



## **Breaking the Glass Ceiling: Gender Discrimination in the Workplace**

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## **Abstract**

Beneath the more apparent manifestations of gender discrimination in the workplace lies an even more pervasive culture that operates to the disadvantage of women. Such discrimination is even more pernicious because it is subtle and not easily perceived, and thus easy to dismiss. This paper first examines three aspects of this problem: gendered expectations, gender dynamics and interaction, and the ways in which assessing and rewarding achievement is gendered in nature. It then analyses the policies adopted to counteract this discrimination in Norway, India, and the United States, in order to compare them with those of the United Kingdom (while taking note of salient differences in context).

Finally, a number of possible solutions that the UK could adopt are proposed and evaluated, specifically:

- Name-blind recruitment
- Modifications to the current evaluation framework: specifically, group evaluation and quantitative evaluation
- Enhancements of the Equality Act 2010
- Gender quotas in both the public and private industry
- Improvements to existing paternity leave policies
- Policies to encourage flexibility in timing, place and hours of work

## Executive Summary

This paper concludes the following:

- Women today face discrimination in the working environment that manifests itself in rather subtle forms, and because this discrimination is understated, it is especially pernicious.
- There is a persistent bias in terms of how the competences and reliability of female employees are perceived, and how female employees are valued. Especially important in this regard is the discrimination against working women with familial care-giving responsibilities.
- Despite well-meaning policies to fix the issue of gender imbalance and/or gender discrimination, such as egg-freezing policies or maternity leave, the issue persists. It is submitted that these policies fail to address the root of the problem and are merely aimed at correcting the symptoms of bias in the short-term.
- Both men and women tend to be penalised for engaging in behaviours which traditionally are taken up by the respective opposite gender. For example, men are especially penalised in the assessment of their value as employees when they take up care-giving responsibilities in the home. Women, when engaging in risk-taking behaviours or when in leadership roles, are perceived as aggressive and less likeable.
- A male-dominated upper management deters women from accepting promotion and progressing in the organisational hierarchy as they feel a subtle prejudice against them if they choose to do so. This, in turn, creates an environment where women face stagnation in terms of their promotion in the workplace.
- The concept of rewarding a certain behaviour (for example through job promotions) for each gender differs, thus creating difficulties for women who wish to apply and progress into higher levels of employment, as this appears as a negative trait for women.
- With regards to projects that involve both genders, the successes of a man are usually assigned to intrinsic factors such as diligence and intelligence, while a woman's successes are often attributed to extrinsic factors such as luck or the assistance of others. This causes male success to be overvalued, and female success to be undervalued. Moreover, the work women are assigned is often unchallenging and itself without cause for reward.
- Paternity leave, as seen in Nordic countries, is better than maternity leave at tackling gender discrimination in the workplace. This is because it allows for a levelling of the playing field in the workplace and ensures an even distribution of parental responsibilities.

- Mandatory quotas in reserving seats in parliament in India have been particularly successful in breaking traditional gendered expectations. This has had many knock-on benefits, such as raising women's aspirations by creating female role models.

We recommend the following:

- Name-blind recruitment should be appended as a new section under the Gender Equality Act 2010 or enforced as a statutory instrument by the Minister for Women and Equalities, so as to ensure that women are not discriminated against due to their gender, and instead are judged on their abilities and merit.
- An evaluation framework should be established to encourage companies to undertake quantitative evaluation and group interviews of candidates to reduce the gender bias that might occur during the selection process.
- The Equality Act 2010 should be strengthened to create an equal playing field for women. This would include prohibiting employers from asking about candidates' salaries as women tend to earn less, in turn perpetuating the gender pay gap.
- Gender quotas should be implemented in the public and private industry to encourage gender de-biasing, which has seen success in both India and Norway. Giving people greater exposure to female leaders in power would foster a change of women in leadership roles and encourage other women to strive for more leadership roles. It is suggested that this solution should be only a temporary one.
- Paternity leave should be bolstered in order for fathers to play a more effective role in raising their children, thus encouraging mothers to return to work earlier. This would change the social norm of women as primary caregivers, and reduce the setbacks women face when taking care of children.
- Greater flexibility within the workforce should be encouraged in terms of hours, location and timing of work, as this would reduce the burden of child-raising responsibilities on women. Offering more flexibility in hours worked would reduce the penalty women face when choosing work hours flexibility. Gothenburg, Sweden is currently trialling a 6-hour work day to offer more flexibility to parents, thereby reducing the 'care penalty'.

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## Introduction

The problem of gender discrimination in the workplace has been persistent and its manifestations have evolved over time. One of the United Nations (UN)'s Millennium Development Goals, articulated in 2000, was to promote gender equality and empower women,<sup>1</sup> and the UN has recognised that addressing gender-based discrimination both in law and in practice is critical in achieving this.<sup>2</sup> However, gender equality remains elusive, even in developed societies like the United Kingdom (UK). Although progress has been made, more still can – and needs to – be done.

The first section of this paper, 'Analysing the Problem', will examine some of the more subtle forms of gender discrimination, going beyond traditional indicators of inequality (such as the wage gap). This will be followed by the second section, 'Comparative Case Studies', which will analyse the anti-discrimination policies adopted in a number of other countries in relation to those of the UK. The third section, 'Solutions', will then discuss the efficacy of various policies with a view to suggesting concrete steps that the UK can take to tackle this problem. The ultimate aim is the development of a working environment in which gender does not affect an individual's ability to succeed and thrive.

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<sup>1</sup> United Nations (UN), *The Millennium Development Goals Report 2015* (2015), [http://www.un.org/millenniumgoals/2015\\_MDG\\_Report/pdf/MDG%202015%20rev%20\(July%201\).pdf](http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf), 5.

<sup>2</sup> UN, *The Millennium Development Goals Report 2015*, 31.

## **Part 1      Analysing the Problem**

Beneath the more apparent manifestations of gender discrimination in the workplace lies an even more pervasive culture that operates to the disadvantage of women. This has been termed ‘second-generation workplace gender bias’ – discrimination that occurs even if there is no conscious intent to exclude and even if there is no direct, immediate harm (in contrast with first-generation workplace gender bias).<sup>3</sup> Such discrimination is even more pernicious because it is subtle and not easily perceived, and thus easy to dismiss.

This section will focus on analysing three aspects of this problem: firstly, gendered expectations; secondly, gender dynamics and interactions; and finally, the ways in which assessing and rewarding achievement is gendered in nature.

### **1.1 Gendered Expectations**

In the professional environment, differing expectations are imposed on men and women. These stem from particular conceptions of gender roles, and translate into disadvantageous perceptions of women – in particular, as negotiators and leaders – by both others and themselves. The traditional family responsibilities imposed on women further contribute to the ‘glass ceiling’.

This will be explored with reference to specific company policies, such as the maternity leave and egg freezing policies, and an analysis of their role in deconstructing or reinforcing gender roles and stereotypes within the workplace.

#### **1.1.1 Gender Expectations and Gender Roles: Differing perceptions of men and women in the workplace**

This subsection looks at how gender expectations materialise in the work environment, and how these assumptions shape and define women’s identities and experiences in their professional lives.

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<sup>3</sup> Herminia Ibarra, Robin J. Ely, and Deborah M. Kolb, “Women Rising: The Unseen Barriers”, *Harvard Business Review* (September 2013), <https://hbr.org/2013/09/women-rising-the-unseen-barriers>.

Bornstein defines gender roles as the “collections of factors which answer the question, ‘How do I need to function so that society perceives me as belonging or not belonging to a specific gender?’”.<sup>4</sup> The notion of gender roles comprises “the behaviours, and ways of thinking and feeling, that the culture teaches are appropriate for the genders”.<sup>5</sup> In other words, a gender role is a set of physical, aesthetic, behavioural and psychological cues that send signals of membership to a certain group. Gender roles thus set out the ‘code of conduct’, in a particular time, at a particular place for each individual.

Gender expectations can be viewed as a product of gender roles. They are what society as a whole expects a member of a group to behave as.

As such, complying with some behavioural and physical gender cues will give rise to certain expectations: a paradigmatic example is women being expected to dedicate a significant part of their lives to motherhood, which results in their male counterparts being sometimes promoted or hired in their place. This is because, as Strober argues, “society [...] thinks that men are the supporters of their families. And so it makes sense to give them the best jobs, because they need to earn what used to be called ‘a family wage’. They need to earn enough to support a family. Whereas a woman either needs to earn nothing because the man is supporting her, or she needs to simply support herself”.<sup>9</sup> Women are characterised as caregivers – sensitive and communal<sup>10</sup> – and this has real effects: experiments to measure gender perceptions of competence<sup>11</sup> have shown that people perceive women in leadership roles as aggressive because they do not fit the stereotypical role a woman ‘should’ play.<sup>12</sup>

An interesting study by Goldin and Rouse,<sup>13</sup> involving the hiring of female

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<sup>4</sup> Kate Bornstein. *Gender Outlaw: On Men, Women and the Rest of Us* (London: Routledge, 1994).

<sup>5</sup> Lori B. Girshick, *Transgender Voices: Beyond Women and Men* (New Hampshire: University Press of New England, 2008), 2.

<sup>9</sup> Freakonomics, “What Are Gender Barriers Made Of?” (July 20, 2016), <http://freakonomics.com/podcast/gender-barriers/>.

<sup>10</sup> Sheryl Sandberg, *Lean In: Women, Work, and the Will to Lead* (New York: Alfred A. Knopf, 2013), 40.

<sup>11</sup> Kathleen L. McGinn and Nicole Tempest, “Heidi Roizen” (Harvard Business Review, Case Study 800-228) (Massachusetts: Harvard Business School Publishing, 2000 (revised April 2010)).

<sup>12</sup> Joyce Routson, “Heidi Roizen: Networking Is More Than Collecting Lots of Names”, *Stanford Graduate School of Business* (November 1, 2009), <https://www.gsb.stanford.edu/insights/heidi-roizen-networking-more-collecting-lots-names>.

<sup>13</sup> Claudia Goldin and Cecilia Rouse, “Orchestrating Impartiality: The Impact Of ‘Blind’ Auditions On Female Musicians”, *American Economic Review*, Vol 90 (September 4,

musicians for orchestras, illustrates this. A major change in orchestras' audition policies in the 1970s and 1980s, to overcome possible biases in hiring, involved the introduction of 'blind' auditions. During these, a screen concealed the identity (and, thus, the gender) of the candidate. Using data from actual auditions, Goldin and Rouse found that the screen increased by 50% the probability that a female candidate would be advanced out of certain preliminary rounds, and also enhanced by several-fold the likelihood of a female contestant winning the final round. They concluded that the switch to 'blind' auditions could explain between 25% and 46% of the increase in the percentage of female musicians in the orchestras since 1970.

King and Sumner<sup>14</sup> have even found that when participants in a study heard the same word spoken by a man and a woman, their minds were directed to different concepts. For example, when the participants heard a man's voice saying "academy", they associated this with "school"; but when they heard the same word spoken by a woman, the first association was "award". Both male and female participants were more likely to anticipate a woman to be talking about Hollywood. Our subconscious mind influences the way we listen, and, as a result, we may interpret language differently based on whether a woman or man is speaking. Furthermore, this tendency can be traced back to early childhood: Sumner found that such 'gendered listening' can be detected by the age of four.

In the workplace, it is thus easy to see how a man, in a meeting for example, might be interpreted and perceived differently from a woman even if they are saying the same things. In a different experiment, Sumner found that a man's voice, in comparison to a woman's voice, was deemed more reliable; in addition, a woman's voice (rated as reasonably reliable on its own) was later seen as less reliable after being compared with a man's voice.<sup>15</sup>

### **1.1.2 Women as 'Bad Negotiators'**

Research suggests that women are more likely than men to pass over opportunities to negotiate for higher compensation. Studies from the laboratory, surveys, and the field suggest that men are at least four times more likely than women to negotiate for compensation.<sup>17</sup> When women do

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2000): 715-741, <http://www.nber.org/papers/w5903>.

<sup>14</sup> Meghan Sumner and Ed King, "Voice-Specific Effects in Semantic Association", 37th Annual Meeting of the Cognitive Science Society (July 2015), <https://mindmodeling.org/cogsci2015/papers/0197/paper0197.pdf>.

<sup>15</sup> Sumner and King, "Voice-Specific Effects in Semantic Association".

<sup>17</sup> Hannah Riley Bowles and Linda Babcock, "A Model of When to Negotiate: Why Women Don't Ask", *The Oxford Handbook of Conflict Resolution* (New York: Oxford

negotiate, they tend to ask for smaller percentages increases in their starting salaries.<sup>18</sup> However saying that women are unwilling to negotiate is only to scratch the surface of the problem. It has also been found that managers were less interested to work with women who asked for higher salaries in job negotiations.<sup>19</sup>

However, this behaviour unveils a wider reality as this 'cautious' approach to negotiation is also applicable to other situations. Coffman designed a survey for both male and female participants where one point was given for a correct answer, a quarter-point penalty for a wrong answer, and zero points for skipping the question. What Coffman found was that when there were penalties for wrong answers, women skipped on average about twice as many questions as the men. However, this 'unwillingness' to guess disappeared where penalties for wrong answers were removed and everyone chose to answer every question, and so the gender gap in skipping questions and gender differences in score that were related to that were eliminated. This seems to suggest that women are not actively engaging in risk-taking regarding their professional and/or academic futures. However, they are also not being compensated but rather harmed when they do. Taking this into consideration, it is perfectly plausible that this tendency not to negotiate arises from an awareness that women will, more likely than men, be harmed if they engage in a sort of behaviour which is mainly seen as risky and assertive (which are usually seen as male characteristics).

All in all, women may not be negotiating not only because of a lack of encouragement but also due to an awareness that engaging in stereotypically male behaviours – thus contradicting gender expectations – will harm them and cause other peers to dislike them.

### **1.1.3 Women as 'Bad Leaders'**

According to the non-profit research group Catalyst, women occupied nearly 51% of all managerial and professional jobs in 2008, yet women holding the titles of Chairman, Chief Executive Officer (CEO), Chief Operating Officer (COO), and Executive Vice-President (EVP) remained at about 7% of the population of executives in the United States (US).<sup>20</sup>

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University Press, 2012): 313-331.

<sup>18</sup> Linda Babcock and Sara Laschever, "Women Don't Ask" (Princeton University Press, 2003): 130-147.

<sup>19</sup> Hannah Riley Bowles, Linda Babcock, and Lei Lai, "Social Incentives for Gender Differences in the Propensity to Initiate Negotiations: Sometimes It Does Hurt To Ask", *Organizational Behaviour and Human Decision Processes* 103 (2007): 84-103.

<sup>20</sup> Jenny M. Hoobler, Grace Lemmon, and Sandy Jane Wayne, "Women's

Empirical evidence shows that we associate successful leaders with stereotypically male attributes such as independence, assertiveness, and decisiveness. The fact that the prescribed gender role for women does not match with the male leadership archetype seems to be influencing the process of hiring or even being appointed for such jobs: women are not even being considered for or are judged to be ill suited for the top jobs.<sup>21</sup>

Furthermore, when women are seen to be successful at such jobs, it violates prescriptive stereotypes (norms of appropriate behaviour) of what the women ought to act like. In fact, it seems that women are more prone to being disliked or experiencing significant setbacks when they take such leadership roles or engage in stereotypical male behaviour.

A 1970s study by McGinn and Tempest's demonstrates this bias. The study focused on Heidi Roizen, an imaginary venture capitalist working in Silicon Valley.<sup>22</sup> The case detailed the steps Heidi took to create her network in the Silicon Valley and build her own enterprise. Heidi's case was then presented to a group of students, who rated their perceptions of Heidi. In 2003, Frank Flynn, Associate Professor of Columbia Business School in organizational behaviour, created an interesting twist to this case. In order to test the perceptions of gender, he changed Heidi's name to Howard and presented the case keeping the rest of the information intact. He gave half of his students the case with the protagonist being called Heidi and the other half with the protagonist being called Howard. Describing his results, he explained that the students found Heidi less humble and more power hungry and self-promoting than Howard.

This experiment was re-run in 2013. AC360° (CNN's Anderson Cooper show) went to NYU to re-do the experiment and see what had changed in the past decade. As Sandberg explained in a TED Talk,<sup>23</sup> something had now changed: both Heidi and Howard were now regarded as equally competent. But not everything is now equal: their personalities were not viewed as similar. Heidi was seen as political, and out for herself.

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Underrepresentation in Upper Management: New Insights on a Persistent Problem", *Organizational Dynamics* 40, No. 3 (2011): 151.

<sup>21</sup> Hoobler, Lemmon, and Wayne, "Women's Underrepresentation in Upper Management: New Insights on a Persistent Problem", 151.

<sup>22</sup> McGinn and Tempest, "Heidi Roizen" (Harvard Business Review, Case Study 800-228).

<sup>23</sup> Sandberg, S. (2010, December 21). Sheryl Sandberg: Why we have too few women leaders [Video file]. Retrieved from [http://www.ted.com/talks/sheryl\\_sandberg\\_why\\_we\\_have\\_too\\_few\\_women\\_leaders.html](http://www.ted.com/talks/sheryl_sandberg_why_we_have_too_few_women_leaders.html)

Evaluating this experiment, Bohnet<sup>24</sup> states this case depicts that men and women both adhere to social norms and think that assertiveness, competence and leadership do not go well with women but do so with men.

A 2011 study found that, when asked, 46% of 60,000 respondents who expressed a preference for their boss's gender, and 72% said they wanted a male manager.<sup>25</sup> However, one aspect of this study contradicts what was found by the Heidi/Howard experiment in the 1970s. Respondents who actually had female managers did not attribute to them lower ratings than people who had male managers. Though many people preferred male managers in theory, in practice those gender biases did not play out. Although this seems to suggest that a less gender-biased approach has emerged with the passage of time, it is important to consider that the Heidi/Howard experiment is still very relevant today: it may be that women are not being so undervalued as managers, but they still experience setbacks when being considered and hired for managerial jobs and leadership positions as we still envision men in them, and we still actively prefer to have men in them.

#### **1.1.4 Motherhood and the 'Care' Factor**

Another explanation for the persistence of the glass ceiling is the family-work conflict bias, whereby managers assume that a female's family responsibilities interfere with performance of their work roles. Being a woman signals family responsibilities, and puts women at odds with current perceptions of the 'ideal worker.' Research shows that both male and female managers harboured family-work conflict biases toward female employees, and that these biases substantially impeded women's career progress.

Slaughter, a public policy scholar, has named these biases the 'care penalty'.<sup>26</sup> In her book *Unfinished Business*, Slaughter argues that this 'care penalty' is, in fact, the greatest player in gender inequity at the workplace: If we single out women who do not have caregiving obligations (such as children), they make almost as much as men (95%). However, this does not hold true for women with children, or who are caring for their own parents or other sick family members. The difference between women with caregiving obligations and women without caregiving obligations is that the former need to work flexibly,

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<sup>24</sup> Iris Bohnet, *What Works: Gender Equality by Design* (Harvard University Press, 2016).

<sup>25</sup> Kim M. Elesse and Janet Lever, "Does Gender Bias Against Female Leaders Persist? Quantitative and Qualitative Data from a Large-Scale Survey", *Human Relations* 64, No. 12 (December 2011): 1555-1578.

<sup>26</sup> Anne-Marie Slaughter, *Unfinished Business* (Random House: New York, 2016).

and often go part-time.

Thus, instead of taking jobs that will allow for more potential career progress, women are taking jobs which allow for greater flexibility in working hours,<sup>27</sup> with different characteristics. As Goldin colloquially put it:

*“I like to think about an individual who gets a degree — let’s say a law degree — a woman, and [...] a man who gets a law degree. And they graduate from law school and they’re both equally brilliant, and they both get jobs in approximately the same type of firm. By and large they’re going to earn approximately the same amount when they start. Things will continue in their lives — they’ll both perhaps find partners, get married, have kids. It’s often the case that women will leave the very large law firms that put a lot of time demands on them and go to smaller firms or become corporate counsel, become part-time corporate counsel, perhaps, for a while. They will go to small firms where the workload is somewhat different. They may work in fact the same number of hours, but they may work hours that are their hours rather than the hours imposed on them by the firm. The woman will then begin to make — if she’s the one who did this — she will make considerably less than the man. And a lot of what we see — not all of it — but a lot of what we see is this choice to go into occupations that have less expensive temporal flexibility, that allow individuals to do their work on their own time.”<sup>28</sup>*

This movement of women in the job market creates a phenomenon of occupational segregation where there are jobs that will be disproportionately occupied by men and other jobs which are disproportionately taken by women. This is illustrated by the nurse-doctor dichotomy. Traditionally, in the Western world, doctors are pictured as males and nurses as females; doctors work more hours and earn more, whereas nurses traditionally have fixed shifts which allow them to fulfil other care-giving obligations.

In the UK, fewer than 35% of women report being in the highest paid occupation of a manager or director, compared with over 80% working in catering and leisure services, which tend to be low-paid occupations.<sup>29</sup> With

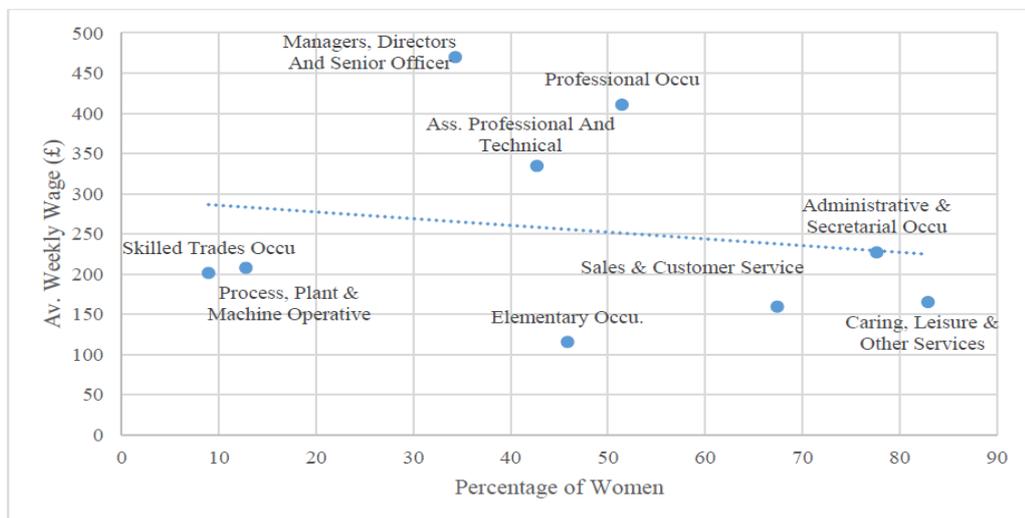
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<sup>27</sup> Slaughter, *Unfinished Business*.

<sup>28</sup> Claudia Goldin, “A Great Gender Convergence: Its Last Chapter”. *American Economic Review* 104, No. 4 (2014): 1091–1119, [https://scholar.harvard.edu/files/goldin/files/goldin\\_aeapress\\_2014\\_1.pdf](https://scholar.harvard.edu/files/goldin/files/goldin_aeapress_2014_1.pdf).

<sup>29</sup> Ghazala Azmat, “Gender Gaps in the UK Labour Market: Jobs, Pay and Family-

the exception of heavy manual work (such as skilled trade occupations and operatives) there is a negative relationship between average occupation wages and the proportion of women in those occupations – as illustrated by the graph below.<sup>30</sup>



*Notes:* Wages defined as average (gross) weekly pay for all adults aged 25-65 years working in each of the nine major occupational groups. The Figure also shows the percentage of women aged 25-65 years working in each of these occupational groups.  
*Source:* Labour Force Survey, 2014 (Quarter 2).

*Figure 1: Percentage of women and wages by occupation*

All in all, it seems that when women are working flexibly they tend to be judged as less competent and less committed to their careers. This hinders women’s possibility of being promoted – or even hired in the first place. This question of assessing and rewarding achievement will be further addressed later in this paper.

### 1.1.5 The ‘Care Penalty’: An Explanation for the Gender Pay Gap?

This section has examined how gender expectations affect women in the workplace and approached the main ways in which bias manifests against women in such environments. At this stage, it is pertinent to consider whether all of these biases can provide a convincing explanation for the gender pay gap.

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Friendly Policies” (The London School of Economics and Political Science, May 2015): 8, <http://cep.lse.ac.uk/pubs/download/ea027.pdf>.

<sup>30</sup> Azmat, “Gender Gaps in the UK Labour Market: Jobs, Pay and Family-Friendly Policies”: 8.

A 2010 survey<sup>31</sup> by American economists found that women earn 79 cents for every dollar a man makes. However, although this is an accurate statistic, it does not tell the whole truth about workplace bias. The survey also found something interesting when interviewing thousands of business school graduates: men had only slightly higher salaries than women at the beginning of their careers. On average, women earned \$115,000 as soon as they graduated and men earned about \$130,000. Men also averaged a few more weekly hours and slightly more experience as they began their first job. However, nine years into their careers, women saw their salaries rise to \$250,000 and men to \$400,000. This means that, nine years after graduation, men were earning 60% more than women. Claudia Goldin thus argues that “it is hard to find smoking guns”:<sup>32</sup> this phenomenon cannot be convincingly explained by simply asserting that companies are not hiring women, or that they are simply paying women less for the same roles. It is also very unconvincing to argue that women are less competent than men. This has been contradicted by several studies, some of which this paper has already discussed.<sup>33</sup>

Furthermore, it is possible that the fact that women are less willing to negotiate their salaries contributes to the wage gap. This would be especially relevant when addressing the slight difference between the salaries of male and female graduates, who were just starting their first year of work. However, this theory fails to account for and adequately explain the major difference that develops after nine years. It is unconvincing that a systematic failure at negotiating could generate such a blatant 60% difference between the salaries of men and women.

Rather, Goldin believes that this phenomenon can be explained by reference to subtler, more nuanced biases in the workplace. To quote her speech, “[t]he gender gap in pay would be considerably reduced and might even vanish if firms did not have an incentive to disproportionately reward individuals who worked long hours and worked particular hours”<sup>34</sup> – thus picking up the idea of the ‘care penalty’. In 2015, although the burden of household chores was now more shared between men and women than ever, most of the burden of

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<sup>31</sup> Marianne Bertrand, Claudia Goldin, and Lawrence Katz, “Dynamics of the Gender Gap for Young Professionals in the Financial and Corporate Sectors”, *American Economic Journal: Applied Economics* 2 (July 2010): 228–255.

<sup>32</sup> Freakonomics, “What Are Gender Barriers Made Of?” (July 20, 2016), <http://freakonomics.com/podcast/gender-barriers/>.

<sup>33</sup> Moss-Racusin, Dovidio, Brescoll, Graham, and Handelsman, “Science Faculty’s Subtle Gender Biases Favor Male Students”; Goldin and Rouse, “Orchestrating Impartiality: The Impact Of ‘Blind’ Auditions On Female Musicians”: 715-741.

<sup>34</sup> Goldin, “A Great Gender Convergence: Its Last Chapter”: 1091–1119.

rearing children still lies with women.<sup>35</sup> This means that, as this paper has discussed, women seem to be making career choices that accommodate for such responsibilities: they may move to part-time jobs or accept lower-paying jobs which allow for more temporal flexibility.

In addition, it even seems that men may experience a greater decrease in their salaries than women when switching to part-time schedules. Noonan notes that “men in the legal profession who take on non-traditional gender roles (i.e. taking responsibility for child care) pay a high price for that behaviour”.<sup>36</sup> In the face of this, when it comes the time for a couple to make a decision regarding who is to take a more temporally-flexible position, it might even be more financially advantageous for women to be the ones leaving their usual 9-to-5 positions. The ‘care penalty’ thus seems to provide the yet most convincing explanation in regards to the gender pay gap.

This invites a discussion of gender organisational policies. Goldin argues that well-intentioned policies may backfire. Policies such as maternity leave, or even Facebook’s controversial egg-freezing policy, are often well-meaning initiatives yet might be hurting women more than they help, leading to further disruptions of their careers. These issues will be explored in greater detail in Part 2 of this paper.

## **1.2 Gender Dynamics and Interaction**

As the previous subsection demonstrated, gender expectations can have harmful repercussions and lead to perceptions of inadequacies in the workplace. This subsection will consider how the aforementioned factors influence interaction between the genders and dynamics in the workplace, with a negative impact on both women and men.

Gender is not the only factor affecting workplace dynamics: issues of race, sexuality, religion (dis)ability and non-binary gender are also at play and it is important to be aware of this. However, this paper focuses specifically on the issue of female-male gender dynamics, despite the limits of this.

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<sup>35</sup> Pew Research Center, “Raising Kids and Running a Household: How Working Parents Share the Load” (November 2015): 9-11.

<sup>36</sup> Mary Noonan, “Pay Differences Among the Highly Trained: Cohort Differences in the Male-Female Earnings Gap in Lawyers’ Salaries”. (National Poverty Center Working Paper Series #03-1, May 2003), [http://www.npc.umich.edu/publications/working\\_papers/paper1/03-1.pdf](http://www.npc.umich.edu/publications/working_papers/paper1/03-1.pdf).

### 1.2.1 Gender Dynamics

The United States Agency for International Development has defined gender dynamics as “the relationships and interactions between and among boys, girls, women, and men... informed by socio-cultural ideas about gender and the power relationships that define them”.<sup>37</sup>

Although gender dynamics can either reinforce or challenge existing norms,<sup>38</sup> research has shown that the current manifestation of these dynamics tends to augment extant gender norms. Carli’s research into gender differences in interaction style and influence has shown that gender differences, coupled with gender stereotypes and gendered expectations, influence interaction between men and women in the workplace.<sup>39</sup> This is supported by Piliavin and Martin’s research, which highlights that women generally exhibit positive social behaviour (such as relieving group tension and supporting group cohesiveness) as well as a stronger inclination to agree, whereas men engage in a more disagreement and ‘task’ behaviour.<sup>40</sup> The foundation for such behaviour was found to lie in the general gendered hierarchy: men, on average, have a higher status than women,<sup>41</sup> reflecting the tendency for men and male associated traits to be more favourably evaluated than women and female associated traits.<sup>42</sup> This creates an entrenched culture whereby women have to stick to their perceived gender role (of supportiveness and agreement) or face the possibility of social exclusion. These gender dynamics seem to point to a clear trend: competing for status is normally seen as acceptable for men and yet is frowned upon in the case of women.<sup>43</sup> Indeed, in mixed-gender groups, males are five times more likely than females to exercise opinion leadership.<sup>44</sup>

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<sup>37</sup> United States Agency for International Development, *Glossary of Gender Terms and Concepts* (2008).

<sup>38</sup> United States Agency for International Development, *Glossary of Gender Terms and Concepts* (2008).

<sup>39</sup> Linda Carli, “Gender Differences in Interaction Style and Influence”, *Journal of Personality and Social Psychology* 56, No.4 (1989): 565-576.

<sup>40</sup> Jane Allyn Piliavin and Rachel Rosemann Martin “The Effects of the Sex Composition of Groups on the Style of Social Interaction”, *Sex Roles*, No. 4 (1978): 281-296.

<sup>41</sup> B. F. Meeker and P. A. Weitzel-O'Neill, “Sex Roles and Interpersonal Behaviour in Task-Oriented Groups”, *American Sociological Review* 42 (1977): 92-105.

<sup>42</sup> Inge. K. Broverman, Susan Raymond Vogel, Donald M. Broverman, Frank E. Clarkson, and Paul S. Rosenkrantz, “Sex Role Stereotypes: A Current Appraisal”, *Journal of Social Issues* 28 (1972): 59-79.

<sup>43</sup> Meeker and Weitzel-O'Neill, “Sex Roles and Interpersonal Behaviour in Task-Oriented Groups”.

<sup>44</sup> Henry A. Walker, Barbara C. Ilardi Barbara, Anne M. McMahon, and Mary L. Fennell, “Gender, Interaction, and Leadership”, *Social Psychology Quarterly* 59, No. 3 (1996): 255-72.

While it is encouraging that more contemporary research reports show slow progress among organisations towards a greater focus on an employee's stronger professional networks and character than gender fit,<sup>47</sup> females still face a gendered work environment that works against them. In a report published by Murray Edwards College at the University of Cambridge, 22% of women felt that combining work and family was the biggest challenge in their careers while 38% cited an unsupportive workplace culture. Women also indicated that their voices are not heard and they are interrupted or ignored at meetings, reinforcing the idea that the workplace is designed by males for males, which crowds out women in this 'male' culture.<sup>48</sup>

In the same vein, Fennell's Legitimacy Theory argues that actors who possess identities recognised by the group (such as certain behaviour, like assertiveness), will be more likely to rise to top positions, regardless of their gender.<sup>49</sup> However, actors' legitimacy is based on the idea of what the organisation values in terms of behaviour and character, which commonly value more typically male qualities (such as assertiveness and interrupting discussions).<sup>50</sup>

The detrimental effects of this culture on women are particularly apparent in industries that tend to be male-dominated such as engineering. Women in these industries have expressed dissatisfaction with their experiences even if they are technically proficient and they have also been found to avoid promotions in order to lessen the prejudice against them at higher levels of management that are increasingly male-dominated.<sup>51</sup> Women from across the different UK industries comprise 73% of the workforce at entry- and junior-level roles, but female representation drops to 42% at the senior management level and 32% at the director level.<sup>52</sup> The avoidance of upper management positions, coupled with 'benevolent sexism' from a male-dominated management against women, can result in a vicious cycle whereby women do

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<sup>47</sup> S. Rutherford, "Any Difference? An Analysis of Gender and Divisional Management Styles in a Large Airline", *Gender, Work and Organization* 8, No. 3 (2001): 326-345.

<sup>48</sup> Murray Edwards College, University of Cambridge, "Women Today, Women Tomorrow: Survey Report" (2014): 6-7.

<sup>49</sup> Mary L. Fennell, Patricia Barchas, Elizabeth G. Cohen, Anne M. McMahon, and Polly Hildebrand. "An Alternative Perspective on Sex Differences in Organizational Settings: The Process of Legitimation", *Sex Roles* 4 (1978): 589-604.

<sup>50</sup> Cecilia L. Ridgeway and Joseph Berger, "Expectations, Legitimation, and Dominance Behaviour in Task Groups" *American Sociological Review* 51 (1986): 603-17.

<sup>51</sup> Judith S. McIlwee and J. Gregg Robinson, *Women in Engineering: Gender, Power, and Workplace Culture* (State University of New York Press: Albany, 1992).

<sup>52</sup> Katie Allen, "UK Women Still Far Adrift on Salary and Promotion as Gender Pay Gap Remains a Gulf" (The Guardian, August 23, 2016), [https://www.theguardian.com/money/2016/aug/23/gender-pay-gap-average-18-percent-less-uk-women?utm\\_source=esp](https://www.theguardian.com/money/2016/aug/23/gender-pay-gap-average-18-percent-less-uk-women?utm_source=esp).

not wish to be and are not promoted, thus perpetuating a male-dominated management which further entrenches a gendered work culture.

### 1.2.2 Inter-Gender Interaction

As discussed in the earlier subsection on gender expectations, women are expected to demonstrate docile characteristics (such as niceness and collaborative behaviour) in the workplace. However, they are also expected to match up to men in terms of aggressiveness and self-promotion, and this poses difficulties for women:<sup>53</sup> the paradoxical demand for both soft-skills and self-promotion seems to place pressure on women to conform to their assigned gender roles and yet achieve gender-neutral expectations. The women who took part in the abovementioned survey by Murray Edwards College felt that their “voices are not heard and interrupted or ignored at meetings; work takes place on the golf course, at football matches and other male-dominated events”. They also stated that progress was not based on merit and women had to outperform men to succeed, and that questions were raised in selection processes about whether a woman “is tough enough”.<sup>54</sup>

These expectations and individuals’ failure to meet them can also lead to what Professor Joan Acker has labelled “assumptions that cast men as ‘real’ workers and women as people who take care of men’s needs and children.”<sup>55</sup> Such entrenched gender dynamics and roles in the workplace contribute to the ‘glass ceiling’ experienced by women, and which hinder them from reaching position of leadership. In the UK, recent evidence suggests not only that the pay gap for women persists, but that for some it is getting worse: in 2013, the median pay for a woman was 19.7% less than that for a man, and women in management positions received lower basic salaries and bonuses than men in equivalent roles.<sup>56</sup>

These gendered perceptions of behaviour have also led to women being harassed at work for ‘acting like men’: Hillin, citing Bain & Company, notes that women who displayed male associated traits were often harassed more

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<sup>53</sup> McIlwee and Robinson, *Women in Engineering: Gender, Power, and Workplace Culture*.

<sup>54</sup> Murray Edwards College, “Women Today, Women Tomorrow: Survey Report”.

<sup>55</sup> Joan Acker, “Hierarchies, Jobs, Bodies:: A Theory of Gendered Organizations”, *Gender & Society* 4, No. 2 (1990): 139-58, <http://gas.sagepub.com/content/4/2/139.short>.

<sup>56</sup> Sophie Smith, “Limitations to Equality: Gender Stereotypes and Social Change”, *Juncture* 21, No. 2 (2014): 144-150.

than their more effeminate female counterparts.<sup>57</sup>

More generally, women are also subject to objectification and harassment in the workplace. A study by The Daily Telegraph has shown that sexism is utilised by men in the workplace in order to bond with other men.<sup>58</sup> Meanwhile, Nicolson has noted that women risk making “powerful enemies” if they object to “anti-women remarks”.<sup>59</sup> This makes it very difficult for the issue to be effectively tackled and resolved.

An even more serious manifestation of this is the problem of sexual harassment, which is also closely linked to the assessment and rewarding of achievement (which will be examined in greater depth in the next section). As academic feminist MacKinnon notes:

*“[W]omen tend to be in low-ranking positions, dependent upon the approval and goodwill of male [superiors] for hiring, retention and advancement. Being at the mercy of male superiors adds direct economic clout to male sexual demands. It also deprives women of material security and independence which could help make resistance to unreasonable job pressures. Sexual harassment of women can occur largely because women occupy inferior job positions and job roles; at the same time, sexual harassment works to keep women in such positions.”<sup>60</sup>*

Within the workplace, specifically the corporate environment, Stop Violence Against Women (STOPVAW)<sup>61</sup> has indicated that “quid pro quo harassment is the most commonly recognized form of sexual harassment [in the workplace]”. Such harassment occurs when conditions of employment become contingent on sexual favours to those who have authority to make decisions about employable actions. Additionally, quid pro quo harassment also includes the rejection of such sexual advances or favours resulting in

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<sup>57</sup> Taryn Hillin, “Can’t Win: Women Harassed At Work for ‘Acting Like Men’” (Fusion, 2016), <http://fusion.net/story/138761/women-workplace-harassment-study/>.

<sup>58</sup> Javier Espinoza, “Sexism in the Workplace is Used by Men to Bond” (The Telegraph, 23 July 2015), <http://www.telegraph.co.uk/education/educationnews/11758421/Sexism-in-the-workplace-is-used-by-men-to-bond-says-academic.html>.

<sup>59</sup> Espinoza, “Sexism in the Workplace is Used by Men to Bond”.

<sup>60</sup> Catherine MacKinnon, *Sexual Harassment of Working Women* (Yale University Press, 1979).

<sup>61</sup> Stop Violence Against Women (STOPVAW), “Quid Pro Quo Sexual Harassment” (2016), [http://www.stopvaw.org/Quid\\_Pro\\_Quo\\_Sexual\\_Harassment](http://www.stopvaw.org/Quid_Pro_Quo_Sexual_Harassment).

tangible detriment to an individual's employment;<sup>62</sup> women have also been coerced into sexual submission and 'favours' in order to remain employed.<sup>63</sup>

Sexual harassment is an everyday occurrence for so many women that their employment performance will undoubtedly be affected.<sup>66</sup> The atmosphere of male sexual dominance and threat in the workplace does not provide an equal footing for people to work to their potential; thus, women are unable to fulfil their potential because, as a woman, they are affected by both economic inequalities, and inappropriate and dangerous behaviours. These behaviours range from uncomfortable jokes to unwanted touching to sexual assault.<sup>67</sup> As the Commission of the European Union states, "sexual harassment pollutes the working environment and can have a devastating effect upon the health, confidence, morale and performance of those affected by it. The anxiety and stress produced by sexual harassment commonly leads to those subjected to it taking time off work due to sickness, being less efficient at work, or leaving their job to seek work elsewhere.. Sexual harassment may also have a damaging impact on employees not themselves the object of unwanted behaviour but witness to it or having knowledge of the unwanted behaviour".<sup>69</sup> This toxic dynamic ultimately reduces the ability of women to perform and their potential to be recognised and rewarded,<sup>70</sup> and in turn feeds into the broader problem of gendered expectations and behavioural tolerance – a vicious cycle.

### **1.3 Assessing and Rewarding Achievement**

Assessing and rewarding achievement in the workplace is arguably a gendered phenomenon. What is considered 'achievement' too tends to be based on traditional concepts of 'man' and woman'. There is a distinct disparity between men and women in the workplace in terms of the perception and

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<sup>62</sup> Stop Violence Against Women (STOPVAW), "Quid Pro Quo Sexual Harassment".

<sup>63</sup> William Petrocelli and Barbara Kate Repa, *Sexual Harassment On The Job* (Berkeley: Nolo Press, 1999).

<sup>66</sup> Frances O'Grady and Laura Bates, "Sexual Harassment At Work is Getting Worse. We Need to Stamp It Out" (The Guardian, 2016), <https://www.theguardian.com/commentisfree/2016/aug/10/sexual-harassment-at-work-getting-worse>.

<sup>67</sup> O'Grady and Bates, "Sexual Harassment At Work is Getting Worse. We Need to Stamp It Out".

<sup>69</sup> Commission of the European Union, "Protection of the Dignity of Women and Men At Work" (Commission Recommendation 92/131/EEC) (November 1991), <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3Ac10917a>.

<sup>70</sup> Stop Violence Against Women (STOPVAW), "Effects of Sexual Harassment".

assessment of achievement, as well as the judgment of what is to be rewarded – a disparity highlighted particularly by Stop Violence Against Women (STOPVAW), a project of The Advocates for Human Rights.<sup>74</sup> Ideas of how women should succeed and in what, and how they should be rewarded for successes exist alongside societal expectations of women in the workplace, which can be seen to rest on traditionally sexist ideas and beliefs.

### **1.3.1 Psychological Barriers to Success**

Research indicates that women experience a confidence gap in the workplace that is difficult to overcome. This is caused by the lack of role models for women and the dominance of ‘ideal worker’ stereotypes that are disadvantageous to women.

#### Lack of Role Models

The 2014 Bain Report by Coffman and Neuenfeldt illustrates how men and women’s career paths differ due to societal pressures.<sup>75</sup> In a 2014 US Gender Parity report, out of 1,000 men and women in the US at multiple career levels, 43% of women aspired to pursue top management when they are in the first two years of their position, compared to 34% of men at the same stage – both men and women were recorded to be equally confident about their abilities to reach their aspirational levels. Yet, over time, the women’s aspirations dropped by more than 60%, whilst those of the men stayed the same. Amongst employees with over two years of experience, 34% of men were still aiming for the top, whilst only 16% of women were. The research concluded that with experience, the confidence of women fell by half.

This was not caused by women getting married and having children (another cause of discrimination against women); rather, this can be explained by the dearth of women in top management positions. For example, in the US – where women comprise more than half of all college graduates and hold around 40% of Masters of Business Administration (MBAs), they only make up 5% of Fortune 500 CEOs. Furthermore, only 30% of women in middle management and 24% in upper management believe that they have an equal opportunity to be promoted on the same timelines, and to the same agenda, as men, while men believe that opportunity is equal at middle management.

The International Labour Organisation (ILO) has also noted that men

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<sup>74</sup> Stop Violence Against Women, “Sexual Harassment - Causes of Sexual Harassment” (2016), <http://hrlibrary.umn.edu/svaw/harassment/explore/3causes.htm>.

<sup>75</sup> Julie Coffman and Bill Neuenfeldt, *Everyday Moments of Truth: Frontline Managers are Key to Women's Career Aspirations* (Bain & Company: 2014), <http://www.bain.com/publications/articles/everyday-moments-of-truth.aspx>.

“dominate the highest corporate and institutional positions everywhere in the world”, even though most women need and want to work.

### The ‘Ideal Worker’ Model

Although companies differ, there appears to be a similar trend amongst most of a deeply ingrained ideal worker model.<sup>77</sup> In their research, Coffman and Neuenfeldt asked respondents to rank the most important characteristics for promotion in their companies. 60% agreed on the top five, and these characteristics fall into two categories: maintaining a high profile in the organisation, and a commitment to long hours and constant work. These two categories are almost inaccessible to women, who on the promotion of themselves tend to be rejected by the workforce, and who are typically the primary caregiver if they have children, with 58% of female respondents feeling that managing both work and family commitments slows or disrupts women’s careers.<sup>78</sup>

### **1.3.2 Patronisation and Unequal Rewards**

Women are also discriminated against in the workplace in that the work they are assigned is often unchallenging and itself without cause for reward. A report by King et al<sup>79</sup> on women’s experiences in the energy industry noted that, although managers did not criticise women more than their male counterparts, women reported receiving less challenging developmental assignments.

Similarly, Vescio et al<sup>80</sup> found that, when given power, men tended to praise female subordinate colleagues whilst denying them any tangible reward. Vescio observed that demonstrating such patronising ‘benevolent sexism’ behaviour reduced women’s task performance and ability to succeed.<sup>81</sup>

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<sup>77</sup> Coffman and Neuenfeldt, *Everyday Moments of Truth: Frontline Managers are Key to Women's Career Aspirations*, <http://www.bain.com/publications/articles/everyday-moments-of-truth.aspx>.

<sup>78</sup> Coffman and Neuenfeldt, *Everyday Moments of Truth: Frontline Managers are Key to Women's Career Aspirations*, <http://www.bain.com/publications/articles/everyday-moments-of-truth.aspx>.

<sup>79</sup> Eden B. King, Whitney Botsford, Michelle R. Hebl, Stephanie Kazama, Jeremy F. Dawson, and Andrew Perkins, “Benevolent Sexism at Work: Gender Differences in the Distribution of Challenging Developmental Experiences”, *Journal of Management* Vol. 38(6) (November 2012): 1835- 1866.

<sup>80</sup> Theresa Vescio, Sarah J. Gervais, Mark Snyder and Ann Hoover, “Power and the Creation of Patronizing Environments: The Stereotype-Based Behaviours of the Powerful and Their Effects on Female Performance in Masculine Domains”, *Journal of Personality and Social Psychology* 88, No. 4 (2005): 658-672.

<sup>81</sup> Vescio et al, “Power and the Creation of Patronizing Environments: The Stereotype-

### 1.3.3 Gendered Perceptions of Behaviour

We have seen that women who display traditionally 'masculine' agentic traits are often adversely affected in the workplace.<sup>82</sup> This occurs because of the visible violation of stereotypical female associated 'niceness' – a powerful counterforce to current social change. Agentic traits are necessary for most working jobs, yet as agentic traits are often associated with power and status, women's increasing agency now poses a threat to male dominance. In the workplace, women are thus assessed unevenly on both their work and their behaviours, and what they consider to be achievements. This problem is particularly prominent in relation to leadership roles.

The effectiveness of leaders in the workplace tends to be evaluated based on characteristics and traits that are stereotypically associated with males. This poses a challenge for women in leadership because society expects women to be communal ('nice', 'helpful', and 'considerate') as opposed to being agentic ('assertive', 'confident' and 'competent'), yet displaying those communal characteristics may set them back from leadership roles. However, agentic women are in a paradoxical situation where they face the social repercussions of defying gender stereotypes, but are also viewed as socially deficient compared to identically presented men, which may result in discrimination in hiring practices.<sup>83</sup> Moreover, the recent shift to the 'feminisation' of management in corporations means both agentic and communal traits are required for managers, and this unintentionally promotes discrimination against agentic women. In hiring for a managerial job, Rudman and Glick found that agentic female job applicants were viewed as less socially skilled than agentic males.<sup>84</sup> On the other hand, communal applicants (regardless of sex) received low hiring ratings. Thus, demonstrating agentic behaviours (being self-reliant, individualistic and competitive) allows women to overcome the descriptive stereotypes of lesser competence, but they still risk being judged as insufficiently 'nice' or interpersonally deficient.<sup>85</sup>

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Based Behaviours of the Powerful and Their Effects on Female Performance in Masculine Domains".

<sup>82</sup> Roxane Gay, "Women Shouldn't Have To Lead Like Men To Be Successful" (Fortune Magazine, 2015), <http://fortune.com/2015/02/12/women-shouldnt-have-to-lead-like-men-to-be-successful/>.

<sup>83</sup> Laurie A. Rudman and Peter Glick, "Prescriptive Gender Stereotypes and Backlash Toward Agentic Women", *Journal of Social Issues* 57, No. 4 (2001): 743-762.

<sup>84</sup> Laurie A. Rudman and Peter Glick, "Feminized Management and Backlash Toward Agentic Women: The Hidden Costs to Women of a Kinder, Gentler Image of Middle Managers" *Journal of Personality and Social Psychology* 77, No. 5 (1999): 1004.

<sup>85</sup> Laurie A. Rudman, "Self-Promotion as a Risk Factor for Women: The Costs and Benefits of Counter-Stereotypical Impression Management", *Journal of Personality*

In a similar vein, a study published by the University of Michigan and Carthage College found that women taking on qualities associated with males was not beneficial in the process of assessing and rewarding their achievements.<sup>86</sup> Women in the workplace are in a 'catch-22':<sup>87</sup>

Ultimately, this leads to "women's ambition [being] slowly chipped away the more she sees her male colleagues reap workplace rewards for what are culturally perceived as male behaviours, such as hobnobbing on the golf course and pulling all-nighters".<sup>88</sup>

These perceptions also affect how women are responded to in the workplace. A study conducted by Fortune Magazine<sup>89</sup> among high-achieving men and women showed that 71% of women received negative feedback, while 81% of men received only constructive feedback; moreover, in reviews including critical feedback, 94% of women received criticism, compared to 58% of men who received no criticism. It was also found that men were given constructive suggestions (such as: "Take time to slow down and listen. You would achieve even more."), whereas women were given constructive suggestions *and silenced*, receiving suggestions like:

- "You can come across as abrasive sometimes. I know you don't mean to but you need to pay attention to your tone."
- "You would have had an easier time if you had been less judgemental."

Performance review feedback, as well as the concept of professional achievement more broadly, is further hindered by words like 'abrasive', 'bossy', 'bitchy', and 'aggressive' being used to describe women when they lead and have the potential to succeed, and 'emotional' and 'irrational' when they object to certain requests.<sup>90</sup>

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and Social Psychology 74, No. 3 (1998): 629.

<sup>86</sup> Emily A. Leskinen, 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 (May 2015).

<sup>87</sup> Leskinen et al, "Gender Stereotyping and Harassment: A 'Catch-22' for Women in the Workplace".

<sup>88</sup> Hillin, "Can't Win: Women Harassed At Work for 'Acting Like Men'".

<sup>89</sup> Kieran Synder, "Performance Review Gender Bias: High-Achieving Women are 'Abrasive'" (Fortune Magazine, 2014), <http://fortune.com/2014/08/26/performance-review-gender-bias/>.

<sup>90</sup> Synder, "Performance Review Gender Bias: High-Achieving Women are 'Abrasive'".

### 1.3.4 Gendered Notions of ‘Achievement’ and ‘Success’

Perceptions of individuals’ achievement and success, and the concepts themselves, are also shaped by gender. A study by Catalyst – entitled “Women ‘Take Care’, Men ‘Take Charge’: Stereotyping of US Business Leaders Exposed” – showed that women’s assessment and rewards of performance are not reflective of the work that women actually do, but rather reflect leaders’ differing perceptions of men’s and women’s achievements.<sup>91</sup> These perceptions often do not reflect reality: male and female respondents in the study cast women as better at displaying stereotypically feminine skills like caretaking, and men as better at ‘taking charge’; men also saw themselves as most superior to women in problem-solving.<sup>92</sup>

Moreover, Catalyst’s research suggests that people automatically remember and believe information that is consistent with their stereotype and to dismiss apt information which contradicts it. Women struggle to be rewarded and promoted because of the stereotypes of being a leader restricts their capabilities to succeed.<sup>93</sup> Assessing achievement within the workplace thus adheres to traditional stereotype bias, which feeds into the notion that women are caretakers, less leader-like, and men stronger, logical and qualified.<sup>94</sup>

In addition, in assessing and rewarding achievement, companies are often too focused on the economic gains they may receive if they hire more women, rather than addressing deeply embedded and harmful perceptions and stereotypes about female employees. There is a tendency to consider employees as the sum of their parts, instead of as a whole and based on a holistic, continuing set of criterion. For example, women who are able to become pregnant are biologically predisposed to need to take time off from employment during pregnancy, leading some male executives to make statements like “We’re not hiring any young women because they just get pregnant again and again”.<sup>96</sup> Indeed, The Guardian has reported that over

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<sup>91</sup> Catalyst, “Catalyst Study Exposes How Gender-Based Stereotyping Sabotages Women in the Workplace” (2005), <http://www.catalyst.org/media/catalyst-study-exposes-how-gender-based-stereotyping-sabotages-women-workplace>.

<sup>92</sup> Catalyst, “Catalyst Study Exposes How Gender-Based Stereotyping Sabotages Women in the Workplace”.

<sup>93</sup> Catalyst, “Catalyst Study Exposes How Gender-Based Stereotyping Sabotages Women in the Workplace”.

<sup>94</sup> Catalyst, “Catalyst Study Exposes How Gender-Based Stereotyping Sabotages Women in the Workplace”.

<sup>96</sup> Lyndsay Kirkham, “Woman Says She Overheard IBM Execs Say They Won’t Hire Women Because They Get ‘Pregnant Again And Again’” (ThinkProgress, 2014), <https://thinkprogress.org/woman-says-she-overheard-ibm-execs-say-they-wont-hire->

54,000 women lose their job in Britain each year because of gender discrimination based on the ability to bear children.<sup>97</sup> This problem also seems to have worsened over time: according to the Equality and Human Rights Commission, women who return to work after having children are more likely to receive workplace discrimination and harassment today compared to 10 years ago; they are also less likely to be hired, less likely to be paid as much, and likely to have a lack of rights within the workplace when returning from maternity leave.<sup>98</sup>

Another aspect that needs to be considered is the perception of success and the belief of earning rewards in the workplace. Facebook COO Sheryl Sandberg aptly points out that “[m]en attribute their success to themselves and women attribute it to other external factors” – pointedly, men.<sup>100</sup> Similarly, research by Williams and Craver found that, with regards to projects that involve both genders, there is a common notion that successful men tend to be ascribed to intrinsic factors such as diligence and intelligence, while a woman’s successes are often attributed to extrinsic factors such as luck or the assistance of others. This causes male success to be overvalued, and female success to be undervalued.<sup>101</sup>

The misattribution of rewards and success from women to men is a form of discrimination that has become almost naturalised,<sup>102</sup> and there is a distinct lack of ability to distinguish between confidence and competence.<sup>103</sup>

Furthermore, in *Why Women Stay Quiet at Work*, Sandberg and Grant write about women’s ingrained gender anxiety that reduces their perceived ability

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[women-because-they-get-pregnant-again-and-2df1329df53a#.vg54nyoad](#).

<sup>97</sup> Alexandra Topping, “Maternity leave discrimination means 54,000 women lose their jobs each year” (The Guardian, 2015),

<https://www.theguardian.com/money/2015/jul/24/maternity-leave-discrimination-54000-women-lose-jobs-each-year-ehrc-report>.

<sup>98</sup> Equality and Human Rights Commission, *Pregnancy and Maternity Discrimination Research Findings* (Equality and Human Rights Commission, 2016),

<https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings>.

<sup>100</sup> Sheryl Sandberg, “Why We have Too Few Women Leaders” (TED, 2011),

[https://www.ted.com/talks/sheryl\\_sandberg\\_why\\_we\\_have\\_too\\_few\\_women\\_leaders/transcript?language=en](https://www.ted.com/talks/sheryl_sandberg_why_we_have_too_few_women_leaders/transcript?language=en).

<sup>101</sup> Gerald R. Williams and Charles B. Craver, *Legal Negotiating* (St. Paul, MN: Thomson/West, 2007).

<sup>102</sup> Sheryl Sandberg and Adam Grant, “Sheryl Sandberg and Adam Grant on Why Women Stay Quiet at Work” (New York Times, 2015),

[http://www.nytimes.com/2015/01/11/opinion/sunday/speaking-while-female.html?\\_r=2](http://www.nytimes.com/2015/01/11/opinion/sunday/speaking-while-female.html?_r=2).

<sup>103</sup> Amy Levine, *Women and Men in the Workplace* (2013),

<http://ucop.edu/pacsw/files/lean-in/men-and-women-in-the-workplace.pdf>.

to lead and to be successful.<sup>104</sup> This anxiety is reinforced daily, not just in the workplace but in all aspects of life.

Workplaces therefore need to recognise that there is more than just one, stereotypical male associated traits, way to lead and be successful, and an alternative or all-encompassing assessment system needs to be put in place.<sup>105</sup> This is in the interests of organisations as well as their employees: when their achievements are suitably assessed and rewarded, women reap considerable economic benefits for their companies. Goldman Sachs,<sup>106</sup> as well as Kay and Shipman,<sup>107</sup> have observed that companies that employ women to an equal or majority, ratio outperform their competitors on every measure of profitability due to their competence, ability, and currently undervalued performance. However, the ILO has noted that “despite gains in some areas, women earn an average of just two-thirds of men's wages, and they are often denied access to opportunities leading to the best jobs”. At the present rate of progress worldwide, it would take 475 years for parity to be achieved between men and women in top-level managerial and administrative positions”.<sup>108,109</sup>

Importantly, however, women are not homogenous or monolithic – women are not all equally oppressed and discriminated against in the workplace. Women of colour, transgender women, gay women and Islamic women are much more likely to experience harsher forms of discrimination in the workplace and the standard they are held to with regard to their achievements is different from that to which men and white women are held. For example, the Center for Talent Innovation has found that although black female professionals seek top leadership roles, they are treated as virtually invisible.<sup>110</sup> Stereotypes and biases have contributed to the tendency to ignore

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<sup>104</sup> Sandberg and Grant, “Sheryl Sandberg and Adam Grant on Why Women Stay Quiet at Work”.

<sup>105</sup> Sandberg and Grant, “Sheryl Sandberg and Adam Grant on Why Women Stay Quiet at Work”.

<sup>106</sup> Goldman Sachs, “The Case for Women's Economic Empowerment”, (2015), <http://www.goldmansachs.com/our-thinking/pages/case-for-womens-economic-empowerment.html>.

<sup>107</sup> Katty Kay and Claire Shipman, “The Confidence Gap” (The Atlantic, 2014), <http://www.theatlantic.com/magazine/archive/2014/05/the-confidence-gap/359815/>.

<sup>108</sup> International Labour Organisation, “Large Gender Gaps Remain Across Broad Spectrum of Global Labour Market” (March 8, 2016), [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_457267/lang-en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_457267/lang-en/index.htm).

<sup>109</sup> International Labour Organisation, *Women Work More, But Are Still Paid Less*.

<sup>110</sup> Sylvia Ann Hewlett and Tai Green, *Centre for Talent Innovation: Black Women Ready To Lead* (2015), [http://www.talentinnovation.org/\\_private/assets/BlackWomenReadyToLead\\_ExecSummary-CTI.pdf](http://www.talentinnovation.org/_private/assets/BlackWomenReadyToLead_ExecSummary-CTI.pdf).

black women,<sup>111</sup> and there has been a failure to include both their black and female identities in a single concept,<sup>112</sup> leading to a mental absence of black women in the workplace. This means that black women receive fewer pay-rises, face a greater pay disparity in relation to men, hold only 3% of board director roles at Fortune 500 companies and are not rewarded for their valuable contributions.<sup>113</sup>

In summary, what is most striking from existing research is how global, multi-levelled, and pervasive the issue of gender discrimination is, particularly in the corporate workplace.<sup>114</sup> This discrimination takes many different forms, and these forms have to be both understood and borne in mind in the search for effective solutions.

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<sup>111</sup> Richard P. Eibach and Valerie Purdie-Vaughns, "Change We Can Believe In?", *Du Bois Review: Social Science Research on Race* 6, No. 1 (Spring 2009): 137-151, <https://www.cambridge.org/core/journals/du-bois-review-social-science-research-on-race/article/change-we-can-believe-in/999782960E37D075152CE6AE36D924BC>.

<sup>112</sup> Eibach and Purdie-Vaughns, "Change We Can Believe In?".

<sup>113</sup> Ruth Reader, "The Terrible Truth About Why Women of Color Hold So Few Leadership Positions" (Mic, 2016), <https://mic.com/articles/139336/why-the-workplace-gender-gap-is-worse-for-women-of-color#.m8sdNYme1>.

<sup>114</sup> Reader, "The Terrible Truth About Why Women of Color Hold So Few Leadership Positions".

## Part 2 Comparative Case Studies

This section will examine specific policies adopted in Norway, India, the United States (US), and finally the United Kingdom (UK) to address the issue of gender discrimination in the workplace.

Certain policies in Norway and India are revealing case studies because – based on worldwide gender equality rankings, such as the World Economic Forum (WEF)'s Global Gender Gap Report – the nations lie on opposite ends of the spectrum. In many aspects, these countries differ notably from the UK, making explicit comparison more challenging. While the specific policy implications may be less clear cut, these case studies reveal underlying features of gender discrimination, the inferences of which are directly transferable to the UK. These countries thus provide informative case studies, demonstrating the effectiveness of certain policies and the potential applicability to the UK. The US, which is more closely aligned with the UK in terms of gender parity, provides a complementary case study with more obvious implications for the UK. Through discussing their existing challenges and evaluating the corresponding initiatives thus far, this section aims to arrive at a number of preliminary observations that can be taken into account in the solutions proposed in Part 3.

### 2.1 Norway

Reports and rankings on gender equality published by a number of organisations – such as the World Economic Forum (WEF), the World Bank, the United Nations Development Programme (UNDP), and the Organisation for Economic Cooperation and Development (OECD) – all come to similar conclusions which rank the Nordic countries (Norway, Sweden, and Iceland) near the top, with good gender parity in the domains of economic participation, political empowerment, education, and health. This case study will focus on Norway, as it was ranked first under the sub-index of economic participation and opportunity in the WEF's Global Gender Gap Report 2015.<sup>115</sup>

#### 2.1.1 Affirmative Action Legislation

This progress is mainly attributable to Norway's Affirmative Action Law 2003, which created the pressure needed for fundamental change in gender

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<sup>115</sup> World Economic Forum, *The Global Gender Gap Report 2015: 10th Anniversary Edition* (2015): 10, <http://www3.weforum.org/docs/GGGR2015/cover.pdf>.

inequality. Norway, in 2003, legislated 40% minimum representation of each gender on the corporate boards of public limited and state-owned companies. Soon, the government introduced tough sanctions for companies that failed to implement the quota. It is thus argued that without both the compulsory quotas and accompanying sanctions for non-compliance, it would be next to impossible to increase the number of female board members. As of March 2015, the country reached the 40% target and it now has more women on company boards than any other countries.<sup>116</sup>

Junior-level female employee's career mobility is enhanced with higher proportions of female superiors. The quota increases role models within a firm and has a positive impact on the aspirations of women working in these firms.<sup>117</sup>

However, while this quota has increased the representation of women in top level posts and reduced gender disparity in the sectors, it is doing little to increase the total number of women employed by a firm. Bertrand and others found that there was no evidence that the top level gains trickled down to the bottom or that it affected women's decision making regarding fertility or marital plans in general. In the examined short run, it was seen that the only benefit that the quota brought about was a rise in newly appointed female board members.<sup>118</sup>

Moreover, quotas are often not perceived as fair, and do not always achieve their goals. This law can also feed the view that women are hired just to fill the quota and can lead to questioning of women's competence. It is found that when team membership is decided by quotas, participants are less likely to cooperate with each other. A study shows backlash against women when quotas were underway and women even became targets of sabotage which cautions against the use of gender quotas in environments where peer review determines pay.<sup>119</sup> Based on this, it can be seen that policies that are less strict

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<sup>116</sup> R.L.W. and D.H., "The Glass-Ceiling Index", (The Economist, March 2015), <http://www.economist.com/blogs/graphicdetail/2015/03/daily-chart-1>; Aagoth Storvik and Mari Teigen, "Women on Board: The Norwegian Experience" (Berlin: Friedrich-Ebert-Foundation, 2010).

<sup>117</sup> Kathleen L. McGinn and Katherine L. Milkman, "Looking Up and Looking Out: Career Mobility Effects of Demographic Similarity Among Professionals", *Organization Science* 24, No. 4 (2013): 1041-1060.

<sup>118</sup> Marianne Bertrand, Sandra E. Black, Sissel Jensen, and Adriana Lleras-Muney, *Breaking the Glass Ceiling? The Effect of Board Quotas on Female Labor Market Outcomes in Norway*, No. W20256 (National Bureau of Economic Research, 2014).

<sup>119</sup> Andreas Leibbrandt, Liang Choon Wang, and Cordelia Foo, "Gender Quotas, Competitions, and Peer Review: Experimental Evidence on the Backlash Against Women" (2015).

and involve a method of incentivising the firms (such as through tax breaks and other perks) to hire more women can have the same benefit without the drawbacks of tough sanctions.

### **2.1.2 Paternity Leave Legislation**

Nordic countries more generally have been successfully addressing the glass ceiling with a host of policies such as paternal leaves, post-maternity re-entry programs, and mandated parental leave benefits, and these policies can be replicated in the UK. The paternity leave law called *pappapermisjon* has helped create a more balanced household. It supports the view that in an attempt to reach equality for women in the workplace, fathers must take on a greater share of responsibilities at home. Under the law, a special ten-week quota is reserved for the fathers to take care of the children. This leave is on a 'use it or lose it' condition which means that if fathers are unwilling to take out *pappapermisjon*, the time cannot be transferred to the mother and the whole family loses out. This condition ensures more fathers take on the leave using the theory of loss aversion. Moreover, after every birth, the parents both benefit from a two-week leave and then divide up the 46-week parental leave paid at 100%, or alternatively, 56 weeks paid at 80%. This law has been successful: 90% of the fathers took at least 12 weeks' holiday in 2011 compared to only 3% in 1993,<sup>120</sup> suggesting a more even distribution of parental responsibilities.

## **2.2 India**

India ranks 108<sup>th</sup> out of 145 in the global index, based on the WEF's Global Gender Gap Report 2015.<sup>121</sup> However, in the sub-index of political empowerment, it ranks 9<sup>th</sup> among the countries examined. With this discrepancy, India provides a unique manifestation of gender discrimination.

### **2.2.1 Mandatory Quotas for Women in Government**

India's relative equality concerning political empowerment can be partly attributed to the mandatory quota to reserve 33% of all seats in the Lower House of Parliament of India – the Lok Sabha – and in all the state legislative

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<sup>120</sup> Anne Chemin, "Norway, The Fatherland (The Guardian, 2011), <https://www.theguardian.com/money/2011/jul/19/norway-dads-paternity-leave-chemin>.

<sup>121</sup> World Economic Forum, *The Global Gender Gap Report 2015: 10th Anniversary Edition* (2015): 11, <http://www3.weforum.org/docs/GGGR2015/cover.pdf>.

assemblies for women. As a result of this policy, India saw an increase in share of women in parliament from 5% in 1993 to 40% in 2005.

This mandatory quota was a step to inclusive participation in government, exposing the country to a varied leadership style, which contributed to changed perceptions of the effectiveness of female leaders in India. The presence of female village chiefs encouraged men to overcome previous biases against female leadership. This opportunity for women to demonstrate competence in leadership was instrumental in breaking down the gendered expectations of female submissiveness which had previously pervaded Indian politics. Beaman et al. show that those male villagers who were unwilling to vote for female leaders when the quota was first introduced, subsequently confidently voted for women chiefs after being exposed to a minimum of two female leaders.<sup>122</sup> The study shows Indian women became more outspoken in general seeing these women in positions of authority. When a village was exposed to a female chief twice, parents were more likely to send their daughters to post-secondary level education, and girls exhibited significantly higher motivation to continue education and delay marriages and childbearing. Beaman et al.'s subsequent study demonstrates the importance of this policy.<sup>123</sup> The aspirations the quota engendered among parents and young girls, breaking down their own preconceived attitudes towards gendered roles in the community and workplace, were most significant.

### **2.2.2. Persistent Gendered Roles in Male-Dominated Professions: A Lesson from the Delhi Police**

While India has made notable progress in terms of political empowerment, entrenched manifestations of gender discrimination are evident more broadly. The aforementioned gendered expectations, delimiting both the occupations women may enter and the tasks and responsibilities they are given within an occupation, are demonstrated across fields.

This is particularly discernible in male-dominated professions. Sahgal found the central reason for persisting gender discrimination within the Delhi police was the entrenched belief of distinct gender characteristics which define separate workplace roles.<sup>124</sup> Most importantly, this separation prevailed even

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<sup>122</sup> Lori Beaman, Raghavendra Chattopadhyay, Esther Duflo, Rohini Pande, and Petia Topalova. *Powerful Women: Does Exposure Reduce Bias?* No. W14198 (National Bureau of Economic Research, 2008).

<sup>123</sup> Lori Beaman, Esther Duflo, Rohini Pande, and Petia Topalova, "Female Leadership Raises Aspirations and Educational Attainment for Girls: A Policy Experiment in India" *Science* 335, No. 6068 (2012): 582-586.

<sup>124</sup> Punam Sahgal, "Gender Discrimination: Beliefs and Experiences: A Comparative

after women were admitted to the profession, undermining the effectiveness of admittance quotas as a simple panacea. Despite there being no legal distinctions between the work of policemen and policewomen, the implicit biases and gendered expectations, both negative and 'benevolent', perpetuate such gender discrimination. The example of the police force is instructive given the entrenched attitude towards the profession as 'male' in its requirements and attributes: Glick and Fiske's 'benevolent sexism' contributes to the perception that even female police officers must be protected and therefore consigned to peripheral or 'soft' roles with little opportunity for advancement.

Sahgal's conclusions are disconcerting for the global trend towards quotas and emphasis on accessibility to professions as the key solution for persisting discrimination: 'the inclusion of women in the system does not necessarily lead to their acceptance by men in the service'.

This case study highlights the attention that must be paid to workplace culture and implicit biases. The policy response is not immediately discernible, but perhaps most crucially this shows that meeting quota for female representation – while successful in the realm of politics – cannot be relied upon as a cure-all solution.

## **2.3 The United States**

The similarities between the US and the UK are more apparent in terms of challenges faced and potential solutions. Hence, policy proposals with immediate applicability to the UK are more apparent from an evaluation of policies that have been adopted by US-based companies. Analysis of the various initiatives to address the aforementioned 'care penalty' is particularly instructive.

### **2.3.1 Egg-Freezing Policies**

Recently, Apple and Facebook have offered to pay for the freezing of eggs for their female employees. The goal is to attract more women to their staff, and thus to fix the gender imbalance caused by the 'care penalty'. According to the Guardian, "there is a dearth of senior women in Silicon Valley so the perks offered by Apple and Facebook could be seen as an attempt to rectify the gender imbalance."<sup>125</sup> In its 2016 Inclusion & Diversity report,<sup>126</sup> Apple

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Perspective of Women and Men in the Delhi Police", *Journal of International Women's Studies* 9, No . 1 (2007): 135-152.

<sup>125</sup> Mark Tran, "Apple and Facebook Offer to Freeze Eggs for Female Employees" (The

acknowledged the underrepresentation of women in its 70%-male workforce. Similarly in 2014, 69% of Facebook's workforce was male.<sup>127</sup>

The egg-freezing policy aims to allow women to postpone child rearing responsibilities beyond their biological clocks. The theoretical benefits of the policy address the biological foundation of the 'care penalty'. By allowing women to concentrate on their careers throughout the earlier stages of their career, the policy works as a form of 'counter-infertility insurance'.

On the other hand, it has been argued that, instead of empowering women, this policy is putting unreasonable pressure on female employees to postpone motherhood, propagating rather than addressing the constructed trade-off women face between a career and a family. Further, Apple and Facebook have been criticized for refusing to accommodate working women's needs. As Almeling<sup>128</sup> argued, "rather than making fundamental changes to the structure of work in our society to accommodate women's reproductive years, technological optimists reach for an engineering solution. Have a conflict between women's biological clock and work productivity? Freeze the eggs."

Whether such a policy is a necessary temporary solution in the face of entrenched gendered attitudes or a counterproductive affront perpetuating the opinion that women must 'choose' between a family and a career remains a contested issue.

Regardless of the ethical contentions of the policy, it seeks to address a major cause of the 'care penalty': the age at which most women begin to have children is the age at which the earnings gap and opportunity for promotion to executive positions are greatest. Egg-freezing has the potential to provide women with a fairer chance to assume leadership roles, by maintaining their positions in the workforce at the time of most significant upwards movement in the organisation.

It is too early to assess the results of the policy, and substantial ethical concerns remain unresolved, yet egg-freezing reflects the need to remove the

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Guardian, October 15, 2014),  
<https://www.theguardian.com/technology/2014/oct/15/apple-facebook-offer-freeze-eggs-female-employees>.

<sup>126</sup> Apple, "Inclusion & Diversity" (Apple, 2016), <http://www.apple.com/diversity/>.

<sup>127</sup> Charles Riley, "Facebook is 69% Male and Mostly White" (CNN Money: June 26, 2014), <http://money.cnn.com/2014/06/26/technology/facebook-diversity/>.

<sup>128</sup> Rene Almeling, Joanna Radin, and Sarah Richardson, "Egg-Freezing a Better Deal for Companies Than For Women" (CNN, October 20, 2014),  
<http://edition.cnn.com/2014/10/20/opinion/almeling-radin-richardson-egg-freezing/>.

pressure on women to make an irreversible choice between attaining a senior professional position or becoming a mother.

However, while advancing a novel solution to the 'care penalty', the policy is far from complete. Most importantly, egg freezing fails to address a root cause of gender imbalance: temporal flexibility. As mentioned earlier, it is unconvincing that occupational segregation is an active choice, but rather the necessary result of a tendency of women to enter professions with lower costs of temporal flexibility. Minter<sup>129</sup> explicates the limitations of Apple and Facebook's policies in this respect: "they lose women partly because the job-family juggling act that is now their life prevents them from giving the commitment necessary to make it to the board. Apple may have paid lip service to this with longer parental leave, but that still doesn't help women who have returned to work and are trying to climb the ladder while being an at-least-half-present mother."

In addition, the risk that such a policy exacerbates gender-based prejudices cannot be ignored. The policy implicitly reinforces the attitude that parenthood is a predominantly female responsibility. The appropriate weighting of this burden between parents is not being challenged or even discussed, as egg-freezing simply delays this responsibility to a more convenient stage of their lives. Egg-freezing policies thus seem to assume that the burden of child rearing will continue to lie with women. This is reflective of the broader demands placed on employees in the workplace: the employer's interest remains paramount above both their employee's interest and their health. It is hard not to perceive the inclusion of egg-freezing coverage as an attempt to squeeze more value out of women while they are at a productive stage in their career.

Egg-freezing may be an optimal choice for some women, but it is by no means sufficient, failing to address the pressures of long work hours and the need for constant availability which are incompatible with child-rearing. While this remains predominantly within the perceived realm of 'feminine' responsibilities, such gender discrimination will not be addressed. Instead, companies require policies that alleviate the strain for both mothers and fathers and address the crucial hindrance of entrenched expectations. Freezing eggs simply defers the pressures of today to tomorrow.

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<sup>129</sup> Harriet Minter, "By Offering to Freeze Their Employees' Eggs, Apple and Facebook Make it Clear They Don't Know What Women Want" (The Guardian, October 15, 2014), <https://www.theguardian.com/women-in-leadership/2014/oct/15/apple-facebook-egg-freezing-employee-perk>.

## 2.4 The United Kingdom

In the WEF's Global Gender Gap Report 2015, the UK was ranked 43rd in the world in terms of economic participation and opportunity,<sup>130</sup> and 62nd in the world in wage equality.<sup>131</sup>

### 2.4.1 Mandatory Quotas for Women

The UK is a case study of how setting gender targets allow a society to move to a more gender-equal position. To improve the gender balance on British boards, there have been targets set, such as Lord Davies's recommendation to the government in 2011 of having 25% women on boards of FTSE 100 companies by 2015. The Women on Boards Davies Review of October 2015 notes that representation of women has more than doubled since 2011 – currently 26.1% on FTSE 100 boards and 19.6% on FTSE 250 boards. Further, there has also been a dramatic reduction in the number of all-male boards: in 2015, there were no all-male boards in the FTSE 100 and only 15 in the FTSE 250 as opposed to 152 in 2011.<sup>132</sup> By relying on targets of greater gender representation on boards, the UK has been able to achieve higher gender equality in firms. Following on from the success of gender targets set in 2011, Lord Davies's final report in 2015 recommended that all FTSE 350 boards have a minimum of 33% female representation by 2020.<sup>133</sup>

However, there is still an 18% gender pay gap as found by the Institute of Fiscal Studies (IFS), which increases after childbirth as women miss out on promotions and pay rises. Hence, for the UK, it is seen that the 'care penalty' or the 'mommy tax' is a significant contributing factor to the gender pay gap.<sup>134</sup>

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<sup>130</sup> World Economic Forum, *The Global Gender Gap Report 2015: 10th Anniversary Edition* (2015): 8, <http://www3.weforum.org/docs/GGGR2015/cover.pdf>.

<sup>131</sup> World Economic Forum, *The Global Gender Gap Report 2015: 10th Anniversary Edition* (2015): 53, <http://www3.weforum.org/docs/GGGR2015/cover.pdf>.

<sup>132</sup> Women on Boards, KPMG, and Cranfield University, *Women on Boards Davies Review: Five Year Summary (Improving the Gender Balance on British Boards)* (October 2015), [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/482059/BIS-15-585-women-on-boards-davies-review-5-year-summary-october-2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/482059/BIS-15-585-women-on-boards-davies-review-5-year-summary-october-2015.pdf).

<sup>133</sup> Gov.UK, Press Release, "Lord Davies: FTSE 350 boards should be 33% female by 2020" (29 October 2015), <https://www.gov.uk/government/news/lord-davies-ftse-350-boards-should-be-33-female-by-2020>.

<sup>134</sup> Allen, "UK Women Still Far Adrift on Salary and Promotion as Gender Pay Gap Remains a Gulf" (The Guardian, August 23, 2016).

### 2.4.2 Statutory Maternity Leave

The organisational policy of statutory maternity leave in the UK has resulted in two main consequences: a gendered division of labour and a loss of the employee's identity.

Maternity leave is a period of absence from work granted to a mother before and after the birth of a child. In the UK, the Ordinary Statutory Maternity Leave comprises a full length of 26 weeks. The Additional Maternity Leave is a further length of 26 weeks. Thus, the full maximum length of the Statutory Maternity Leave in the UK is 52 weeks.<sup>135</sup> Statutory Maternity Pay (SMP) is paid for up to 39 weeks. Employment rights in the UK are still protected during leave. These include the rights to pay rises, accrue vacation days, and return to work.

The Statutory Maternity Leave was introduced in the UK in 1984 as a means of fighting gender imbalances in the workplace. In other words, the government recognised that the burden of childbearing and child rearing as prominent hinders to women with careers – maternity leave is thus supposed to work as a mechanism to allow women to bear children and guarantee that they return to the same job they had before. Its purpose is to provide a safety net so that having children and having a career do not become two mutually exclusive choices.

However, though it is undoubtedly beneficial for newborns and mothers, Goldin argues that the maternity leave is simply addressing a symptom and not the root of the problem.<sup>136</sup> It is a very short term solution that only temporarily fixes a gender imbalance. In fact, it seems that it may be leading to considerable career disadvantages, as they are more likely to experience disruption to their careers – and even to their identities.

A conceptual point that should first be made in regards to maternity leave is that, generally speaking, it is a not very well-defined policy. The maternity leave policy is not dissimilar from a “sick leave pay” policy, in which an employee with a disabling condition is allowed to temporarily leave their job position, and return to work when that disabling conditioned has bettered or disappeared. Most of the time, the paid maternity leave is no different: describing pregnancy as disabling and limiting, and perpetuating a demeaning

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<sup>135</sup> Gov.UK, “Maternity Pay and Leave” (May 19, 2016), <https://www.gov.uk/maternity-pay-leave/leave>.

<sup>136</sup> Goldin, “A Great Gender Convergence: Its Last Chapter”: 1091–1119.

image of pregnant employees.<sup>137</sup> However, it may also be the case that, a lot of the time, a “sick leave pay” policy is seen as a necessity (if, for example, an employee breaks both arms and is unable to return to their office job) and the maternity leave policy seen as a benefit (since having children is usually seen as a choice). This dichotomy necessity-benefit will impact both the employer’s assessment of the valuability of a female employee and also the identity of the employee herself.

Buzzanell and Liu have conducted a survey exploring fifteen women’s discursive constructions of their workplace experiences while pregnant, on maternity leave, and upon return to paid work.<sup>138</sup> They found that: “[t]heir dilemmas in constructing productive identities for themselves were evident in their discussion of others’ treatment of them. Half of the participants indicated that pregnancy and maternity leave were used frequently by their bosses as reasons to blame them, demote them, or deny raises or promotions that were promised previously—all of which negatively impacted these women’s incomes, work life quality, or career development”.

In 2016, a government-commissioned study<sup>139</sup> found that three-quarters of pregnant women and new mothers experience discrimination at work over pregnancy or flexible hours. The report also suggests that pregnancy discrimination, which is illegal, has risen significantly since 2005, when 45% of women said they had experienced such discrimination. About a quarter of employers felt pregnancy put an unreasonable cost burden on the workplace and a similar proportion suggested it was reasonable to ask women in job interviews whether they planned to have children. Three-quarters of mothers questioned who were unsuccessful in job interviews have reported feeling that the employer’s knowledge of their pregnancy had affected their chances. Around half of mothers (51%) working flexibly said they felt it resulted in negative consequences.

Interestingly, ‘mothers who worked for small employers (those with fewer than 50 employees) were more likely to say they felt forced to leave their job. However, they were less likely to say that they experienced financial loss or a negative impact on opportunity, status or job security. Mothers who worked

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<sup>137</sup> Lori West Peterson and Terrance L. Albrecht, “Where Gender/Power/Politics Collide: Deconstructing Organizational Maternity Leave Policy”, *Journal of Management Inquiry* 8, No. 2 (ABI/INFORM Collection, June 1999): 179.

<sup>138</sup> Patrice M. Buzzanelli and Meina Liu, “Struggling with Maternity Leave Policies and Practices: A Poststructuralist Feminist Analysis of Gendered Organizing”, *Journal of Applied Communication Research* 33, No. 1 (2005): 1-25.

<sup>139</sup> Equality and Human Rights Commission, *Pregnancy and Maternity Leave-related Discrimination and Disadvantage: Summary of Key Findings* (London: HM Government, 2015): 9-13.

for medium-sized employers (those with between 50 and 249 employees) were more likely to report having a negative or possibly discriminatory experience. They were more likely to report a negative impact on opportunity, status or job security; or a risk or impact to health or welfare. Mothers who worked for large employers (those with 250 or more employees) were more likely to report financial loss, and were also less likely to say they felt forced to leave their job or to have experienced a risk or impact to their health or welfare.<sup>140</sup>

It is also relevant to note that mothers in Wales and Scotland were less likely than mothers in England to state that they had a negative or possibly discriminatory experience. Mothers in Wales and Scotland were less likely than mothers in England to report experiencing financial loss. Mothers in Wales were less likely to say they experienced harassment or negative comments.

In turn, small employers were less likely to feel it was in the interests of their business to support pregnant women and those on maternity leave, and were more likely to feel that during recruitment women should declare upfront if they are pregnant, or that pregnancy puts an unreasonable cost burden on their workplace. More small employers had low awareness of pregnant women's rights. Medium employers were more likely to feel it is in the best interests of their organisation to support pregnant women and those on maternity leave. They were less likely to feel that women should declare upfront during recruitment if pregnant, or to say pregnancy puts an unreasonable cost burden on the workplace, or to state they had a low awareness of pregnant women's rights. Large employers were more likely to feel that it is in the best interest of their organisation to support pregnant women and those on maternity leave. They were also more likely to state that all statutory rights were reasonable and easy to facilitate. Larger employers were also less likely to feel women should declare upfront during recruitment if pregnant; to say costs of pregnancy puts an unreasonable cost burden on the workplace, or to report low awareness of pregnant women's rights.<sup>141</sup>

Employers in the private sector were less likely to feel that it is in the best interests of their organisation to support pregnant women and those on maternity leave, or to think all statutory rights are reasonable. They were also more likely to feel women should declare upfront during recruitment if they are pregnant, and that pregnancy puts an unreasonable cost burden on the

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<sup>140</sup> Equality and Human Rights Commission, *Pregnancy and Maternity Leave-related Discrimination and Disadvantage: Summary of Key Findings*: 9-13.

<sup>141</sup> Equality and Human Rights Commission, *Pregnancy and Maternity Leave-related Discrimination and Disadvantage: Summary of Key Findings*: 9-13.

workplace.

These statistics allow us to draw several conclusions. First, it seems that the maternity leave in the UK, although significant in the short term, is failing to address the root of the gender imbalance problem: a lingering prejudice against working mothers and their need for temporal flexibility. It seems that, generally, “if women are seen as having to dedicate a significant part of their lives to childcare, they will be seen as less valuable employees in environments where efficiency and productivity are paramount”.<sup>142</sup> This also seems to be true for men since, as we have seen before, men working flexibly due to child-rearing responsibilities were disproportionately penalised and taken to be less valuable than women.

Second, taking the above paragraph into consideration, it may well be that perhaps there is a bigger factor at play, along with prejudice against women. It seems that generally, employees which do not prioritise work over other aspects of their life (such as family) are seen as less valuable and are being penalised. This is also why the creation of a possibility of splitting the maternity leave between both the mother and the father is probably also inadequate.

Third, what employers are assuming, however, is that such responsibilities will lie with women, if they choose to be mothers. Women who are planning to become mothers or who are already mothers, and who may therefore need to work flexibly, are thus by default deemed less valuable than their male counterparts.

This means that, in order to fix the problem, we might need to move away from the 9-to-5 traditional working schedules that became standard when most employees had a spouse at home to handle the emergencies of everyday life.

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<sup>142</sup> Buzzanelli and Liu, “Struggling with Maternity Leave Policies and Practices: A Poststructuralist Feminist Analysis of Gendered Organizing”: 1-25.

## Part 3 Solutions

This section will present solutions that the UK government can approach towards addressing gender discrimination in the workforce. As seen in the sections above, gender discrimination is a complex issue rooted in gender stereotyping and expectations. Though progress has been made in recent years to tackle the wage gap and improve the perception of women in the workforce, more effort must be taken to address the outstanding inequality between men and women.

Addressing gender discrimination not only creates a positive environment for women but also reaps economic benefits. It is found that companies in the top quartile for racial and ethnic diversity and those in the top quartile for gender diversity are respectively 35 and 15 percent more likely to have financial returns above their respective national industry medians. In the United Kingdom, greater gender diversity in senior-executive teams corresponds to a huge performance uplift found by the study: for every 10 percent increase in gender diversity, net profit rose by 3.5 percent.<sup>143</sup>

### 3.1. Name-Blind Recruitment

In October 2015, in a bid to reduce gender and racial bias, former Prime Minister David Cameron announced that organisations from across the public and private sector, together responsible for employing 1.8 million people in the UK, had signed up to the pledge to operate recruitment on a ‘name-blind’ basis to address discrimination.<sup>144</sup>

Removing names in CVs can reduce gender bias as well as racial bias and would enable the UK to take advantage of the full talent pool. In one study, US universities that sought out a laboratory manager were handed CVs randomly headed with male or female names. Universities were seen to rate applicants assigned a “male” name as “significantly more competent and hireable”.<sup>145</sup> Another study on female musicians vying for a place in the orchestra found

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<sup>143</sup> Vivian Hunt, Dennis Layton, and Sara Prince, “Why Diversity Matters” (McKinsey and Company, 2015), <http://www.mckinsey.com/business-functions/organization/our-insights/why-diversity-matters>.

<sup>144</sup> Prime Minister’s Office, “PM: Time to End Discrimination and Finish the Fight for Real Equality”, (Gov.UK, October 26, 2015), <https://www.gov.uk/government/news/pm-time-to-end-discrimination-and-finish-the-fight-for-real-equality>.

<sup>145</sup> Moss-Racusin, Dovidio, Brescoll, Graham, and Handelsman, “Science Faculty’s Subtle Gender Biases Favor Male Students”.

that using a screen that masks the candidate's appearance and gender increased the probability of a female moving beyond the preliminaries by 50%.<sup>146</sup> Name-blindness, when researched upon by HSBC Bank, which recently announced a 50-50 gender target to create diversity across the business and started blanking out the names of candidates, can eradicate potential unconscious bias in the initial selection process.<sup>147</sup>

Thus, it is suggested that this strategy should be appended as a new section under the Gender Equality Act 2010, or enforced as a statutory instrument by the Minister for Women and Equalities, so as to ensure nationwide fairness and the reduction of prejudice against females and minority groups. We recommend that the name-blindness initiative can be executed in a progressive manner by targeting the large firms and the civil service to establish the industry standard. We recognise that compliance for smaller firms with a workforce under 30, may find difficulty in the new HR compliance and hence, we recommend an exemption to the small firms so as not to detrimentally affect their hiring policies. In addition, to address criticism of the Equality Act being a reactive statute by requiring action to be taken by the potential employee, it is recommended that the strengthening of the Act includes positive steps taken to enforce gender blind recruitment.<sup>148</sup> This could encompass the formulation of an industry guideline that firms would have to follow and audits on the application process of the firms.

Once enforceable under law, companies that are found to contravene name-blindness, such as forcing candidates to state gender revealing particulars in the application stage, can be taken to task by individuals who are discriminated against. The reduction of gender bias in employment would help put women on an equal footing as men and reduce the male-dominated workplace culture. This would address problems faced in inter-gender interactions and better the conditions for women in the workforce.

We recognise the limitations of this recommendation in that it will not be able to capture the internal candidate recruitment process of a company and that CVs may give the gender of an individual away. However, the

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<sup>146</sup> Goldin and Rouse, "Orchestrating Impartiality: The Impact Of 'Blind' Auditions On Female Musicians": 715-741.

<sup>147</sup> James Salmon, "HSBC to Start Blanking Out Names on CVs as Part of Drive to Ensure Half of its Senior Jobs are Given to Women, (Mail Online, 2009), <http://www.dailymail.co.uk/news/article-3334342/HSBC-start-blanking-names-CVs-drive-ensure-half-senior-jobs-given-women.html#ixzz4KKrEHX5>.

<sup>148</sup> McLaughlin, C., & S., D. (2011). Equality Law and the Limits of the 'Business Case' for addressing Gender Inequalities. Econpapers.repec.org. Retrieved 23 August 2017, from <http://econpapers.repec.org/paper/cbrcbwrps/wp420.htm>

recommendations of quotas (discussed below) would provide greater pressure on companies in ensuring fairness in their internal recruitment process. Notwithstanding these limitations, we believe that name blind recruitment would still play a major role in reducing gender bias at the workplace.

### **3.2. Evaluation Framework**

The selection process for job candidates has been proven to be gender-biased, and it is therefore suggested that the government develop a framework that encourages companies and the Civil Service to discontinue single-candidate evaluation in favour of group evaluation. This means comparing the performances of each candidate against others in similar tasks to choose the top performers, rather than comparing each individual to an idea of someone who would be best for the job specified. In addition, it is proposed that the framework encourage the use of quantitative evaluation incorporated into the job interview process. The rationales are explored below.

#### **3.2.1 Rationale for Group Evaluation**

Bohnet and others implemented an experiment<sup>149</sup> where employees were scored on a series of stereotypically male task, a math problem or a stereotypically female task, a verbal assignment. Employers (study participants) were informed of the employee's first-round performance as well as the average performance level of all the employees and had to select an employee to hire in the second round.

The study then looked into how the behaviour of the employers changed in a joint evaluation scenario compared to a separate evaluation scenario. Joint evaluation means that the scores of males and females from the same task are compared against each other before hiring one of them for the role. This is an objective evaluation where a decision is based on the comparative scores of the individuals. Separate evaluation, in this case, means that the employer has the score of only one individual and the average score. So, he/she does not compare candidates scores against each other and this creates scope for unconscious bias to set in (i.e. to think that females are better for stereotypically females task and males are better for stereotypically male tasks).

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<sup>149</sup> Iris Bohnet, Max H. Bazerman, and Alexandra Van Geen, "When Performance Trumps Gender Bias: Joint versus Separate Evaluation" (Harvard Kennedy School Women and Public Policy Program, 2012), <http://gap.hks.harvard.edu/when-performance-trumps-gender-bias-joint-versus-separate-evaluation>.

In the joint evaluation scenario, employers were given one female and one male employee who were either low or average performers. They had to choose between hiring one of these two employees or a randomly assigned employee. In the separate evaluation group, employers were presented with one low or average-scoring male or female employee. They were required to choose between hiring that employee and being assigned a different employee at random.

Study results show that in separate evaluation, employers chose men over equally qualified women for male-stereotypical assignments and even preferred lower performing men to higher performing women for these tasks. Employers in group also preferred women to equally qualified men for female-stereotypical assignments.

In joint evaluation, employers were as likely to choose women as men and preferred higher performing employees to lower performing employees in both tasks. Evaluators exposed to more than one candidate at once overcame the unconscious stereotypical biases. Comparative evaluation focused evaluator's attention on individual performance instead of group stereotypes. These reductions in reliance on gender stereotypes properly guide our impressions about the quality of the candidate.

### **3.2.2. Rationale for Quantitative Evaluation**

Ambiguity in evaluation criteria can devalue women's performance as a result of gender biases at work. Thus, it is suggested that structured interviews paired with formal assessments of intelligence and cognitive ability such as numerical, verbal reasoning and logical tests should be used as a part of application screening process.<sup>150</sup> The government can develop a framework for specific evaluation criteria in interviews and also in-job progress for companies to adopt. For job promotion, the focus should be placed on concrete, objective outcomes (such as completing project deliverables on time) that are harder to distort. These clearly defined criteria or checklist for promotion diminishes subjectivity in evaluations as much as possible.

Recruiters should ask the same questions in the same order to both males and females in an interview and make a scoring system from one to ten to evaluate them in those questions.<sup>151</sup> According to 'recency bias', evaluators in

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<sup>150</sup> Iris Bohnet, *What Works: Gender Equality by Design* (Harvard University Press, 2016).

<sup>151</sup> Barbara F. Reskin and Debra Branch McBrier, "Why Not Ascription? Organizations'

interviews are likely to remember the most recent and intense or vivid examples. Thus, the judgement of the candidate would be based mostly on those rather than the total sum of experiences in the interview. Bohnet<sup>152</sup> suggests that recruiters mark each question before moving onto the rest. This would also avoid the ‘halo effect’ where impressions created in one area of assessment influence opinions in another. Companies can make use of the technology in the market such as the tool *Applied*, developed by the Behavioural Insights Team in the UK, to evaluate candidates more objectively. *Applied* uses methods like blinded applications, predictive work tests and comparing across candidates to ensure an unbiased hiring process.

Thus, in order to reduce gender stereotyping, the government should develop a framework that encourages companies to conduct group interviews for a job post, compare responses across candidates question by question and adopt a more quantitative approach towards hiring and job promotion. This approach would be similar to the strategy the UK government is currently adopting for name-blind recruitment. This non-legally binding approach would place less pressure on the Human-Resource department of small companies which may have limited resources and capabilities in group evaluation.

Building a less arbitrary evaluation system would help transform the workplace culture to be less entrenched in gender stereotypes: the subconscious gender bias that occurs when women are applying for STEM jobs would be reduced as they are evaluated based on merits rather than gender, and having a greater number of women in STEM jobs would ultimately encourage more women to work in such fields and break the stereotypical thinking and expectation of women being constricted to other more ‘feminine’ fields of work.

### **3.3. Strengthening the Equality Act 2010**

The Equality Act 2010 requires equal treatment in access to employment as well as to private and public services, regardless of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. It also makes it unlawful to prevent employees discussing any differences in pay within the organisation.

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Employment of Male and Female Managers”, *American Sociological Review*, (2000): 210-233.

<sup>152</sup> Iris Bohnet, *What Works: Gender Equality by Design* (Harvard University Press, 2016).

The Act can be further strengthened by echoing the US State of Massachusetts' latest move to ban employers from asking about candidates' salary histories. It is the first state to do so. Women make less than men in their first jobs even when education and field are taken into consideration. Furthermore, men are treated more advantageously than women in salary negotiations. If the next employer bases a salary on the previous one a woman was earning, that discrimination will only be further advanced.<sup>153</sup> This therefore ensures that women who had lower salaries in the past are not held back due to that, thus improving the bargaining power of women.

In addition, banning the disclosure of salary histories helps to reduce the gendered perception of women as 'bad negotiators': without the employer knowing the previous salary earned, they are less able to judge whether a woman is demanding a lot or little for her pay which helps correct the impression of women contradicting gender expectations when negotiating salary. Thus this removes the 'penalty' that negotiation entails for women and empowers them to ask for a higher pay.

The Equality Act 2010 could therefore be improved by banning the employer's request for previous salary history when conducting a job interview for a potential employee. This addresses the tangible area of a wage gap and the social 'penalty' of women asking for higher pay.

### **3.4. Gender Quotas in Public and Private Industry**

We recommend that the UK government impose gender quotas on both the public service and private sector to further reduce the 'glass ceiling' that was discussed earlier as a hindrance to the progression of women in the workplace.

Setting gender targets or quotas can help in gender de-biasing as long as the quotas are applied nationwide to all women and the achievements of women are made public with the help of the media outlets. Unlike the 33% village council seat quota in India, the 40% mandatory quota in Norway did not have the same role-model effects. As discussed above in the case study of Norway, the quota only led to gender de-biasing within the firm. Both the quotas

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<sup>153</sup> Bryce Covert, "Massachusetts Becomes First State Ever To Ban Employers From Asking For Salary Histories" (Think Progress: 2016), <https://thinkprogress.org/massachusetts-becomes-first-state-ever-to-ban-employers-from-asking-for-salary-histories-3dd99768f8fe#.lgp9lj6wb>.

increased the number of counter-stereotypical people in leadership roles. However, since a female politician is more publicly visible than a female director of a corporation, the Indian quota had a greater impact on the changing perceptions.<sup>154</sup>

As seen previously in the case study from India, exposure to women in leadership roles shapes norms and helps people to update their beliefs. Having no exposure to women in leadership positions before the 33% village council seat quota, people based their beliefs on stereotypical gender roles. After the quota, all Indian women were given role models to learn from and it changed perceptions.

Following the progress made in India, the adoption of quotas would encourage a change in the perception of men being the only the real workers. In addition, more females in leadership roles would encourage other women to strive for leadership roles and break the 'glass ceiling'. Beyond the public sector, the private sector, even in the STEM field, has also embarked upon setting gender 50-50 quotas for themselves.<sup>155</sup> This shows that businesses are slowly supporting and understanding the need for equal representation in the firm and industry.<sup>156</sup>

This paper acknowledges that the ideal 50-50 quota cannot be enforced across all firms in the UK due to the likely cost surge in recruitment especially for small firms. It is recommended that a 40-60 quota, akin to the Norway model, be implemented at the medium-high level positions of FTSE 500 firms and pressure is placed upon smaller firms to strive towards this number. The medium and board level positions are recommended as the target of this policy as it is observed that women tend incur care giving obligations in their late 20s and early 30s as aforementioned. This addresses the care penalty and helps accommodate to more temporal flexibility policies that the government may wish to adopt in the future. Targeting this position level would also allow women to act as mentors for women at the lower levels and help them secure better positions. This would also slowly encourage women to rise to the board level of firms and help dispel the negative psyche that women cannot become board members.

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<sup>154</sup> David A. Matsa and Amalia R. Miller, "A Female Style in Corporate Leadership? Evidence from Quotas", *American Economic Journal: Applied Economics* 5, No. 3 (2013): 136-69.

<sup>155</sup> The 5050 pledge <http://www.5050pledge.com/>

<sup>156</sup> Angela Priestley, "Accenture joins BHP in setting 50-50 gender target.", <https://womensagenda.com.au/latest/eds-blog/accenture-joins-bhp-setting-5050-gender-target/>

Furthermore, in order to maximise the impact of such a policy, it is suggested that the government adopt this policy for both the public service and private sector. However, upon achieving a more gender-neutral environment, it is suggested that quota be slowly phased out to prevent the growth of the view that women are in power because they had to be ‘protected’ and, therefore, are not in particular positions due to their skills but rather by law.

### **3.5. Bolstering Paternity Leave**

Currently, in the UK, shared parental leave exists in two forms: Shared Parental Leave (SPL) and Statutory Shared Parental Leave (SSPL). Whilst it is acknowledged that this is a way of addressing gender inequality, this paper argues that the next step should be to bolster the current paternal leave scheme in one of two ways: either by extending it, and/or by making paternal leave mandatory. We believe that this measure would help in deconstructing the social norm that women should be the primary caregivers, and remove the economic incentive for employers to hire men due to them having a smaller, optional period of leave.

As per the current law, the father is eligible for one to two weeks of paternity leave, while a mother is eligible for 26 weeks of maternity leave and a further 26 weeks of leave if it is deemed necessary.<sup>157</sup> The length of paid leave that a woman is entitled to may also give rise to an employer’s bias against hiring females who wish to start a family. Thus, it is suggested that the government extend the paternity leave given to fathers and reduce the maternity leave period for mothers.

The UK can also adopt Norway’s mandatory paternal leave. This is helping to change the social norm that women should be the primary caregivers and allows fathers more bonding time with the children. Further, these paternity leaves should incorporate the ‘take-it-or-leave-it’ approach of Norway whereby fathers are unable to transfer the leave time to the mother. This behavioural nudge would increase take-up of paternity leaves.

A study done in Quebec where fathers were offered three to five weeks at home with a child showed that the gender expectations around what a woman and a man should do (i.e. the traditional division of labour) changed after the paternity leave. Fathers took on 23% more housework such as laundry, cooking and dishwashing long after the leave ended, and this sharing

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<sup>157</sup> Gov.UK, “Paternity Pay and Leave” (June 8, 2016), <https://www.gov.uk/paternity-pay-leave>.

of work in child-rearing and household chores saved mothers a lot of time that could be spent at the workplace.<sup>158</sup>

Moreover, the existence of motherhood-focused policies in addressing gender pay gaps reinforces stereotypical gender roles, where women are mothers and men are workers. Men are now increasingly more family-centric than their elders, which seems evident by the issuing of generous paternity leaves in companies like Facebook, Reddit, or Instagram, which are run by younger men. One in five men who are fathers and who fall within the millennial generation felt that an ideal career would entail time off to be with his children before re-entry into workforce.<sup>159</sup>

Paternity leave appeals to many men but also assists women in their careers by reducing the setbacks commonly associated with maternity leave. Re-entry programs and a changed mindset about the need for uninterrupted careers will appeal to both men and women. Deloitte and PricewaterhouseCoopers (PwC) have such programmes, where employees can reduce their work hours for a few years and re-enter their job as full-time workers after their children have grown up.<sup>160</sup>

Hence, bolstering paternity leave helps men ease into their role as a father and also diminishes the traditional stereotypical expectation of women as caregivers. Thus, bearing in mind these considerations, the UK government should legislate upon extending paternity leaves and create incentives for fathers to take paternity leave in an attempt to reduce gender discrimination in the workplace. A caveat to note is that, as aforementioned, men are sometimes more gravely penalised for taking paternity leave due to the breaking of stereotypes. However, this paper is confident that the law will slowly shape the workplace culture and that even the most entrenched stereotypes can be altered.

### **3.6. Encouraging Flexibility in Timing, Place and Hours of work**

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<sup>158</sup> Sarah Boesveld, “Quebec Dads who Take Paternity Leave Do More Housework in the Long Run, U.S. Study Finds” (National Post, 2015), <http://news.nationalpost.com/news/canada/quebec-dads-who-take-paternity-leave-do-more-housework-in-the-long-run-u-s-study-finds>.

<sup>159</sup> Centre for Women and Business, Bentley University, “Millennials in the Workplace”, <http://www.bentley.edu/centers/center-for-women-and-business/millennials-workplace>.

<sup>160</sup> Centre for Women and Business, Bentley University, “Millennials in the Workplace”.

In order to address the ‘care penalty’ and burden of child rearing responsibilities that fall disproportionately on women, it is suggested that the government build a framework that encourages and publicly recognise companies that not only permit but actively encourage greater flexibility in hours worked. The recent change to the Employment Rights Act 1996, allowing all employees contracted for longer than 26 weeks to ask their employers for greater flexibility in working hours (previously limited to those with dependents) is insufficient, failing to address the penalty women typically face for choosing this flexibility.

Direct initiatives for employers rather than only employees to encourage workplace flexibility are required. This would be a welcome amendment to the government’s current initiative of mandatory gender pay gap reporting by large companies<sup>161</sup> – a positive but incomplete first step, scheduled to be implemented in 2018. In its existing format, there is no requirement for companies to distinguish between part-time and full-time pay. Given that women disproportionately take on part-time work, for which the average pay is typically lower (the penalty for temporal flexibility), the policy risks incentivising companies to cut more part-time jobs to lower the published pay gap, ultimately making women worse not better off.

Goldin’s research demonstrates the pernicious yet typically indirect effects on gender imbalances of inflexible work hours, especially in the highest-paying jobs.<sup>162</sup> One possible policy response for the UK is to experiment with shorter working days, similar to the 6-hour working day currently being trialled in firms across Gothenburg, Sweden,<sup>163</sup> to evaluate the impact on productivity of more flexible arrangements which has appeared negligible in certain Swedish firms. Criticism of the policy is widespread, with fears of resulting adverse effects on competitiveness, and it is unlikely that the UK would switch to such a curtailed working week. Yet such a policy would challenge the entrenched assumption that longer hours are preferable; a belief that exacerbates the ‘care penalty’.

A substantial shortcoming of the UK Right to Request policy in its current form is the lack of information that employees have concerning the options for

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<sup>161</sup> Government Equalities Office, “Mandatory Gender Pay Gap Reporting: Government Consultation on Draft Regulations” (12 February 2016), [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/504398/GPG\\_consultation\\_v8.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/504398/GPG_consultation_v8.pdf).

<sup>162</sup> Goldin, “A Great Gender Convergence: Its Last Chapter”: 1091–1119.

<sup>163</sup> Liz Alderman, “In Sweden, an Experiment Turns Shorter Workdays into Bigger Gains” (New York Times, 20 May 2016), <http://www.nytimes.com/2016/05/21/business/international/in-sweden-an-experiment-turns-shorter-workdays-into-bigger-gains.html>.

flexible working available. This unawareness is demonstrated by Hayward et al. finding less than 30% of employees satisfied with the amount of information available to them.<sup>164</sup> The UK could follow the German government's lead, setting targets to increase from a quarter to a third, the proportion of job adverts that mention working hour flexibility.<sup>165</sup> This may promote a change in attitudes, breaking the implicit taboo of flexibility which perpetuates the 'care penalty'.

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<sup>164</sup> Bruce Hayward, Barry Fong and Alex Thornton, "The Third Work-Life Balance Employer Survey: Main Findings", *Employment Relations Research Series*, No. 86 (Department for Business Enterprise & Regulatory Reform, December 2007), [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/193626/bis-07-1656-the-third-work-life\\_balance-employer-survey-main-findings.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/193626/bis-07-1656-the-third-work-life_balance-employer-survey-main-findings.pdf).

<sup>165</sup> Bundesministerium fuer Familie, Senioren, Frauen and Jugend (BMFSFJ), *Arbeitsbericht zum Unternehmensprogramm 'Erfolgsfaktor Familie'* [Report about the Enterprise Program: Success Factor: Family] (2008).

## Conclusions

This paper has aimed to address some of the subtler manifestations of gender discrimination in the workplace, which contribute to systematic bias against women, and the possible policy responses to address such issues. It has also sought to highlight the pervasiveness of gendered expectations (what behaviours are expected or demanded from women and men), gender dynamics (how both genders interact in the workplace), and remuneration structures which typically disadvantage women. Through comparative policy case studies in Norway (mandatory quotas), India (the case of the New Delhi Police), the US (egg-freezing policies), and the UK (maternity leave), this paper has also explored the inadequacy of existing policies, and to explore the nuances of such problems. As a general conclusion, it can be said that the nature of the persistent inequality between men and women is rooted in lingering and subtle attitudes and predispositions rather than explicit biases. This complicates the appropriate policy response.

Ultimately, therefore, it is argued that a combination of reforms at various stages of the recruitment and assessment processes, coupled with improved paternity leave and policies to support flexible working hours, is necessary to address these highly varying but equally pernicious forms of gender discrimination.

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