**EEODataNet Newsletter**

Happy Summer. Thank you very much to those who have given permission to share the power point slides from the second successful EEODataNet Conference. Please send an email to EEODataNet@umass.edu if you would like to receive any of the slides from the presentations. We look forward to further collaboration, and will be sharing more information on this on our upcoming website.

**EQUAL EMPLOYMENT OPPORTUNITIES IN THE NEWS**

**“**[**Obama’s race speech, and where we stand in the 3 areas he highlighted**](http://www.washingtonpost.com/blogs/the-fix/wp/2015/06/29/obamas-race-speech-and-where-we-stand-in-the-3-areas-he-highlighted/)**” *The Washington Post*. June 29, 2015.**

Obama, the nation's first black president, was almost certainly familiar with the history of the hymn and the use of music to punctuate calls for social justice and change. Accordingly, as this week begins, we thought it wise to take stock of the state of affairs on the issues Obama raised. There are incredible disparities, Obama said Friday, with which too many Americans have grown comfortably indifferent. We skipped three topics Obama mentions — [public displays of the Confederate flag](http://www.nytimes.com/2015/06/29/us/how-the-rebellion-against-south-carolinas-confederate-flag-grew.html), [voting rights](https://www.washingtonpost.com/blogs/post-politics/wp/2015/06/23/congressional-democrats-to-introduce-new-voting-rights-act-fix/) and [gun violence](https://www.washingtonpost.com/blogs/wonkblog/wp/2015/06/18/you-have-to-see-how-many-more-people-are-killed-by-guns-in-america-to-really-believe-it/) — because they have each received at least some attention of late. Instead, we focused on three other areas he mentioned: **child poverty and education, policing and employment discrimination**. And here's what we [found](http://www.washingtonpost.com/blogs/the-fix/wp/2015/06/29/obamas-race-speech-and-where-we-stand-in-the-3-areas-he-highlighted/).

**“**[**Supreme Court upholds key tool for fighting housing bias**](http://www.washingtonpost.com/business/supreme-court-upholds-key-tool-for-fighting-housing-bias/2015/06/25/b08591d0-1ba6-11e5-bed8-1093ee58dad0_story.html)**” *The Washington Post.* June 25, 2015. By Sam Hananel.**

A sharply divided Supreme Court on Thursday preserved a key tool used for more than four decades to fight housing discrimination, handing a surprising victory to the Obama administration and civil rights activists. The justices ruled 5-4 that federal housing law allows people to challenge lending rules, zoning laws and other housing practices that have a harmful impact on minority groups, even if there is no proof that companies or government agencies intended to discriminate.

[“**It's Time to End Discrimination in the Workplace”**](http://www.huffingtonpost.com/toni-g-atkins-/its-time-to-end-discrimin_b_7571950.html) ***The Huffington Post.* June 12, 2015. By Toni G. Atkins.**

On July 21, 2014, President Barack Obama made history by issuing an executive order on [LGBT workplace discrimination](https://www.whitehouse.gov/the-press-office/2014/07/21/remarks-president-signing-executive-order-lgbt-workplace-discrimination). It was the first time a sitting president had extended employment rights to transgender individuals through executive action.The order offers protections for federal workers against discrimination on the basis of gender identity (sexual orientation was previously protected) and goes a step further by prohibiting federal contractors from discriminating against LGBT employees. Nearly one year later, [21 percent of LGBT employees](http://brandongaille.com/37-shocking-lgbt-discrimination-statistics/) still report some form of workplace discrimination. [Thirty states](https://www.aclu.org/map/non-discrimination-laws-state-state-information-map) do not offer employment discrimination protections for LGBT individuals. Three states offer protections for sexual orientation but not gender identity. In every state, losing a job because of gender, ethnicity or religion is illegal, yet it is still legal in many states to lose a job because of sexual identity or gender orientation.

**“**[**Supreme Court Rules Against Abercrombie & Fitch in Headscarf Case**](http://abcnews.go.com/Politics/supreme-court-rules-abercrombie-fitch-headscarf-case/story?id=31445187)**” *ABC News.* June 1, 2015. By Ali Weinberg.**

T[he Supreme Court](http://abcnews.go.com/topics/news/us/supreme-court.htm) ruled 8-1 today that the retail chain Abercrombie & Fitch violated Title VII of the [Civil Rights](http://abcnews.go.com/topics/news/issues/civil-rights.htm) Act of 1964 when an assistant manager denied Samantha Elauf, an observant Muslim woman, a job because her headscarf violated Abercrombie’s “Look Policy,” that prohibits “caps” from being worn on the sale floor. Abercrombie acknowledged that was why Elauf was not hired. The Equal Employment Opportunity Commission sued Abercrombie on Elauf’s behalf, but the 10th Circuit Court of Appeals contended that Abercrombie was not liable because Elauf did not provide actual notice of the need for a religious accommodation during her job interview. The Supreme Court reversed that decision. In a majority opinion, Justice [Antonin Scalia](http://abcnews.go.com/topics/news/us/antonin-scalia.htm) wrote, “Here the employer at least suspected that the practice was a religious one; its refusal to hire was motivated by the desire to avoid accommodating that practice, and that is enough."

“[**Why Is There Still Anti-Boomer Job Discrimination?**](http://www.huffingtonpost.com/john-tarnoff/anti-boomer-job-discrimination_b_7310804.html)**” *The Huffington Post.* May 19, 2015. By John Tarnoff.**

Are you a "Digital Native?" In recruiter-speak, according to journalist Vivian Giang, [writing in Fortune](http://fortune.com/2015/05/04/digital-native-employers-bias/), the term is no longer just a glib demographic reference to kids who grew up playing video games. It is code for excluding older candidates from applying for jobs deemed so dependent on their use of technology, that older generations -- Boomers, and likely even older GenXers -- couldn't possibly qualify or keep up. Employers want Digital Natives on the mistaken and debunked assumption that having been born during the internet age automatically makes one more capable of using technology than someone born earlier.

*Please inform us of any equal employment opportunities media appearances for future newsletters.*

**NEW SCHOLARLY JOURNAL ARTICLES**

**Leskinen, Emily A., Verónica Caridad Rabelo, and Lilia M. Cortina. "Gender stereotyping and harassment: A “catch-22” for women in the workplace." *Psychology, Public Policy, and Law* 21, no. 2 (2015): 192. Available at** [**http://psycnet.apa.org/journals/law/21/2/192/**](http://psycnet.apa.org/journals/law/21/2/192/)

ABSTRACT: United States law recognizes the illegality of sex/gender stereotyping when it drives formal discrimination in employment, as in Price Waterhouse v. Hopkins (1989). In the present study, we investigated whether such stereotyping—and attendant intolerance for counterstereotypicality—also breeds discrimination in the form of gender harassment. That is, we examined whether and how different components of gender counterstereotypicality combined to affect women’s risk of being targeted with harassment. Using a sample of 425 working women, we tested how deviations from stereotypical femininity—masculine appearance, masculine-typed behaviors (aggression and self-reliance), and work in a masculine context—related to women’s experiences of gender harassment (specifically, sexist remarks and gender policing). We found that women were caught in a “catch-22:” Professional success in many highly compensated fields requires stereotypically masculine behavior and appearance, but those same attributes increased women’s harassment risk. Taken together, our findings carry methodological, practical, and legal implications. If working women are penalized for their gender deviance through different forms of gender harassment, particularly in certain work domains, this may fuel gender discrepancies in particular fields. There could be a cumulative impact on women throughout their careers, from hiring to evaluation to advancement up the ranks. Methodologically, this study can expand our understandings of how to operationalize gender role violation and parse apart different manifestations of workplace harassment. It can also inform debates about relationships between sex stereotyping, harassment, and the law.

**McClelland, Sara I., and Kathryn J. Holland. "You, Me, or Her Leaders’ Perceptions of Responsibility for Increasing Gender Diversity in STEM Departments." Psychology of Women Quarterly 39, no. 2 (2015): 210-225. Available at** [**http://www.progresslab.info/downloads/YouMeorHer.2014.pdf**](http://www.progresslab.info/downloads/YouMeorHer.2014.pdf)

ABSTRACT: We examined how university leaders described what and who needed to change in order to increase the representation of female faculty in science, technology, engineering, and math (STEM) departments. Thirty-one (28 men and 3 women) STEM departmental chairs and deans at a large, public university participated in semi-structured interviews. Data were examined using both qualitative and quantitative procedures. Analysis focused on participants' descriptions of responsibility for changes related to gender equity. Using the distinction of high versus low responsibility, themes were examined for their qualitative characteristics as well as their frequency. Leaders who exhibited high personal responsibility most frequently saw themselves as needing to change and also named their male colleagues as concurrently responsible for diversity. Conversely, leaders who exhibited low personal responsibility most frequently described female faculty as responsible and described women's attitudes and their choice to have a family as obstacles to gender diversity in STEM. We argue that the dimensions of high and low responsibility are useful additions to discussions of leadership, workplace diversity initiatives, and gender equity more broadly. To this end, we provide several methodological tools to examine these subtle, yet essential, aspects of how diversity and change efforts are imagined and discussed.

**Werth, Shalene. "Managerial attitudes: Influences on workforce outcomes for working women with chronic illness." The Economic and Labour Relations Review 26, no. 2 (2015): 296-313. Available at** [**http://elr.sagepub.com/content/26/2/296.short**](http://elr.sagepub.com/content/26/2/296.short)

ABSTRACT: Individual managers may make judgements and decisions which reflect social expectations rather than organisational policy. Society generally requires that individuals with an illness take leave from their work, seek medical assistance and return when they are well. This is not possible for individuals with chronic illness. By its nature, chronic illness has no cure. Individuals who are diagnosed with diseases such as rheumatoid arthritis, diabetes or inflammatory bowel disease and who also undertake paid employment may need to disclose their illness and seek some form of accommodation in their workplace. Understanding attitudes of managers plays a significant role in the success of managing work and chronic illness. This article examines the working experiences of women with chronic illness where the attitudes of managers were less understanding.

**STATEMENT UPDATES**

**Position statement update- American Academy of Nursing and Policy**. **Available at:** [**http://www.sciencedirect.com.silk.library.umass.edu/science/article/pii/S0029655415001177**](http://www.sciencedirect.com.silk.library.umass.edu/science/article/pii/S0029655415001177)

The American Academy of Nursing opposes discrimination based on sexual orientation and gender identity. This position is consistent with its support for diversity and efforts to eliminate health disparities. Employment discrimination adversely affects physical and mental health (Institute of Medicine, Committee on Lesbian, Gay, Bisexual, and Transgender Health Issues and Research Gaps and Opportunities, 2011; Sears & Mallory, 2011). By perpetuating social stigma and adding to minority stress, it contributes to health disparities among lesbian, gay, bisexual, and transgender (LGBT) people, including those who have not directly experienced workplace discrimination. Fear of discrimination may discourage many people from

disclosing information about sexual orientation to their health care providers (Ponce, Cochran, Pizer, &

Mays, 2010) or from completing advance directives and powers of attorney for their partners (Institute of

Medicine, Committee on Lesbian, Gay, Bisexual, and Transgender Health Issues and Research Gaps and

Opportunities, 2011).

*Please inform us of any new equal employment opportunities journal articles for future newsletters.*

**REQUEST FOR METADATA FOR FORTHCOMING EEODATANET WEBSITE**

We are still looking for metadata contributions for the forthcoming EEODataNet website. One goal of the website is to ease the use of EEO data through organizing a collection of metadata. This will greatly help our research community. If you have metadata (e.g. methods memos, codebooks, tricky computer code) you would like to share, even if it is not yet in the format you would want to share, *please contact us.*

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