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Does Patriarchy Still Exist? An Examination of Equal Employment Opportunities in the United States

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Does Patriarchy Still Exist?
An Examination of Equal Employment Opportunities in the United States

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Abstract

Since the 1970s, major changes in reproductive freedom, education, and the passage of equal employment laws have impacted women's experience in the workplace. My thesis is a US-based study that examines the progress of women's equal employment opportunities from the 1970s to today. Chapter 1 provides the context of discrimination in the 1970s. Chapter 2 provides detailed literature reviews on reproductive freedom and education separately. Section 2.1 shows the relationship between reproductive freedom and increased labor force participation. Section 2.2 finds that higher levels of education encourage women to seek employment in traditionally male-dominant positions. Section 2.3 adds alternative explanations to women's increased labor force participation rate, such as the aftermath of WWII and changing social attitudes. Chapter 3 gives an overview of women in management in the United States. Section 3.1 examines the history of equal employment laws and how they are subsequently enforced. Chapter 3.2 explains why women in the United States today are still victims of the glass ceiling. Chapter 3.3 compares the status of women in higher management as well as policy trends (maternity leave, childcare subsidization) between the United States and other countries. Chapter 3 draws models from other countries and shows how female management in developed Asian countries successfully included women in top management over time. Chapter 4 is the conclusion of my thesis. Section 4.1 concludes that the United States has a long way to go to achieve truly equal employment opportunities. Section 4.2 provides suggestions and directions for future research.

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Chapter 1

Introduction

During the early 1960s, women were only making 58 cents for every dollar earned by a man (Hauser). Less than 40 percent of women were in the labor force before anti-discrimination laws were passed to protect women from gender and wage discrimination (Sorrentino 25). After the landmark decisions of the Supreme Court cases *Griswold v. Connecticut* (1965), *Eisenstadt v. Baird* (1972) and *Roe v. Wade* (1973), the constitutional rights to the use of birth contraceptives for married couples, for unmarried people, and first trimester abortion, respectively, have significantly increased and improved women's labor force participation throughout the 1970s. For example, labor economics studies have shown that increased reproductive freedom led to significant increases in hours worked, delayed first age of marriage, and overall higher female labor force participation rate (Bailey; Bloom et al.). The increased enrollment of women in higher education also helped women enter traditionally male-dominant occupations and rise to management positions. Despite the impact of many equal employment laws, women today face institutional barriers that impede their participation in the labor force. The core of my research focuses on the glass ceiling effect that prevents women from attaining top management, as negative female stereotypes force overqualified women to stay in lower- and middle-level management. Since

patriarchal thinking exists beyond the realms of law and policies, my hypothesis is that anti-discrimination laws do not fully protect women from being institutionally discriminated against.

Chapter 2

Labor Force Participation

2.1 How Did Reproductive Freedom Affect Women's Labor Force Participate Rate?

After *Eisenstadt v. Baird* (1972) established the right of unmarried people to possess contraception and *Roe v. Wade* (1973) affirmed women's rights to first trimester abortion, many scholars have argued that the constitutional protection of reproductive freedom increased women's participation in the labor force. In 1970, the overall female labor force participation rate was 43.3 percent; in 1975, it rose to 46.3 percent; and by 1980, the overall rate was 51.5 percent (Sorrentino 25; Table 1).

Table 1. Labor Force Participation Rate 1960-1980 With Respect to Landmark Reproductive Freedom Case¹

Year	Labor Force Participation Rate (%)	Case Decided	Holding
1960	30.1		
1961	31.0		
1962	31.3		
1963	31.9		
1964	32.9		
1965	33.8	<i>Griswold v. Connecticut</i>	A married couple's right to birth contraceptives is protected under marital privacy.
1966	35.4		
1967	36.5		
1968	37.1		
1969	38.0		
1970	43.3		
1971	43.4		

¹ Data source: Sorrentino, p.25

1972	43.9	<i>Eisenstadt v. Baird</i>	Right to possess birth contraceptives from <i>Griswold v. Connecticut</i> extended to unmarried people.
1973	44.7	<i>Roe v. Wade</i>	Right to first trimester abortion under the right to privacy.
1974	45.7		
1975	46.3		
1976	47.3		
1977	48.4		
1978	50.0		
1979	50.9		
1980	51.5		

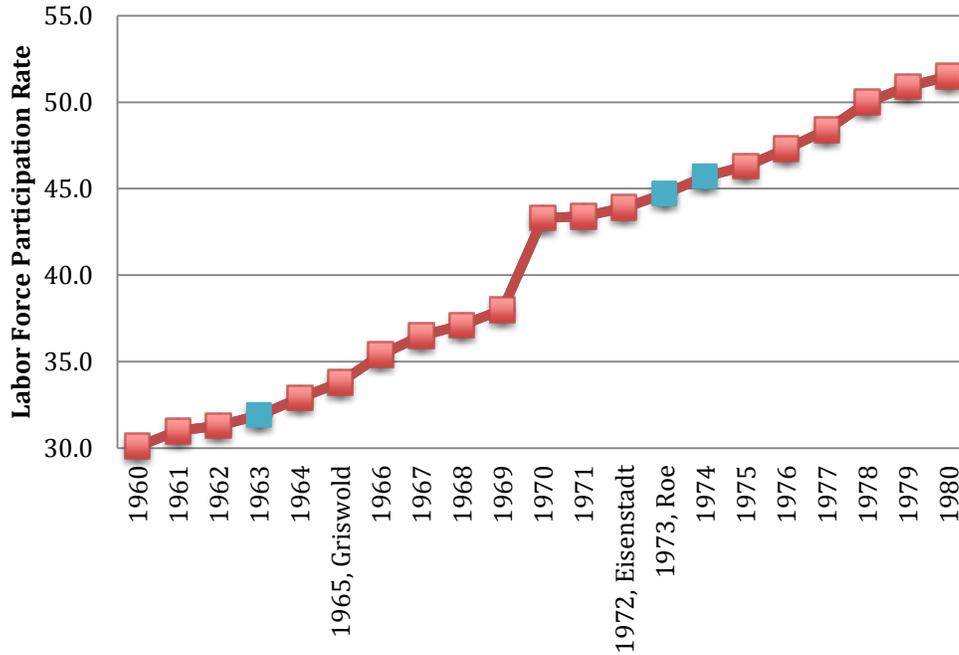


Figure 1. The Change in Labor Force Participation Rate, 1960-1980

From 1970 to 1980, the percentage of women in the labor force increased by 8.2 percent, which is roughly translated to an additional 6.6 million women entering the labor force (Fullerton 8). *Figure 1* shows that the biggest increase in labor force participation rate occurred between

1969 and 1970, four years after the *Griswold* decision. Assuming *Griswold* (1965) contributed to the increase of labor force participation, the right to birth contraceptives for married women made a remarkable impact on entering or continuing in the workforce after marriage.

The U.S. Department of Labor in 1973 provided that within the category of women with pre-school children, there was also a sharp increase in the participate rate of women with pre-school children (Groat et al.). The sharp increase could be attributed to women’s declining fertility rates leading to rising labor force activity rates (Sorrentino 27; Table 2).

Table 2. Fertility Rates, Ratios of Young Children to Adult Women, and Women’s Labor Force Participation Rate in the United States, 1960, 1970, and 1980²

	1960	1970	1980
Fertility rates (%)	11.9	8.8	7.0
Number of young children per 100 adult women	56	40	31
Labor Force Participation Rate (%)	30.1	43.3	51.1

Consistent with the inverse relationship between fertility rate and labor force participation rate found in *Table 2*, Groat et al. (1976) found the linkages among the use of birth contraceptives, birth rates, and duration of birth intervals. Birth contraceptives allowed married women to gain

² Data source: Sorrentino, pp.25-27

more autonomy over pregnancy and duration between the first and second child, therefore maximizing potential labor force participation (Groat et al. 116). Groat's study suggested that there was a direct relationship between lowered fertility and women's inclination to commit to the labor market. The literature established by Smith-Lovin and Tickamyer, on the other hand, showed that despite the decreased number of expected children, maternal obligations trumped career developments. Based on the results of two models, a two-variable feedback loop incorporating only fertility and labor force participation (Figure 2) and a three-variable model which added sex role attitudes to the endogenous variables (Figure 3), the authors found that "the actual problem of coordinating work and home life, childbearing had more influence on work behavior than vice versa" (Smith-Lovin and Tickamyer 555).

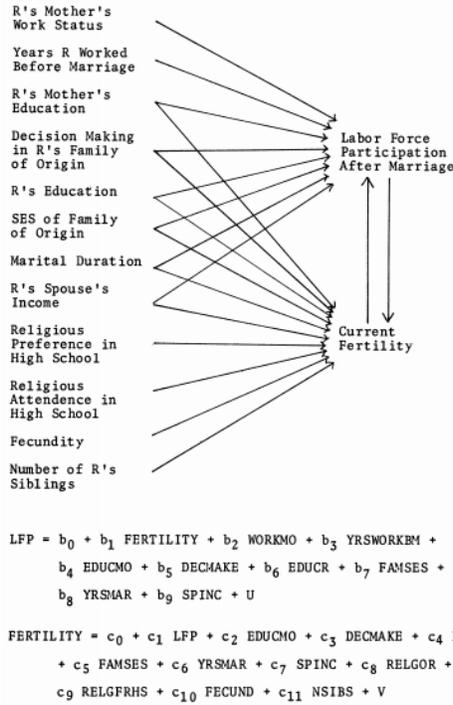


Figure 2. A Nonrecursive Model of Labor Force Participation and Fertility Behavior for a Cohort of Married Women

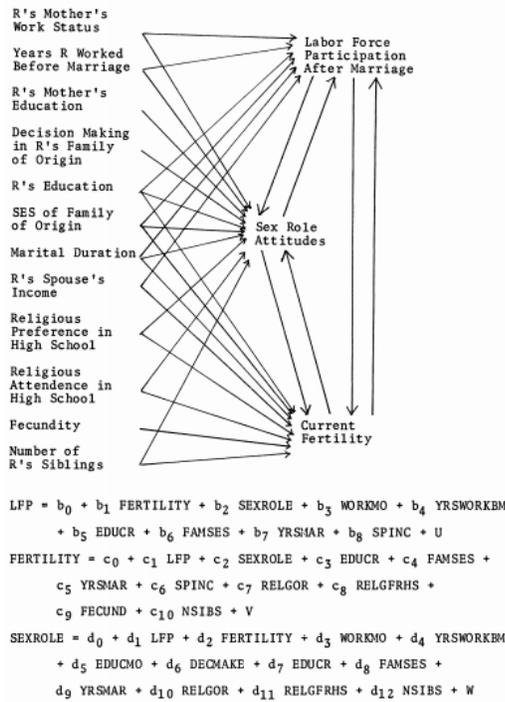


Figure 3. A Nonrecursive Model of Labor Force Participation, Fertility Behavior, and Sex Role Attitudes

The models demonstrated by *Figure 2* and *Figure 3* showed a great weakness of the work demonstrated by Groat et al. While the study established by Groat et al. assumed that fertility control would limit family size and birth durations, using the endogenous variable *sex role attitudes* to conceptualize women's orientations toward the worker and the mother roles and the tradeoffs made between the two, Smith-Lovin and Tickamyer provided the reality that "the actual inflexibilities of a child's schedule might impose greater barriers to work outside the home than young women (especially those without children) might have supposed" (Smith-Lovin and Tickamyer 555). Even if a woman limited her family size to one or two children by exercising her reproductive rights, the commitment of childrearing often took precedence, especially when it was commonly assumed for women to bear childrearing responsibilities. This research finds that the idea of work-life balance is impractical in practice, as women are socially and stereotypically associated childrearing responsibilities that force them to eventually give up on advancing their own careers.

Bailey's research (2006) provided another important finding that fertility control leads to real wage growth for women, falling discrimination due to the elimination of marriage bars, rising demand in the clerical sector, growth in demand for highly skilled workers, and the

diffusion of laborsaving technologies within the household. Bailey's research study showed that oral contraception led to 1) a later age at first marriage and 2) greater representation in nontraditional, professional occupations. These findings not showed that the legalization of birth control pills allowed women to work for longer hours and stay more attached to the labor market, but also showed that women were also further exposed to opportunities in nontraditional, male-dominant industries. Bailey's results also indicated that earlier legal access to the pill led to fewer births before age 21 and longer working hours for pay during women's late twenties and early thirties. There was a 20 percentage point increase (14 percent) in labor force participation rates and 450 hours increase in annual hours worked (15 percent) among women in the 16 to 30 years old age group. This trend in young, unmarried women show that potential of the younger generation adapting alternative paths in which they would value career over home by delaying the timing of marriage and childrearing.

Between the 1970s and the mid-2000s, there is a general consensus in the research field that the legalization of birth control pills significantly increased women's participation in the labor force. Adding on to Bailey's research findings, Bloom et al. (2009) found that a decline in fertility not only increased female labor force participation, but also increased physical and human capital per capita, as well as labor supply per capita and

income per capita. This paper established strong evidence and correlation that fertility decline made a significant impact on women's career and financial wellbeing by helping women establish financial independence. The authors acknowledged one of the biggest shortcomings of this paper it that it did not test the effect of education on the overall labor force participation rate. It is important to consider that education contributed heavily to women's ability to participate in employment positions that were traditionally held by men. Further literature review on education and career would be examined in the next section.

2.2 How did Education Affect Women's Labor Force Participation Rate?

Based on the traditional division of labor by gender and the separate-sphere ideology, women tend to accumulate less labor market experience than men, as women were expected to fulfill the homemaking roles in the domestic sphere. Rindfuss and Bumpass (1980) found important linkages between education and childbirth, in which higher education among women was linked to later age at first birth, through the following rationale:

"Girls with more extensive educational and occupational goals may choose social patterns that are less likely to lead to early marriage, through such attitudes as 'not wanting to go steady or get serious with boys' at an early age because they want to go to college. Within heterosexual relationships, they may be less willing to engage in intercourse because of the threat of possible

pregnancy to their education and/or career plans. And among the sexually active, they may be more likely to use contraception, to use more effective methods, to use greater care, and to abort in the case of accidental pregnancy” (Rindfuss and Bumpass 5).

There were many assumptions Rindfuss and Bumpass made in their research. First, it was assumed that there was a tradeoff between higher education and family, as well as a similar compromise between family and career development. This framework suggested that the cost of women becoming intellectuals would be having children at a later age. Similarly, a woman’s advanced career development would suggest an altered structure of motherhood, in which the childbearing experience is delayed. The authors acknowledged that the view of this paper did not address the possibility of fertility decline. It assumed that women were going to enter motherhood sooner or later, as evident in the conclusion, “we concluded that such educational effects as we can identify, are explicable more in terms of education’s effect on age at first motherhood, than in terms of other values or aspirations that might derive from advanced schooling” (Rindfuss and Bumpass 30). This rationale assumed that women would simply delay their first age of marriage but not how the nature of family structures would change subsequently.

According to the framework established by Blau and Kahn (2000), women who assumed to enter motherhood at a relatively early age had lower

incentives to invest in market-oriented formal education and on-the-job training. Consequently, the smaller human capital investments led to lower earnings relative to those of men (Blau and Kahn 6). The passage of Title IX in 1972 banning sex discrimination in educational institutions and other social pressures made remarkable increases in women's representation in professional schools: "between 1966 and 1993, women's share of degrees rose from 6.7 to 37.7 percent in medicine, 3.8 to 42.5 percent in law, 3.2 to 34.6 percent in business, and 1.1 to 33.9 percent in dentistry" (Blau and Kahn 20). The giant statistical increase showed that highly educated women were no longer restricted in gender-segregated occupations, and were largely qualified to seek employment in fields that were traditionally held by men.

In the *Monthly Labor Review* published in December 1999, Philip N. Cohen and Suzanne M. Bianchi concluded that "both high school- and college-educated women have become increasingly likely to commit hours to market work over time." Supported by the results of tobit regressions for annual hours of employment on women's marital and motherhood status, educational attainment, and the presence of other family income (Table 3), Cohen and Bianchi's research showed the significant impact of a women's college education on her hours committed in the labor force: "Coefficients for high school graduates rose from about 500 [hours] in the late 1970s to 700 or more in the late 1990s. College-educated women in the 1970s were predicted by the model to work about 800 hours more than those without high school

diplomas, but more than 1,000 hours more by the 1990s” (Cohen, 22). Even under the category *married, child under 6*, there was a similar trend of increasingly larger intercepts from 1978 to 1998 that were all statistically significant (Table 3). The increased number of hours worked by married women with children proved the changing nature of motherhood since the 1970s. Not only women were delaying their age of first marriage, but also they continued to benefit from the returns of their educational investment by staying more attached to the labor force even after childbirth.

Table 3. Parameter estimates of tobit equations predicting annual hours of paid work for women aged 25-54, 1978-98

Year	Intercept	Married, child under 6	Married, no child under 6	Single, child under 6	Other family income (h)	High school graduate	College graduate	Age	Black	Hispanic	Other
1978	-2,084.4	-983.6	-140.8	-847.9	-93.6	432.2	746.9	-14.5	60.3	-68.6	106.8
1979	-1,996.5	-960.0	-143.4	-782.4	-67.3	509.7	840.1	-14.1	74.4	(-37.5)	111.3
1980	-2,007.3	-940.1	-192.7	-689.1	-76.0	517.0	791.9	-14.4	20.0	-56.6	3.6
1981	-1,830.2	-834.0	-139.7	-729.6	-80.0	573.2	849.0	-11.3	3.3	-83.7	(46.3)
1982	-1,823.6	-842.1	-119.2	-715.2	-74.6	580.7	878.2	-12.6	(-10.2)	-61.2	100.9
1983	-1,719.0	-791.8	-103.5	-748.0	-72.5	631.4	986.2	-12.7	14.8	-69.8	(-29.5)
1984	-1,665.0	-718.1	-75.0	-804.4	-79.6	653.4	1,036.8	-9.7	(-31.7)	-93.5	(-1.1)
1985	-1,697.5	-746.8	-103.6	-791.1	-72.8	686.1	1,012.6	-10.6	-38.7	-72.5	(-25.3)
1986	-1,693.6	-710.6	-82.7	-772.3	-73.9	653.4	1,021.5	-9.5	(-17.1)	-129.1	(-43.6)
1987	-1,708.2	-619.1	-7.3	-742.6	-76.1	674.5	1,031.1	-10.1	3.8	-115.7	(-30.1)
1988	-1,672.8	-670.6	-57.5	-747.1	-64.4	692.3	1,025.1	-10.1	-60.0	-138.1	-150.6
1989	-1,639.9	-628.3	(-21.2)	-695.4	-70.0	726.8	1,031.2	-8.4	-41.7	-94.1	-86.3
1990	-1,620.1	-643.6	-42.9	-700.2	-61.8	679.7	1,001.5	-8.4	(-20.3)	-106.2	-93.5
1991	-1,589.0	-575.7	-31.0	-651.4	-64.9	697.4	1,006.8	-7.1	-99.3	-156.9	-142.9
1992	-1,522.7	-540.1	36.6	-704.1	-70.4	763.4	1,069.7	-6.6	-64.2	-140.6	-149.8
1993	-1,427.0	-494.8	58.1	-691.5	-69.5	755.2	1,097.0	-5.1	-96.0	-144.3	-125.8
1994	-1,406.5	-457.5	56.3	-633.9	-70.9	790.9	1,145.6	-5.1	-115.9	-193.6	-191.9
1995	-1,395.3	-440.3	-22.0	-645.4	-64.9	713.9	1,045.4	-3.9	-101.4	-173.5	-160.3
1996	-1,432.9	-544.1	(-18.4)	-597.1	-60.2	738.8	1,030.6	-4.7	-85.1	-149.3	-117.0
1997	-1,265.9	-490.9	(16.3)	-475.0	-55.0	765.6	1,068.2	-3.2	-60.3	-131.4	-95.7
1998	-1,354.8	-486.0	(-1.8)	-510.3	-49.8	686.5	1,022.0	-4.7	-28.1	-123.4	-116.7

NOTE: Non-Hispanic white is the excluded racial or ethnicity category; single with no children under 6 is the excluded marital-status category; and less than high school is the excluded education-level category. All parameters are significant at $p < .05$, except those in parentheses, which are not significant.

Goldin (2006) argued that women’s pursuit of career is divided into two broad phases: the evolutionary and the revolutionary. The evolutionary phases (late nineteenth century-1970s) are apparent in time-series data on labor force participation. The revolutionary phase uses time-series evidence to examine women’s more predictable attachment to the workplace, greater identity with career, and better ability to make joint decisions with their

spouses. Goldin pointed out that average marriage age delayed as percentage of women graduating from college and enrolling in professional schools increased and reached turning points around 1970. Consistent with women's higher enrollment in college and professional school, changes in occupations occurred in the early 1970s, where women started entering traditionally male-dominant positions. For earnings relative to comparable men, Goldin found the turning point occurred around 1980. As young women started perceiving that their lives would differ from their elders, their renewed expectations of future employment led to higher college enrollment rates for women (Goldin 3). There is a significant tie between education and labor market. The next question is, as more and more educationally qualified women move into the labor force, how would the law protect their rights to equal employment opportunity?

In "Fragmented Frameworks? Researching Women, Gender, Education, and Development" (2005), Unterhalter defined gender equality in education as the same proportions of girls and boys entering and completing schooling (Unterhalter 2). Gender equality is an aspiration that is often raised and contained in many international conventions and national constitutions, but its precise meaning and application to education is often unclear (Unterhalter 3). In the United States, gender parity could be applied to the context of female students enrolled in advanced courses, such as the Science, Technology, Engineering, and Mathematics (STEM) Education. Unterhalter

argued that societal norms and expectations often discourage girls from aspiring to positions of power and influence that are traditionally occupied by men. Many female students are systematically encouraged to have lower expectations for themselves compared to their male peers. For example, at a young developmental age, many girls are dissuaded from pursuing their interests in mathematics and science, while boys are often encouraged to enroll in the most advanced math courses and science projects (Altman 205). The exposures to gender stereotypes are detrimental to young women's later career development, as they learn to accept institutional norms rather than actively attempt to overcome them. In Chapter 3.2, the damaging power of stereotypical assumptions against women will be discussed.

According to *US Census data on Educational Attainment (2010)*, 36 percent of women in the age group 35 to 29 had college degrees compared with 28 percent of men in the same age group. However, based on *2013 Catalyst Census: Fortune 500 Women Executive Officers and Top Earners*, women are only 14.6 percent of executive officers, 8.1 percent of top earners, and 4.6 percent of Fortune 500 CEOs. There is a huge lapse between women's educational attainment and earning power today. Although the United States is a lot more progressive than most developing countries and has achieved beyond equal representation of boys and girls in school, equal opportunities post-school career development remains questionable for most female students today.

2.3 Alternative Explanations and Further Thoughts

As Goldin and Katz noted in *The power of the pill: oral contraceptives and women's career and marriage decisions*, “no great social movement is caused by a single factor” (Goldin and Katz 767). Another leading contributor to women’s increased labor force participation rate could be World War II forcing the labor market to open up to women. Based on US Census Bureau summary statistics (2011) that covered the social, economic, and political organization of the United States in the 20th century, there was a similar trend in a significant increase of women in the labor force after WWI, between 1920 and 1930, by 2.3 million.³ Between 1950 and 1970, the number of women in the labor force almost doubled from 16.5 million to 31.5 million (Table 4).

Table 4. Marital Status of Women in the Civilian Labor Force 1900 to 1998

Year	Female labor force (1,000)				Female participation rate ³			
	Total	Single	Married ¹	Other ²	Total	Single	Married ¹	Other ²
1900 (June) ⁴	4,997	3,307	769	920	(NA)	(NA)	(NA)	(NA)
1910 (April) ⁴	7,640	4,602	1,891	1,147	(NA)	(NA)	(NA)	(NA)
1920 (Jan.) ⁴	8,347	6,427	1,920	(⁵)	(NA)	(NA)	(NA)	(NA)
1930 (April) ⁴	10,632	5,735	3,071	1,826	(NA)	(NA)	(NA)	(NA)
1940 (April) ⁴	13,007	6,377	4,675	1,955	(NA)	(NA)	(NA)	(NA)
1950 (April) ⁴	16,553	5,274	8,535	2,644	(NA)	(NA)	(NA)	(NA)
1960 (April) ⁴	22,410	5,262	13,610	3,538	(NA)	(NA)	(NA)	(NA)
1955	20,548	5,261	10,809	4,458	35.7	61.1	28.5	40.7
1960	23,240	5,410	12,893	4,937	37.7	58.6	31.9	41.6
1965	26,200	5,976	14,829	5,396	39.3	54.5	34.9	40.7
1970	31,543	7,265	18,475	5,804	43.3	56.8	40.5	40.3
1975	37,475	9,125	21,484	6,866	46.3	59.8	44.3	40.1
1980	45,467	11,865	24,960	8,643	51.5	64.4	49.9	43.6
1985	51,050	13,163	27,894	9,993	54.5	66.6	53.8	45.1
1990	56,829	14,612	30,901	11,315	57.5	66.7	56.4	47.2
1995	60,944	15,467	33,359	12,118	58.9	66.8	61.0	47.4
1998	63,714	17,067	33,857	12,771	59.8	68.5	61.2	48.8

NA Not available. ¹ Husband present. ² Widowed, divorced, or separated. ³ Percent of civilian noninstitutional population of each specified group in the civilian labor force. ⁴ 1900-1930, persons 15 years old and over and 1940-1960, persons 14 years old and over. ⁵ Widowed or divorced included with "Single."
 Source: U.S. Census Bureau, 1900-30, *U.S. Census of Population: 1930*, Vol. IV.; 1940-60, *U.S. Census of Population: 1970*, Vol. I; and 1965-98, U.S. Bureau of Labor Statistics, *Bulletin 2307*; and unpublished data.

Another important change in labor force participation after WWII is the number of married mothers entering the labor force. In 1948, only about 17 percent of married mothers were in the labor force. Between 1965 and

³ Total change in labor force participation rate not available.

1973, there was a 40 percent increase married women with children entering the labor force. By the 1985, 61 percent of married mothers were working or seeking employment; by 1995, women's labor force participation had reached 70 percent (Cohany and Sok 9). It is difficult to attribute this statistical increase to shifting values, reproductive freedom, or education, as they may have combining effects on women's decision-making in labor force participation. It is probable that World War II opened up a societal change to women in the United States, in which the necessity to work and earn money progressed into the choice to enter the labor force as the educational attainment of women rose dramatically in the post-World War II period (Cohany and Sok 12).

Another important driver to women's labor force participation is the social movements between 1960 and 1970s that helped shift women's role from traditional homemakers to independent wage earners. There was a drastic change in women's sex-role ideology in television, in media culture, in academia, in organized women's movements. During the 1970s, second-wave feminists⁴ made important social changes in the United States, such as the passage and ratification of the Equal Rights Amendment (ERA), Women's Strike for Equality, and the first Women's Studies department founded at the

⁴ While first-wave feminism of the 19th and early 20th centuries focused on women's legal rights, such as the right to vote, the second-wave feminism of the "women's movement" peaked in the 1960s and '70s and touched on every area of women's experience – including family, sexuality, and work ("Women's Movement").

San Diego State University in 1970.⁵ Today, women comprise nearly 50 percent of the US labor force. While 70 percent of families in 1960 had a stay-at-home parent, today 70 percent of families have either both parents working or a single parent who works (Hauser). The upcoming chapter explores institutional power structures in the labor market that impose barriers for women to attain equal salary and promotions after their decision to enter the workforce.

⁵ The second Women's Studies department was created at Cornell University the same year.

Chapter 3

Women in Management

3.1 Historical Development of Equal Employment in the U.S.

A. Equal Pay Act of 1963 and Civil Rights Act of 1964

The word *discrimination* has several meanings. In the context of treatment of women in society, discrimination is best interpreted as a form of unfair treatment that 1) deprives someone of a right or opportunity that she is entitled to by imposing heavy performance burdens such as costs or obligations, or 2) grants to others the same kind of right or opportunity without the imposed burdens (Altman 203).

From 1900 to 1970, except during wartime, the great majority of female workers were concentrated in occupations that were disproportionately female and identified as “women’s jobs”. Every state passed legislations prohibiting women from certain jobs and activities such as bartending, mining, heavy lifting, working at nights, working overtime (Blumrosen 404). In 1973, nearly two-fifth of all women workers worked in occupations closely linked to their traditional homemaking role, such as secretaries, retail trade sales-workers, bookkeepers, private household workers, elementary school teachers, waitresses, typists, cashiers, seamstresses and stitchers, and registered nurses. During the 1970s, even when men and women did the same work, they did not earn the same titles. For instance, while men are

“chefs”, women are “cooks”; while men are “administrative assistants”, women are “secretaries” (Blumrosen 406-407). This has largely changed and the traditional form of discrimination is much less prevalent today. The barrier to equality today is that women are facing institutional barriers that are much less explicit and more internalized in the organization hierarchy. The biggest problems of the institutional discrimination today is that women not getting paid the same wage for equivalent work and not being promoted to the upper-level managerial positions as their male counterparts continue their career advancement.

To prohibit employment discrimination on the basis of wages, the Federal government passed the Equal Pay Act of 1963. The biggest shortcoming of the Equal Pay Act of 1963 was that it did not take in account other forms of employment discrimination on the basis of race, sex, religion, or national origin (Blumrosen 397). Thus, the law continued to allow employers to deny employment opportunities to women due to their personal distaste for circumstances such as pregnancy and motherhood that are associated with female employees.

Title VII of the Civil Rights Act of 1964 and its amendments in 1972 extended the Equal Pay Act of 1963 beyond merely equal pay – it prohibited all discriminatory practices on the basis of religion, sex, and national origin. Title VII broadened the scope of the Civil Rights Act of 1964 by not only prohibiting discriminatory wages, but also a range of discriminatory practices

against women. The biggest weakness of the doctrinal development of EEO laws is institutional oppression. Institutional oppression plays a bigger role in women's barriers to career advancement today. While discrimination is defined as denying rights and opportunities by imposing difficult burdens on women, oppression has a very different meaning. As Altman defined oppressing in the following:

"The idea of oppression builds on but goes beyond that of discrimination in a crucial way; it linked the discriminatory treatment of persons to the overall structure of society. To claim that certain persons are victims of oppression is to claim that the discriminatory treatment they receive is built into the very structure of society. Society's practices, laws, norms, customs, and institutions work together to treat these persons, but not others, in certain unfair and disadvantageous ways" (Altman 204).

An explanation to why women are victims of institutional oppression today is that women on average still assume greater responsibility for child rearing than men. This responsibility is therefore associated with lower ambitions and potential discontinuity of market work (O'Neill and O'Neill 20). O'Neill and O'Neill (2005) found that the relatively higher female labor force withdrawal rate due to family responsibilities⁶ was one of the contributing factors to the gender wage gap (O'Neill and O'Neill 22). The

⁶ "...55% of women and only 13% of men have ever withdrawn because of family responsibilities" (O'Neill and O'Neill 22).

next section explores to what extent implicit biases play a role in employment and promotional decision-making, even when the law strictly prohibits sex discrimination in the workplace.

B. The Impact of EEO Laws on Women

Although EEO laws demonstrate that society forbids explicit discrimination against women, according to the radical feminism framework, we must look beyond formal rules and policies of society in order to determine if patriarchy still exists in the United States: we must look into informal norms, rules, practices, studies, and statistics that constitute oppression against women (Altman 205).

According to the framework established by Altman in his book *Arguing About Law* (2001), he gave an explicit description of women's role throughout history:

"In virtually all societies throughout history, men have occupied positions of power, prestige, and wealth in far greater numbers than women. Monarchs and presidents, tribal chief and military commanders, high priests and influential thinkers, captains of industry and leaders of finance: the overwhelming percentages of such persons have been male. Everyone can name a few women who are exceptions to the rule. But it cannot be reasonably denied that such women are indeed exceptions and relatively rare ones at that.

In addition, in virtually all societies women have been the primary ones to raise children and attend to domestic chores, while men have maintained ultimate power over the family...

...For thousands of years, it has been almost universally accepted that the social role of women is dictated by certain unalterable biological and psychological facts about them. Only women can bear children or breast-feed infants; women are more nurturing and caring than young men; and women are naturally more emotional and less rational than men, as manifested in the stronger emotional ties they have to their children."

Altman's description of historical female stereotypes showed why women often are negatively viewed in the labor force. First, their primary biological duties are motherhood and caregiving, meaning that they cannot fully commit into a professional career. Second, their emotional sentiments from nurturing children make them less capable of rational thinking, which is also an important quality demanded in highly professional occupations. Third, there are many women who excel in advanced careers seen as the "token women", not because of what they had accomplished, but because they successfully proved to overcome their female identity to accomplish their professional goals.

Between 1962 and 1972, there was a 46 percentage-point increase in the number of households headed by women. However, female-headed households were more than three times more likely to be in poverty than

others male-headed households (Blumrosen 404). A 1991 report by the Feminist Majority Foundation noted that at the present rate of women's rights advancement in the 90s, it would take another 475 years for women to reach equality with men in the executive suite (Morrison et al. 7). A later study showed that the glass ceiling has not changed for the past thirty years (Paludi 472) The glass ceiling for black women is worse, as provided in *Breaking the glass ceiling: Can women reach the top of America's largest corporations?* by Morrison et al.:

"For women of color, the situation is worse. Black women, for example, comprise only 2 percent of managers in companies with one hundred or more employees, compared with 23 percent white women, according to a 1990 article in the Wall Street Journal. Not a single woman on the 1988 list of Black Enterprise's 'top 25 black managers' in Corporate America. As recently as 1985, a Korn/Ferry survey showed that fewer than 1 percent of 1,362 top managers were people of color" (Morrison et al. 6).

By the 1990s, the glass ceiling forced many women to drop out from the "management rat race", as many female managers and professionals left professional positions at a higher rate than men (Morrison et al. 7). Many women in managerial positions reported instances of hostile work environment⁷ and negative judgments based on the existing trends of other women choosing

⁷ According to the Equal Employment Opportunity Program of the U.S. Department of the Interior, a hostile work environment is a form of harassment. It is demonstrated by such severe and pervasive conduct that permeates the work environment and interferes with an employee's ability to perform his or her job.

less competitive work to maintain a work-life balance (O'Neill and O'Neill 23). According to *Women Middle Managers' Perception of the Glass Ceiling* (2001), a sample of 300 women who hold a management position lower than the executive level was surveyed. Results showed that while women are not experiencing a great deal of conflict between work and family, they did report the perception that they would be penalized if they were to request a more flexible work schedule under the negative stereotypical view in the workplace that women are less capable to hold a higher or executive level of management because of their need to balance between work and family, inevitably lowering dedication to work. 99 percent of the middle-level female managers also reported the need to exceed performance expectations to counter negative assumptions and prove their credibility as managers, particularly when they are highly scrutinized as the "token woman". Policy suggestions from this article include targeted recruitment of female managers, career development and feedback supporting women's career advancement, and initiating mentoring programs for women. The lack of mentorship is a significant aspect of women's ability to rise in the power positions as the informal networks created by men often alienate women's involvement, thus creating subtle barriers to teamwork and promotion (Jackson).

An explanation for the glass-ceiling phenomenon is that as women moved into the labor force as entry workers, men rose to higher positions of power,

forcing women to stay in lower and middle management. Even today, employment discrimination on the basis of race and sex are impermissible on the grounds of gender equality, yet, women are getting paid about 78 percent of what men are getting paid for doing the same work (DeNavas-Walt et al.).

The proportion of managers who are women increased from a 15.6 percent in 1960, to 33.3 percent, in 1985 to 51 percent, in 2010 (Catalyst 2011a). This is a very huge and significant increase. However, women were still overrepresented in lower-level and middle-level management, and underrepresented in the top positions (Catalyst 2011b). According to 2013 *Catalyst Census: Fortune 500 Women Executive Officers and Top Earners*, women are only 14.6 percent of executive officers, 8.1 percent of top earners, and 4.6 percent of Fortune 500 CEOs. In the organizational hierarchy today, women are still overwhelmingly distributed in the middle and bottom of the pyramid.

3.2 Women in Management in the United States Today

Drawing largely from Paludi's framework in *Women and Management: Global Issues and Promising Solutions* (2013), female managers in the United states face not only the glass ceiling effect, but also the "think managers, think male" association and the *glass cliff effect*.

The "think managers, think male" association is proven through studies conducted by Latu et al. (2011), in which participants were using a version of

the Implicit Association Test that examined the association between gender and successful managers. The tests showed that male participants were more likely to implicitly associate men with successful manager traits and women with unsuccessful manager traits (Latu et al.).

The “think manager, think male” stereotype is detrimental to women’s ability to succeed in the workplace, as women’s credentials are often overlooked and their gender and its associated stereotypical assumptions are over-scrutinized. Based on the findings of Prime et al. (2009), “in general, women were perceived as more effective than men with respect to leadership behaviors requiring caretaking, while men are perceived as more effective than women with respect to leadership behaviors requiring taking action...male managers were particularly likely to view men as superior to women in problem-solving behaviors, which were viewed as critical for an effective manager” (Paludi 514). By failing to recognize that each woman has her own leadership style, the implicit perceptions and evaluations of upper-level male managers continue to favor “male traits” over “female traits”, effectively keeping women below the glass ceiling.

Koenig et al.’s meta-analysis (2011) tested the correlation between “a leader” and qualities that belong to “men in general” and “a leader” and traits that are “women in general” – the correlation is $r=0.62$, a relatively large effect size, for the former and $r=0.25$, a relatively small effect, for the latter (Paludi 472). When the status of the leadership position was divided into

high-status leader roles⁸ and moderate-status leader roles⁹, the “think manager, think male” association was even stronger for high-status relative to moderate-status leader roles (Paludi 472; Koenig et al. 632; Table 5).

Table 5. Subgroup Analyses for the Think Manager-Think Male Paradigm

Subgroup Analyses for the Think Manager-Think Male Paradigm

Variable and class	Women-leaders similarity					Men-leaders similarity				
	Q_B	p	k	ICC	T	Q_B	p	k	ICC	T
Participant sex	30.38	<.001				1.43	.23			
Male			47	.11	0.20			48	.63	0.26
Female			47	.37	0.24			49	.58	0.27
Leader status	0.82	.37				8.72	.003			
Moderate			46	.26	0.23			48	.60	0.22
High			3	.13	0.00			3	.82	0.48
Participant nationality	2.88	.09				0.95	.33			
Western			42	.27	0.22			44	.60	0.24
Eastern			6	.09	0.18			6	.68	0.38

Note. Q_B = between-classes effect with degrees of freedom equal to the number of moderator levels minus one; p = probability; k = number of samples; ICC = mean weighted effect size represented by the intraclass correlation coefficient; T = tau, estimated standard deviation of the true effect sizes.

3.3 International Comparisons

In most countries, there is a wage gap between single women and married Women. *The gender earnings gap: learning from international comparisons* (1991) showed that wage gap significantly widened after women were married, in Austria, West Germany, the United Kingdom, the United States, Switzerland, Sweden, Norway, and Australia (Blau and Kahn, 1991; Table 6).

⁸ Upper level managers or executives (Koenig 621)

⁹ Managers, middle managers, and other leadership positions (Koenig 621)

Table 6. Female/Male Earnings Ratios Corrected for Hours

Country (earnings measure)	All workers	Married workers	Single workers
Germany (monthly)	0.6880	0.5730	1.0270
United Kingdom (annual)	0.6337	0.5966	0.9489
United States (annual)	0.6849	0.5944	0.9552
Austria (monthly)	0.7256	0.6558	0.9703
Switzerland (monthly)	0.6174	0.5768	0.9449
Sweden (annual)	0.7673	0.7242	0.9350
Norway (annual)	0.7308	0.7160	0.9158
Australia (annual)	0.7489	0.6909	0.9144

Notes: The earnings ratios were evaluated at 40 hours. The earnings ratios for married workers are for married workers with one person other than the spouse in the household (for Sweden, Norway, and Australia, one child); those for single workers are for nonmarried people with no other persons in the household.

In a more recent paper, Blau and Kahn (2013) established important findings about why women in the United States are exiting the labor force. For example, most countries provide workers with an entitlement to parental leave with mandated pay during leave. The United States, on the other hand, allow up to 12 weeks of unpaid leave to the passage of Family and Medical Leave Act of 1993. As a result, “parental leave mandates may encourage women to stay out of the labor force longer than they otherwise would...[this] may raise the expected cost of employing women of childbearing age, since they are most likely to use the entitlement, thus, potentially lowering their wages and possibly deterring employers from hiring them” (Blau and Kahn 3). The lack of paid maternal leave enforcement in the United States leads to lower employment of women and discourages women from seeking opportunities in the labor force (Blau and Kahn 5).

Table 7. Selected Labor Market Policies and Part-Time Work Incidence, US and Average of 16 Non-US OECD Countries

	1990		2010	
	US	Non-US Average	US	Non-US Average
Parental Leave: Weeks	0	37.2	12	57.3
Parental Leave: Replacement Rate (including zeros)	0	26.5	0	38
Right to Part Time Work (1=yes)	no	0	no	0.313
Equal Treatment, Part Time Workers (1=yes)	no	0.125	no	0.750
Public Child Care Spending/GDP (*100)	0.0286	0.3469	0.1144	0.4653
Male Part Time Work Incidence	0.028	0.031	0.039	0.051
Female Part Time Work Incidence	0.147	0.258	0.131	0.260

Sources: Data are from the Max Planck Institute for Demographic Research, Comparative Family Policy Database, available at <http://www.demogr.mpg.de/cgi-bin/databases/FamPolDB/index.plx> ; OECD Social Expenditures Data Base available at <http://stats.oecd.org/> ; OECD (2010a and b); the OECD Online Employment Database; and NBER (2011).

Notes: Child care data are for 1990 and 2007. Non-US countries include: Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, and the UK. Part-time work is defined as less than 30 hours per week.

In the United States today, mothers typically earn less than non-mothers, even in similar positions (Paludi 586). While there still is a wage gap between men and women today, there is also another wage gap between married and unmarried women. Not only the U.S. wage gap (2010) is lower than the international average (Table 8), the employment benefits for mothers need to be improved in order to create more equal employment opportunities.

Table 8. Male and Female Labor Force Participation Rates, Individuals Age 25-54, 1990 and 2010

Country	Men		Women	
	1990	2010	1990	2010
Australia	93.3	90.6	66.8	75.2
Austria	93.1	92.5	71.6	82.8
Belgium	92.2	92.2	60.8	80.4
Canada	93.1	90.5	75.5	82.3
Denmark	94.5	92.4	87.8	85.6
Finland	92.9	90.6	86.4	84.4
France	95.6	94.2	72.2	83.8
Germany	90.2	93.1	63.4	81.3
Greece	94.3	94.2	51.5	72.2
Ireland	91.8	89.9	45.4	72.2
Japan	97.5	89.4	64.2	64.4
Italy	94.1	96.2	53.9	71.6
Luxembourg	95.0	94.8	49.7	76.4
Netherlands	93.4	93.3	58.5	82.3
New Zealand	93.5	91.8	69.2	76.9
Norway	92.3	90.2	79.2	84.4
Portugal	94.3	92.5	69.4	84.9
Spain	94.4	92.5	46.9	78.3
Sweden	94.7	93.6	90.7	87.5
Switzerland	98.2	95.7	73.7	83.4
United Kingdom	94.8	91.4	73.0	78.7
United States	93.4	89.3	74.0	75.2
Non-US Average	94.0	92.5	67.1	79.5
US Rank of 22	14	22	6	17

Source: OECD Online Employment Database at:
<http://www.oecd.org/els/employmentpoliciesanddata/onlineoecdemploymentdatabase.htm>

Notes: Data for Austria refer to 1994 and 2010 and for Switzerland to 1991 and 2010.

According to Correll et al. (2007), raters usually give hypothetical managers who are mothers lower ratings of competence and likelihood of advancement compared to non-mothers with equal qualifications. In contrast, parental status did not affect male managers. The institutionally imposed motherhood penalty bring very different earning and advancement outcomes for women with children compared to men with children. This practice may ultimately lead to low marriage rates and low birth rates that create adverse economic effects.

Japan, for example, faces a crisis of low birth rates and an aging society, as many women with higher levels of education hesitate to get

married. To stimulate marriage rate and birth rate, many Japanese companies are required to reduce long work hours and increase the proportion of firm profits allocated to workers. There is also a changing societal value that men need to be more active in performing household chores and child care (Ahn and Mira). A similar trend in Taiwan shows that while female average births continue to decline for each educational level, the Taiwanese government has made various efforts to promote marriages and births among young couples such as reducing the housing costs for young couples, increasing the number of preschools, and reducing child care costs (Ito). There is a value in looking at policies protecting women in the labor force in developed Asian countries, as 30 percent of female managers in Thailand hold the title of CEO; 18 percent in Taiwan; 19 percent in China. Compared to 9 percent of female CEOs in Europe and 5 percent in the United States, the inclusion of women in executive level in developed Asian countries could be a prominent cause for different approaches in business and innovation, leading to rapid business growth rate (Hu). As women become more ambitious in the workplace in progressive and developed countries, the implementation of women-friendly policies are needed to achieve a healthy balance among women's labor force participation rate, birth rate, and marriage rate.

Chapter 4

Conclusion

4.1 Summary of Equal Employment Opportunities since the 1970s

The revolutionary phase of women's labor force participation began in the 1970s, in which women started entering traditionally male-dominant positions (Goldin). Both reproductive freedom and education played substantial roles in helping married and young women participate and advance in the workforce by having the same qualifications as their male counterparts and greater control over childbirth. As women established financial independence in the workforce, women's in the labor force started demanding for equal pay for equivalent work done by men. After the passage of the Equal Pay Act of 1963 and Title VII of the Civil Rights Act of 1964 and its amendments in 1972, the laws explicitly prohibited workplace discrimination against women. However, demonstrated by the existing wage gap and lack of women in executive management in the United States, the discrimination women face today largely root from implicit biases of their employers and coworkers questioning their abilities to advance and succeed based on the stereotypical assumption that female qualities are inferior to male traits (Latu et al.; Koenig). As developed Asian countries are becoming successful in incorporating highly educated women in top and executive level management and providing incentives for marriage and childbirth, the

United States is still far behind on including women in the executive suite and providing paid parental leave to women. Although the discrimination women face today are much less detrimental than traditional forms of discrimination in the 1970s, it is undeniable that the United States has a long way to go to achieve truly equal employment opportunities.

4.2 Future Research

My thesis used mostly federal-level data and international comparisons to see where the overall trend of equal employment opportunities developed overtime. The underdeveloped aspect of my research is that due to limited raw data sets, I was not able to test for differences in employment discrimination on a state-by-state basis. Future research examining equal employment opportunities in the United States should focus on how the political influences, social attitudes, and other factors may possibly lead to differences in anti-discrimination employment practices. If any tested variables could be proven as significant, then the causes of institutional discrimination could be further identified.

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