality wherein present arrangements are portrayed as natural or evident. This occurs through the often simultaneous and two-pronged process of **symbolic vilification**, wherein less powerful actors are discursively deemed as less worthy, problematic, or in some regard dangerous, and **symbolic amplification**, which involves discursive processes that imbue and elevate certain elements of cultural and institutional/organizational life (e.g. business necessity, meritocracy, formality) to a place of almost sacred reverence (Roscigno 2011).

**Interaction and the production of inequality in structural/cultural contexts**

The structural and cultural contexts discussed in the preceding section, and their implications for discrimination, inequality, and diversity, have significant implications for day-to-day and face-to-face interactional processes in everyday work life. That is, inequality and its roots in discrimination are best understood as an unequal relation, or inequality, based on personal attributes, institutional positioning, and statuses that are defined, codified, and acted upon within historical, structural, and cultural contexts (Ridgeway et al. 2009). Structural and cultural contexts enable and legitimate hierarchical interactions and decision-making, while interactions and decision-making reify structures and cultural interpretations. Without recognizing such complexities, compositional diversity may be achieved but substantive diversity within everyday work life and interactions will remain problematic.

This conception extends to insights regarding workplace interactions and bias as well as dominant formulations surrounding social closure by highlighting the interactional nature of discrimination (represented toward the bottom of Figure 29.1). Yet, it also makes explicit: (1) the ways in which culture and structure confer statuses on actors – statuses that shape valuations, treatment, interactions, and leverage; (2) how discrimination, beyond interaction and interpersonal power differentials, often also entails the invoking (or not) of seemingly neutral bureaucratic structures; and (3) the ways in which culture, broadly, confers status differentials and biases while also offering legitimizing cover for acts of discriminatory malfeasance, often through discursive processes of vilification and amplification. Importantly, especially in the case of biased formalization as previously discussed, the degree to which interpersonal interactions are even necessary for discrimination to occur may not be obvious as formalized structures themselves do the dirty work.

**Conclusions**

A relational approach to understanding workplace discrimination, diversity, and inequality, as we have outlined, offers several important guideposts and directions for future work. Indeed, it encourages scholars interested in these topics to: (1) move beyond overly simplistic, reductionist accounts of bias and cognition; (2) recognize the centrality of status dynamics and interaction, to be sure, but within structural and cultural contexts that enable and constrain interactions, the salience of statuses, and the leverage actors exert; and (3) acknowledge that compositional diversity rarely automatically equates to either substantive diversity or equality within organizational processes themselves. We believe that doing so will generate a more comprehensive understanding of inequality (Wilson et al. 2013) while also revealing potential points wherein issues of substantive diversity and inequality might be effectively, if not more directly, addressed.

To follow through effectively on a dynamic, multi-layered conception of discrimination and study it, of course, will necessitate creative analytic designs. Such designs might include, for instance, multi-level data that effectively capture the ways in which the compositional diversity
of workplace environments impacts not simply levels of inequality but rather the more proximate processes wherein discrimination (be it through formalized rules, face-to-face interactions, or bureaucratic manipulations and discretion) play out. Case studies and various qualitative methodologies may be especially effective in this regard, though quantitative and comparative techniques are necessary as well to establish the extent to which processes, trends, and patterns are representative. Finally, analyses of discourses pertaining to discrimination, diversity, and inequality – discourses by employers, workers, as well as those within the broader socio-legal environment – are equally necessary, if not fundamental, for capturing the cultural scaffolding of discrimination, including actors’ cognitions but also organizational legitimacy claims. It is only through such work and an accumulated body of such work, we believe, that adequate understandings and effective remediation can be realized.

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