WOMEN'S EXPERIENCE OF DISCRIMINATION AT WORK: INTERSECTIONS OF RACE AND CLASS WITH GENDER

A Thesis

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By

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ABSTRACT

Few studies have explored the intersections of race, class and gender in the context of workplace discrimination, and even fewer have been able to explore the reality of discrimination as it is played out in everyday working lives of women. This paper addresses these gaps by exploring how race and class discrimination intersect with gender discrimination and by elaborating on the types of social closure women experience. Using data taken directly from discrimination cases obtained from the Ohio Civil Rights Commission, I specifically compare the experiences of labor market discrimination of African American and white women in various occupational positions. Notable are high levels of discriminatory firing of both African American women and white women as well as higher instances of promotional discrimination directed toward black women – patterns partially linked to their disparate concentrations in positions of lower occupational prestige. Qualitative analyses of actual experiences at work reveal underlying mechanisms at play. I conclude by discussing the changing experience of discrimination, its variation by class, race, and gender, and how future research should be sensitive to the ways in which status intersections result in differential inequalities and experiences in the world of work.
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INTRODUCTION

Women's struggle for equality in the workforce began long before the 1970's, especially for women and minorities from working class backgrounds, but it flourished when the Supreme Court became involved in 1971 (Lens 2003). The Supreme Court set a precedent by deliberating on and making decisions about gender discrimination laws. These rulings included prohibiting discrimination against women as well as upholding expansive interpretations of Title VII of the Civil Rights Act (Lens 2003). Congress also vigorously sought to support equal rights for women by passing several Equal Opportunity Acts (Lens 2003). As more women than ever were entering the workforce, the rulings made by the Supreme Court and Congress were some of the most influential determinants involved in shaping labor market opportunities, yet many studies have pointed to persistent discrepancies in what is stated by the law and the actual treatment and opportunities available for women in the labor market.

Some progress has been made in areas such as wage inequality, although disparities are still prevalent today and include the sexual division of paid and unpaid work (Bianchi et al. 2000), sex segregation across industry and occupations (Killingsworth 1987), sexual harassment, sex labeling of jobs, and sex differences in earnings (Marini 1989, Kilbourne et al. 1994, Padavic and Reskin 2002). Such labor market inequalities and employment opportunities also are distinct by race. From the
1940s up until the 1980s black women were making dramatic gains in the labor market and were beginning to achieve parity with white women in terms of economic status, yet even with these gains, Black women were still underrepresented in many areas including professional, technical, and managerial positions (Cunningham and Zalokar 1992). The gains Black women were making eventually slowed, and Anderson and Shapiro (1996) find that after the 1980s, wage inequality between black and white women began to increase. The expansion of wage differences appears to be based on African American and white women’s differential access to occupations, with black women relegated to low-paying positions, and they suggest that “rising returns to skills and an increase in labor market discrimination...led to the recent decline in the relative economic status of black women” (p. 286).

To what extent are labor market inequalities based on individual knowledge, skills, and competencies (i.e. human capital) versus structural discrimination? Economic models typically explain wage disparities in terms of human capital differences between workers. Such models, however, provide only limited explanatory power. According to Cunningham and Zalokar (1992) racial differences in human capital could partially account for occupational segregation, but they conclude that labor market discrimination had a far greater impact in limiting black women’s access to occupations.

Paula England (1982) also showed that human capital theory was not supported by research on occupational segregation, and numerous other studies have tied wage inequality (England et al. 1994; Kilbourne et al. 1994; Killingsworth 1987; Peterson and Saporta 2004), and occupational gender segregation to discrimination (Becker 1971; DiPrete and Soule 1988; Reskin 1993; Carrington and Troske 1995). Unfortunately
though, few analyses actually delineate the realities and processes of discrimination. Moreover, we know little about how intersections of gender, race, and class may alter the experience of discrimination. Simply, the mechanisms of discrimination may play out differently for women of varying racial and social class backgrounds.

Using unique data obtained from the Civil Rights Commission of the state of Ohio, I show how individual women are affected by discrimination dependent upon their location in the workplace hierarchy. I draw from both quantitative data on the types of discrimination cases filed as well as qualitative data obtained from the actual testimonies of the women who experienced discrimination on the job to uncover new insights into the process of discrimination. These analyses inform our understanding of how the intersections of race and class with gender combine with other social factors in a way that allows labor force inequalities to persist. I conclude by discussing how these results contribute to a theoretical understanding of how gender, race, and class collectively work together; specifically, how my current work expands on the more general body of knowledge on stratification and the mechanisms that produce it.
INEQUALITY AND POTENTIAL GENDER DISCRIMINATION AT WORK

Explanations for gender differences in the labor market take on two forms. Economists often rely on the concept of human capital to explain how an individual’s knowledge, skills, competencies and attributes play a role in their personal, social and economic well being (OECD 2001). Polachek (1981) argues that women are led to traditionally female occupations because those occupations will allow them to enter and exit the labor market at will. Therefore, in the long run women suffer from wage depreciation when they are out of the labor force and are then paid less once they return. Occupations that have a high percentage of female employees often pay less (England et al. 1994), which therefore affects the economic well being of women. However, England (1984, p.735) argues that a human capital explanation is not enough. Even if women have incentives to choose female occupations, it is “incorrect to assert that differences between the depreciation penalties in male and female occupations give women who work intermittently an incentive to choose female occupations.” Further, differences in education and tenure do not account for gender wage gaps or gender differences in occupations as women’s education and experience has increased, yet there have been few changes in occupational segregation. Using a human capital explanation to elucidate how sex differences play a role at work does not completely account for all of the sex differences in the labor market.
Discrimination against women has been the major focus of research for many years and has been seen as an alternative explanation to the human capital theory. In an article published in 1982, Andrea Beller found evidence for a discrimination explanation of occupational segregation. In 1992, Yitchak Haberfeld reported on his study of gender-based discrimination using an organizational model, and in 1993, Rosenberg, Perlstadt and Phillips published their work examining discrimination, disparagement and harassment of women lawyers. Numerous studies now also tie wage inequality (Killingsworth 1987; England et al. 1994; Kilbourne et al. 1994; Peterson and Saporta 2004) and gender segregation to discrimination (Becker 1971; DiPrete and Soule 1988; Reskin 1993; Carrington and Troske 1995), although such work rarely if ever measures or models discrimination itself, instead positing that the employment differences found between women and men, which are not individual socio-demographic characteristics, are due to unmeasured structural factors such as discrimination.

Various mechanisms play a role in workplace discrimination. These include both formal and informal policies that directly affect the type of discrimination that may occur. Hiring is often where many researchers theorize that discrimination takes place (Blau and Ferber 1987; Jencks 1992; Bloch 1994; Olson 1997), but this type of discrimination is often difficult to substantiate and therefore formal policies against discrimination may not be recognized in this situation. Neumark, Bank and Van Nort (1996) conducted an audit study of restaurant hiring and found that there was statistically significant sex discrimination against women in the job offers and interviews given at high price restaurants in Philadelphia. More audit studies are needed in order to provide additional insight about the prevalence of hiring discrimination in other occupations and industries.
There are formal policies stating that women and minorities must receive equal
treatment in employment and employment opportunities, but research shows that
occupational differences between men and women still exist. Blau and Ferber (1987)
write that differences in promotion opportunities and pay often result from women and
men being directed into different types of jobs. Men's jobs and women's jobs also tend
to have different promotional ladders. This type of sex segregation may be the result of
hiring and initial placements (Peterson and Saporta 2004), which in itself is likely to
affect differential treatment and wage gaps. England (1992) finds extensive evidence for
discrimination that occurs in job segregation into male and female related occupations.
Men are often advantaged over white women and Black women when it comes to labor
market resources, including forming advantageous networks, promotion and
advancement (Maume 1999, Maume 1999; McGuire 2002).

Although inequality at work remains a problem for women, literature has yet to
focus explicitly on the discrimination process. Peterson and Saporta (2004) discuss how
employer discrimination can come about by three different processes: allocative wage
discrimination, within job wage discrimination, and valuative discrimination. Allocative
discrimination includes the apportionment of women into different occupations and also
includes discrimination in hiring, promotions and dismissals. Within job discrimination
allows for men to receive higher wages than women within the same occupation, while
valuative discrimination focuses on comparable worth with the separation of occupations
into female and male jobs with male jobs typically paying more although skill and wage-
relevant factors remain relatively the same. Peterson and Saporta conclude that, in the
U.S. case, within job wage discrimination and allocative wage discrimination are being
replaced with valuative discrimination. Reskin (1988) concurs, noting that even if comparable worth or the sex integration of jobs takes place, neither will greatly reduce sex differences in employment. She suggests that, “the basic cause of the income gap is not sex segregation but men’s desire to preserve their advantaged position and their ability to do so by establishing rules to distribute valued resources in their favor (Reskin 1988, p.61)” This type of social closure indicates that inequality and differential treatment exist, yet there are still questions about the underlying mechanisms at play.

Research also shows that women face a glass ceiling, which the Federal Glass Ceiling Commission (1995, p.4) defines as an “unseen, yet unbreachable barrier that keeps minorities and women from rising to the upper rungs of the corporate ladder, regardless of their qualifications or achievements”. Cotter et al. (2001) find that both black and white women “face a glass ceiling in earnings over the course of their careers.” However, the question remains: Do black and white women experience the same glass ceiling? Black and white women are often grouped together and looked at through one lens, but there are often many differences. Burbridge (1994) reports that black women tend to be in government and third-sector jobs, and if black women are in for-profit female dominated occupations, they are in the lower-status and lower-paying jobs as compared to their white counterparts. Although both black and white women are affected by the glass ceiling, race seems to play a role in how the glass ceiling affects women.

In addition to the glass ceiling, there are also suggestions of a glass escalator. The term “glass escalator” was used by Williams (1992) to describe how token men have an advantage in female dominated occupations. Research suggests that this term can be applied to all men because they earn more, have faster wage growth, and move more
quickly into higher positions (Budig 2002). If men are moving on a glass escalator and women find themselves being left behind, do black women find themselves taking the stairs because their escalator is out of service indefinitely? Indeed, black women continue to find themselves in lower-status, lower-paying jobs as compared to white women (Burbridge 1994).
DISCRIMINATION AND POTENTIAL VARIATIONS BY RACE AND CLASS

As the body of research on gender-based labor market discrimination has grown, so has research on race-based oppression and discrimination. As with gender discrimination, race-based labor market discrimination has been linked to segregation across occupation (Becker 1980; Davis 1995) and industry (Bertrand and Mullainathan 2003). Findings suggest moreover, that race is closely tied to promotion (Greenhaus, Parasuraman and Wormley 1990; James 2000) and discharge (Zwerling and Silver 1992; Elvira and Zatzick 2002). Baldi and McBrier (1997) argue, "Determinants of promotion systematically differ for blacks and whites."

Many researchers suggest that black women have been and continue to be relegated to the bottom of the barrel when it comes to structural opportunities (McGuire 2002), hiring practices (Anderson 1982), and promotional opportunities including increased wages and attainment (England 1992). They also tend to leave full-time work sooner than their white counterparts due to layoffs, firing, or other forced exits (Reid 2002). This research, much like that pertaining to gender, has offered evidence that human capital, structural location, and occupational segregation matter (Reid 2002, McGuire 2002), yet inequalities persist even with these factors accounted for. This leaves open the possibility that the employment experiences of minority women are
different than those of majority women, and that different types of discrimination may be
playing an important role.

In the labor market, African American women have historically been treated
differently than white women. Karen Tucker Anderson (1982) tackled some of these
issues when she described how black women in America were usually found on the
bottom rung of the hiring ladder especially during the war years when the demand for
workers, particularly female workers, increased dramatically. Anderson notes that white
women in many industries opposed or refused to work alongside Black women.

In the early 1940’s black women were almost solely employed in lower prestige
jobs, such as unskilled blue collar jobs while white women were principally employed in
“pink” or white-collar jobs (Cunningham and Zalokar 1992). By the 1970’s black
women had moved into almost every occupational realm, yet they were still experiencing
racial and sexual discrimination (Spaights and Whitaker 1995). In 1980 black women
mostly occupied jobs as clerical workers (29.0%) followed closely by jobs as service
workers (25.6%). During the same period, the majority of white women (36.5%) were
also clerical workers, but 20.1% were professional and technical workers, while only
16.1% of black women were in the professional/technical category (Cunningham and
Zalokar 1992, Table 2). The occupational differentiation found in 1989 had changed
very little from the previous decade. Black women with degrees were concentrated in
teaching and nursing, but even without a degree many black women were working in the
Black women continued to find themselves in service positions (27%) and sales/clerical
positions(26%). White women also remained concentrated in clerical occupations (28%),
yet discrepancies still remained between professional/technical occupations for white women (19\%) and professional/technical occupations for black women (14\%).

Previous research on gender and race-based discrimination has covered a wide variety of labor market factors as well as looked at many aspects of discrimination from multiple perspectives. However, in current research, particularly in feminist literature, there has been a shift in thinking – a shift highlighting the need to consider the connections across and between various statuses. Although many studies include some aspect of social stratification, few highlight how different types of discrimination are interrelated. When race and class are examined with gender, discrimination can no longer be relegated into separate spheres. Discrimination has and does occur differently for people of different gender, race, and social class backgrounds, and as such, race, gender, and class should be examined in a conjoined fashion if empirically possible.
RESEARCH QUESTION

Theories of "gendered" organizations have recently emerged (Acker 1990, Britton 2000), but questions still remain about the role of race and class within those gendered organizations. As previously stated, gender segregation and wage inequality are linked to discrimination against women and thus, I build my research on the foundation that women's labor market experiences are marked by gender discrimination. This perspective, however, does not imply that gender is the most salient system of stratification. According to feminist theory, gender, race, and class stand in relation to each other through a system of domination and subordination and gender, race and class "intersect to create unique constellations of disadvantage and privilege in all institutions." (Browne and Misra, forthcoming)

Drawing from unique data pertaining to actual incidents of discrimination, I analyze the connection of race and class to gender discrimination experiences in the arena of work. Specifically, my analyses link status disadvantages to either homosocial reproduction, which suggests that supervisors tend to hire people like themselves and/or social closure, the process by which "social collectives seek to maximize rewards by restricting access to resources and opportunities to a limited circle of eligibles" (Parkin 1982). The data also allow for delineation of the forms of stereotyping, discrimination,
and employer prejudices that contribute to the constraint of white and black women's job access, pay and promotion.

I propose two specific hypotheses for examining the different types of workplace discrimination that occur for women from different racial and class backgrounds.

**Hypothesis #1:** Black and white women have differential access to jobs and, as such, it is plausible that black and white women face different forms of discrimination and at varying levels. Black women specifically will be more likely to face discriminatory discharge, while white women will more frequently experience denial of promotion and advancement opportunities. Previous research has indeed shown that black women have historically been more concerned with discharge because they were often the last hired and the first fired and according to Anderson (1982), “whatever the hierarchy of preference...black women could always be found at the bottom.”

**Hypothesis #2:** Previous research has shown that gaps in wage inequality between women and men from working class backgrounds are less significant than the differences found among other classes, and I believe that this will also apply to the types of discrimination experienced by women. The expected patterns, while partially explained by race, will also be shaped by social class status. Specifically, women, both black and white, are more likely to experience exclusionary discrimination in the form of arbitrary firing in lower status jobs given their vulnerability and low levels of power. At higher levels of job status, in contrast, discrimination experienced will be aimed at curbing women's mobility and promotion.

The unique data obtained from the Ohio Civil Rights Commission, hereafter referred to as OCRC, will be used to examine how individual actors are affected by
different types of discrimination dependent upon group associations in hierarchical power
relations. This research will build upon and expand our understanding of how the
intersections of race and class combine with gender as social factors that are found in
employer and institutionalized discrimination. It will also contribute theoretically by
supporting existing theories of intersectionality which analyze how gender, race, and
class work together, as well as make empirical contributions to current literature on what
is known about the mechanisms that reproduce inequality. This distinctive data set also
allows me to report on the personal experiences of discrimination as witnessed by
African American and white women across various occupations and industries.
DATA

To empirically address my hypotheses, I draw from secondary data obtained from the archived closed case files of the OCRC through the Ohio Discrimination Project, hereafter referred to as ODP. The OCRC’s main office is located in Columbus, Ohio and contains public archived records of cases from the Columbus, Cincinnati, Cleveland, Dayton, Akron, and Toledo offices.

The Ohio Civil Rights Commission is a state agency set up to enforce civil rights laws in the state of Ohio. Under Ohio Law, it is illegal for employers to discriminate against persons based on their race, color, religion, sex, national origin, disability, age, or ancestry. The OCRC has jurisdiction over all of these areas. The OCRC employs neutral fact finding agents who conduct investigations for each discrimination claim made in their office. The person making the claim of discrimination, known as the “charging party,” has the burden of proof and may hire outside legal representation, as the investigating agent does not represent the charging party. After an investigation, a case has three possible outcomes. It is either determined that there is enough information to proceed to the Attorney General’s office and is marked “probable cause,” or it is dismissed due to lack of evidence. In some cases, a settlement may be reached before a finding of probable cause or dismissal can be determined. Once a probable cause case reaches the Attorney General’s office, the Attorney General will prosecute the case in a
public hearing or the Court of Common Pleas or once again, a case may be settled. The OCRC follows a "make-whole remedy" agenda and attempts to seek compensation for the charging party for any losses they may have suffered versus seeking higher penalties against the employers.

The OCRC creates and maintains a database of discrimination cases, which have been shared with the Ohio Discrimination Project. It contains the case identification number, the name and sex of the charging party, the respondent (i.e. employer), the basis of the charge, the harm that was suffered, the job position held by the charging party, the position of the person committing the alleged harm, the final determination by the OCRC, whether either party has legal or extra-organizational representation, employment history of the charging party, whether there are comparative cases in the workplace, and many geographic identifiers for each workplace in question. Along with the database, every document out of each file from 1988-2003 was transferred to microfilm and coded with the appropriate case numbers. The ODP also has exclusive access to these microfilm reels. Approximately 5,000 cases are filed at the OCRC each year, 90% of which are employment cases and 10% of which are housing cases. The data set includes cases filed between 1988 and 2002 (N=91,000).

Using a database provided by the OCRC, I was able to select employment cases filed by women (N=35,583). Although all of these cases were filed with the OCRC, not every case ends up being prosecuted. In many cases investigators felt that discrimination may have occurred, but there was not enough evidence to continue to pursue charges. In order to maintain validity in my findings, I am only focusing on cases that are considered
“serious.” Serious cases include cases wherein evidence supported the charging party’s claim or there was a higher-level finding in the charging party’s favor. The first graph in

![Graph](image)

**Figure 1: Percent of Discrimination Cases by Race**

Figure 1 shows the percentage of all cases filed by women in the state of Ohio\(^1\). The second graph in Figure 1 shows the percentage of serious cases filed in the state of Ohio. The number of serious cases follows the same pattern of cases filed by all women. Unfortunately, due to the extremely low number of cases by women of Hispanic, Asian or other races and/or ethnicities, as seen in both graphs, I must focus my analysis on Black and white women only. Out of the 35,583 cases filed by women there were approximately 8,412 serious cases filed by black or white women.

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\(^1\) In 1990 almost 56 percent of women over the age of 16 were in the U.S. labor market. Of those women, white women comprised 81.07 percent of the labor force while Black women comprised 12.18 percent of the labor force. In 1990 in the state of Ohio almost 55 percent of women over the age of 16 were in the labor market. Of those women, white women comprised 88.21 percent of the labor force while Black women comprised 10.38 percent of the labor force.
The ODP randomly sampled the micro-filmed serious case files and content coded them in order to obtain rich qualitative information as well as information about the charges filed including the claims made by the charging party, counterclaims made by the respondents, EEOC data, case log sheets, and information on whether outside actors (i.e. lawyers) were involved on either side of the case. In order to test my hypothesis, I will be using information from both the serious employment cases filed by black and white women (N=8412) as well as information from the smaller content-coded sample (N=388) of black and white women. The larger serious case data set will be used to examine the discriminatory experiences of women based on their race, but for the analysis of class, I rely on the smaller content-coded sample which provides the occupational information I use to code occupational prestige.
MEASURES

To determine how race and class discrimination may work with gender discrimination, I filtered the data to look specifically at discrimination encountered by females in the labor market. In order to understand how the mechanism of discrimination work against black and white women in the labor market, I looked at cases in which women have filed charges of discrimination for issues concerning hiring, firing, promotion, demotion, and general harassment. I created a proxy for social class for each woman by using a combination of each woman’s occupational prestige score compared and cross-referenced with the Equal Employment Opportunity Job Classification Guide. Occupation is often used in research as a key indicator of class, and according to Dickson and Lind (2001 p.38), “occupation is also frequently cited as the ‘single best proxy indicator of social class.’” Although they also suggest some minor updates to include technological fields, they find that people’s perceptions of occupational prestige have changed little over time. Women’s class status is difficult to theorize because it is often tied to marital status, however Browne and Misra (forthcoming) argue that it is still important to attempt both qualitative and quantitative analyses using the intersection of gender, class, and race. Using occupational prestige and occupation data as a proxy for

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2 The percentage of serious cases men filed for discrimination (35%) is much smaller than the percentage of serious cases women filed for discrimination (64%). Due to the smaller number of men in the sample who filed serious charges and my interest in the intersection of race and class with gender, looking at the intersections of race and class for men is beyond the scope of this paper.

3 General harassment includes sexual harassment, exclusion, antagonism, and intimidation.
class provides some insight into how class position may be playing a role in the variation of discrimination examined.

I use the self-reported race variable taken from the charge form available from each case. With descriptive statistics, I show how the intersection of race and class with gender work as multiplicative measures of discrimination. I examine the data for both groups concerning hiring, firing, promotion, demotion, and general harassment. All of this information empirically contributes to research on labor market inequality and underscores the theoretical salience of gender, race and class intersections to the workings of social stratification systems.
ANALYTIC STRATEGY

Although discrimination has been used in literature to explain some labor market differentiation, inequalities still persist between women even when human capital and structural factors are taken into account. Much of current literature quantitatively analyzes outcomes of discrimination between men and women, yet it often does not analyze how race and class may also play a role. By using the data obtained from the OCRC, I not only conduct substantive quantitative analysis, but because of the richness of the data, I am also able to analyze processes of individual level discrimination, using the OCRC charge forms and court reports in which women describe in detail the type discrimination they experienced (as seen through their own eyes).

My analyses proceed in two steps. First, I use serious case data (N=8412) to analyze how race affects the types of discrimination that black and white women experience. I use a multi-method approach incorporating both quantitative and qualitative methods. I use descriptive statistics to show how race has significant impact on the type of discrimination that women experience, and to help further interpret and add depth to statistical analyses, I draw on rich qualitative data, including statements given by women who have personally experienced discrimination. Secondly, I use the
smaller content coded sample to examine how social class may also be affecting the types of discrimination cases women experience. Once again, I augment this analysis with the rich qualitative data.
ANALYSIS OF DISCRIMINATION AGAINST WOMEN AND VARIATIONS BY RACE

Women traditionally find work in female-dominated occupations, and they tend to work in part-time jobs more often than men. Whether or not these differences can be explained by human capital differences or discrimination is subject to dispute. We know that men have a labor market advantage over all women in general, but do white women have an advantage over black women? In the labor market, African American women have historically been treated differently than white women. Does this pattern persist in the types of discrimination that black and white women experience?

Literature shows that black women in the labor market are often the last person considered for hiring, promotional opportunities, including increased wages and attainment, and other structural opportunities. They tend to leave full-time work sooner than their white counterparts because of layoffs, firing, or other forced exits (Reid 2002), and research has shown that arguments for human capital, structural location, and occupational segregation offer some explanation (Reid 2002, McGuire 2002), but these explanations leave an unexplained gap. I begin my analysis by looking at how race affects the type of discrimination that women experience.

As shown previously in Figure 1, black women file the majority of discrimination cases in the state of Ohio, but is it possible that black women tend to believe that discrimination occurs even when it may not? Some may argue that this is a concern
because black women’s experiences of joint racial and gender discrimination have sensitized them to discrimination or made them more prone to interpret events as discrimination. As Figure 1 shows, however, even when only the serious cases are selected, the majority of the discrimination cases are still filed by black women (51.5%) versus those filed by white women (42.1%). This suggests that black women are experiencing more discrimination than white women. Given that Black women are filing more cases, are black and white women filing for different types of injury?

Another way of examining discrimination in the labor market is to look at the type of discrimination that occurred. Who is more likely to be fired? Who is stuck below the “glass ceiling?” What types of injury are black and white women claiming and are the charges significantly different from the types of charges white women are claiming? Figure 2 shows the percentage of each injury filed by black and white women within the charging party’s own race/ethnicity in each of the following injury categories: hiring, firing, promotion, demotion, general harassment. I have chosen to exclude other types of discrimination due to their small numbers and variety of claims. General harassment cases include those where the employer or fellow employees are doing something to make the work environment intolerable for the Charging Party. It can take on many forms including sexual harassment, differential treatment due to pregnancy, antagonism, exclusion from opportunities given to other employees, etc. The basic premise of general harassment is to make the Charging Party feel unwelcome and uncomfortable with the likely result of the Charging Party leaving the place of employment. My initial analyses

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4 Recall that serious cases are those wherein evidence supported the charging party’s claim or there was a higher-level finding in the charging party’s favor.
show that for both black and white women, the majority of claims occur for unlawful firing (57.0%) and secondly for general harassment (29.2%).

![Bar graph showing percent of cases filed by race for each injury]

**Figure 2: Percent of Cases Filed by Race For Each Injury**

I ran nonparametric chi-square tests to compare the significance of the differences between the types of discrimination reported by black women versus the type of discrimination reported by white women. If race is significant in determining the type of discrimination black and white women experience, it will support my first hypothesis that women of different backgrounds experience different types of labor market discrimination. Table 1 shows the breakdown of the injury claims filed by black and white women and the results of the chi-square tests. There is a statistically significant
association between race and filing discrimination charges for hiring, promotion, and
general harassment (p< .01). Both black and white women have high rates of filing
charges of discriminatory firing, thus the association for this variable is not statistically
significant. However, my examination of the qualitative data suggests that the experience
of firing does differ by race. For instance, many more white women file charges because
of pregnancy and maternity related issues whereas black women often file charges for
differential treatment or unequal terms and conditions. For example, one African
American woman states on the charge form:

I am a Black person. I was employed by the above named Respondent
beginning on September 8, 1998, most recently as a Medical Biller...On
December 15, 1998, Adrianne Moss, White, Manager, gave me a letter
that stated that Respondent would no longer be needing my services due to
excessive absences and my inability to take direction and work the hours I
was hired to work... I believe that I was discharged due to considerations
of my race, Black, because Martha Gregory, White, Medical Biller, had
excessive absences and was not discharged. I only missed two days while
employed by Respondent and I successfully completed my probationary
period. Between September 21, 1998 and December 1998, Moss called
me an asshole, referred to me as a child and called me out of my name, but
Moss never treated White employees this way. Two days after my
discharge, Respondent replaced me with a White person. Prior to my
discharge, I was never given an oral or written warning or a suspension.

On the other hand several comments taken directly from charges filed by white
women for discriminatory firing referenced pregnancy. The first woman was an
Administrative Assistant and the second woman was a Credit Manger. Both women are
white.

Case #1
I believe that I have been discriminated against on the basis of my sex,
female, pregnancy, because during the time that I worked (while pregnant)
the atmosphere at the job was hostile. The Owner...male, made
derogatory comments about my pregnancy. Certain employees told
another employee that if I returned to work after my pregnancy that they
would leave the company. While I was out on maternity leave one girl in
the office said that if I was not pregnant that she would beat me up.

Case #2
I am a pregnant female. I have worked for the above named employer
since November, 1987 in the position of Credit Manager... On April, 3,
1992, I was advised by Sam Jacobson, female, Office Manger, that I was
being let go because I was no longer dependable. I believe that I have
been discriminated against because of my sex (pregnancy) for the
following reasons. I had a doctor’s appointment on April 1, 1992 at which
time it was confirmed that I was pregnant. On April 2, 1992 I went to
work and told everyone in the office that I was pregnant. The Owner’s
wife, Sue McGrady, was visiting the office when I was telling everyone of
my news. Ms. McGrady asked me if it was a planned pregnancy. She told
me I should deal with Sam about it. On April 3, 1992, my supervisor,
Sam Jacobson and Sue McGrady...were in a meeting for the majority of
the morning. At approximately 5:15 p.m. that same day, Sam told me that
I was let go because I was no longer dependable. I feel the Respondent’s
actions are discriminatory because I am pregnant. My doctor did not place
any restrictions on me and I am able to perform my job as Credit Manager.
I am aware that the Respondent employs approximately two hundred (200)
employees and only approximately ten (10) of them are females. I am also
aware that a pregnant employee, Kate Flounder, was discharged while out
on leave after giving birth. The Respondent does not have a maternity
leave or disability leave policy.

Hence, underlying reasons for discriminatory firing differs. Further, as shown in
Table 1 injuries surrounding issues of hiring, promotion, and general harassment are all
significantly different for black and white women. This shows support for my first
hypothesis that black and white women experience different types of discrimination and
thus file charges for different injuries, but it does not support my contention that black
women are filing more charges based on firing. As shown, discriminatory firing is not
significantly different for white and black women. Most of the women who filed charges
were concerned with firing regardless of race.
However, the qualitative material does suggest differences in process, with white women being fired around gender-based issues and black women facing differential treatment. This lends support to the idea that race is an important factor in underlying mechanisms of workplace inequalities. Another example of this is taken directly from a case filed by an African American women who was wrongfully discharged.

On August 14, 1989, I found that I had been terminated effective August 9, 1989. I had been working for the Clinic since October 26, 1986 most recently as Administrative Secretary in the General Anesthesiology Department. Mary Kent, Caucasian Administrator terminated me because she said that things were not working out. I believe that I have been unlawfully discriminated against because of my race, black, for the following reasons: On April 10, 1989, I transferred into the department and was placed on a standard 90 days probation. On July 26, 1989, Ms. Kent placed me on an additional 30 days probation because she said that my evaluations were not high enough. I deny that my work was below standard. All my previous evaluations give by other supervisors had been excellent. Prior to my termination, three physicians to whom I had to report gave me excellent evaluations, but Ms. Kent refuses to accept them.

After an investigation by the Ohio Civil Rights Commission, a probable cause finding was issued. They had determined that indeed, "(the) Respondent discharged her for reasons not applied equally to all persons without regard to their race." The OCRC typically seeks a "make whole" remedy and will try to get someone their job back or will try to get compensation for the pay they did not receive while they were looking for another job. Not all discrimination victims hire an attorney, but in this case there were also documents from the Charging Party’s attorney and the charging party was apparently not interested in returning to her position at the Clinic. The letter from her attorney to the OCRC states:

(The Charging Party) is no longer interested in being reinstated to her prior position with the Clinic. We believe that due to the nature and extent

5 Names have been changed.
of her discrimination as well as the extreme humiliation which she suffered at the Clinic as a result of employer actions, reinstatement is not an alternative for which we can consider. For example, a notice was posted on her office door broadcasting (the Charging Party’s) termination. Also, there have been instances of extreme racial discrimination such as an instance which occurred on May 8, 1989, where she was referred to as a monkey. Under these circumstances, I would not recommend reinstatement to my client.

Going back to my original findings, although firing was not statistically significant, hiring, promotion and general harassment were. According to this data, Black women file more charges on the basis that they are being discriminated against in the hiring process. As noted, this is one of the most difficult areas to ascertain whether or not discrimination has occurred, yet the OCRC either has managed to collect enough evidence that it did, in fact, occur or the case was settled prior to the conclusion of the investigation. In either case, my findings concur with the literature that finds Black women are still being kept out of jobs. And this evidence also shows that once they are in the door, Black women are more likely to be denied promotions or to be treated differently than are white women.
ANALYSIS OF DISCRIMINATION AGAINST WOMEN AND VARIATIONS BY CLASS

As previously discussed, black women typically earn less and are in lower prestige jobs (Cunningham and Zalokar 1992). In 1980 black women mostly occupied jobs as clerical workers (29.0%) followed closely by jobs as service workers (25.6%). During the same period, the majority of white women (36.5%) were also clerical workers, but 20.1% were professional and technical workers, while only 16.1% of black women were in the professional/technical category (Cunningham and Zalokar 1992).

It may be possible that black and white women work in different occupations and perhaps some occupations have a structural make-up that makes discrimination practices less easily practiced or at least less visible. For example, high levels of bureaucracy are thought to limit the extent to which formal and informal discrimination can occur. So, are black and white women who file discrimination charges located in the same job classification?

If black women are segregated into certain occupations, they may be filing more discrimination claims because of their location within those particular occupations. When taking into consideration that there is a large sex-segregation of occupations between women and men in general, Black women still traditionally hold lower status jobs as compared to white women. Looking at the cases taken from the content-coded
sample, Figure 3 shows the Equal Employment Opportunity (EEO) distribution of serious cases filed by black and white women into different occupational categories. The majority of both black and white women who file charges are located in office/clerical positions (25%) and service occupations (21.9%).

Again this is similar to the sex-segregation of occupations, where women make up the largest percentage of the employment in office/clerical positions and service positions. However, there is a larger percentage of white women filing charges in official/manager positions as well as in sales and craft (skilled) positions, which is perhaps a reflection of Black women’s low percentage of work force participation in these occupations.

Table 2 gives the figures for each job classifications breakdown, and shows that there are some significant differences between the proportion of black and white women filing charges in various occupations. The percentage of white women filing serious discrimination charges within official/manager, sales, and craft (skilled) occupations is significantly different from the percentage of black women filing charges in those occupations. Black women are underrepresented in craft (skilled) and managerial positions, so it is not surprising that the percentage of claims filed by Black women is lower compared with white women. Noting that there are some differences, the majority of cases for black and white women occur in the same occupations.

But as shown earlier black women report more types of serious discrimination. Does class also play a role in what types of discrimination cases black women are filing? Using occupational prestige scores cross-referenced with the Equal Employment
Figure 3: Discrimination Cases by EEO Occupation

Opportunity Job Classification Guide as a proxy for class, Figure 4 shows the breakdown of serious discrimination cases by social class and race for the content-coded subsample of cases filed by women at the Ohio Civil Rights Commission. The majority of discrimination claims are made by women with medium occupational prestige.

Nonetheless, the gap between middle class and working class closes dramatically for black women whereas it increases for white women. Working class black women and middle class black women filed almost exactly the same number of charges, 45.5% and 46.8%, respectively, yet there is a large difference between the percentage of working class white women versus middle class white women; 30.4% and 62.6%, respectively.
High status women of any race filed the fewest number of cases regardless of their race. This may be due to the limited number of women in high status positions or other structural differences.

The question stills remains of whether or not there is a relationship between the type of discrimination that occurred with the social class of the woman filing the charges. Does firing remain the most visible form of discrimination for each class? As noted previously, firing was the most frequently recorded injury for both black and white women. Table 3 shows us that when examining only the percentage of charges based on unlawful firing practices and general harassment, the highest percentage of cases are filed by white women within the middle class. Why are middle class white women filing more firing and harassment charges than middle class black women? Middle class white women were leading the charge in the feminist movement, and this may be continuing with the white women represented in this sample. Of all women, middle class women in general are filing the most charges, and this supports the idea that these women might

![Figure 4: Breakdown of Discrimination Cases by Occupational Prestige](image-url)
feel more empowered than working class women. It may also be correlated with socio-
demographic factors. Women with advanced education may know more about how and
where to file charges, where to find information about filing, or may have access to other
resources such as attorneys. They may also be cushioned against potential job loss by a
well-earning spouse and/or savings. There are very few cases for upper class women,
which corresponds to the few number of women in occupations with high prestige, or
simply that women in high prestige positions may also have more to lose by filing
discrimination charges. Yet, even with smaller numbers we see that women with high
prestige occupations are experiencing discrimination.

Looking specifically at middle class women, once again the rich qualitative data
allows for a more detailed understanding of the process of discrimination for women of
similar status. The following quotes were taken from the separate charge forms from a
black and a white woman, both secretaries, but working for two different companies in
Ohio.

I am a black person and was employed by Respondent from April 27,
1992 until January 18, 1993 as a secretary/receptionist. On January 18,
1993 I received a letter of termination from Lucy Marks, white, Regional
Supervisor, stating that I had not fulfilled my probationary period
standards within the thirty days. I believe I was discriminated against and
terminated due to my race, black, because I was the only Black employee
at this location. Lucy Marks did not give me the necessary training for the
position. On many occasions I asked another secretary for the procedures
that were used, such as, giving clients particular information or giving
providers information concerning clients benefits status. I was not
allowed computer training in June 1992 with other secretaries (white).
Lucy Marks told me I would not be paid for attending staff meetings.
Other employees attending the meetings were paid. After attending
several meetings, I was excluded from two and then invited back. Other
secretaries work was not scrutinized in the same manner mine was.
This woman was not given the same terms and conditions as other white female secretaries. Are white women experiencing the same types of discrimination in similar positions? The following quote is from a white woman working in a similar position with a similar occupational prestige score. She also was not given the same terms and conditions as other employees, yet differences still remain in the type of discrimination they experience.

I began my employment with the above named Respondent in October of 1989, working as an Administrative Assistant. Shortly after I notified Respondent of my pregnancy I began being treated less favorably than my non-pregnant co-workers and on June 20, 1990 Respondent attempted to force me to sign a warning letter/agreement regarding my attendance. When I would not sign the agreement, he suspended me. On June 20, 1990, Ed Sawyer, male President, informed me that my attendance was unacceptable. I believe that I have been unlawfully discriminated against in being treated less favorably and suspended because of my sex, female/pregnancy, for the following reasons: 1) My attendance is comparable to that of my non-pregnant co-workers. 2) Mr. Sawyer expects me to lift heavy boxes. Since I notified Mr. Sawyer of my pregnancy he has required me to do the work of two people. On the attendance warning/agreement Mr. Sawyer wants me to sign, it is stated that if I miss one day, I’m suspended and at three days missed, I am terminated. The warning/agreement also states that I will have a designated break and lunchtime. No one else has these stipulations nor were they required to sign such an agreement. The women in Respondent’s office are disallowed from wearing pants in the office.

Once again we see that many of the cases filed by white women concern pregnancy and maternity leave issues.

As seen in Figure 4, working class black women and middle class black women file almost an equal number of charges, but white middle class women file more charges as compared to white women of other statuses. When analyzing the qualitative data for both black and white women in various class positions, it appears that black women of various positions file discrimination charges due to differential treatment from their
coworkers who also tend to be female. White women from working class positions file similar charges due to a variety of reasons, but also including sexual harassment and pregnancy. Similarity of charges by these women may be related to their vulnerability and low levels of power. White middle class women, however, seem to be filing many more charges due to pregnancy or maternity related issues suggesting that employment discrimination is tied to gendered notions that white women cannot be workers and mothers. The qualitative data allow for a much closer inspection of what is actually happening. Not only do the data show that these women feel as if they were unlawfully fired, but it also appears that the reasons for filing different injury claims vary by class and race.

Examining how employment discrimination differs by race and class allows for a deeper understanding of the different ways in which the process of discrimination unfolds for black and white women in different class positions. As shown, there are different types of discrimination that occur across industry and occupation. Women experience discrimination associated with equal treatment, mobility, maternity and pregnancy leave, and sexual harassment in both the private and public sector. Black women, however, experience discrimination due more to race and less to gender while white women experience discrimination due to gendered notions of appropriate roles for mothers.
CONCLUSION

This study brings race and class into the discussion of gender inequalities in the labor market. Using rich qualitative data from the case files, I was able to add detailed information about the different types of discrimination women are experiencing through the restriction of access to resources and opportunities. The type, quality, and richness of these data are a rarity, and its uniqueness in allowing for suitable qualitative and quantitative analysis is something that is not often found in the social sciences. It systematically allows for an analysis of discrimination itself, and thus fills gaps in the literature by addressing questions across broad areas of stratification at both the macro and micro levels.

Discrimination is a subjective experience. Both black and white women continue to view discriminatory firing as the most salient reason for filing a charge with the Ohio Civil Rights Commissions. However, black women do file significantly more charges for hiring, promotion and general harassment. As literature on the intersections of gender, race, and class may not be well disseminated through the public, women may be experiencing discrimination through a combination of stratification systems, but are only reporting what seems to be the most obvious form. Even if black women are experiencing discrimination based on their sex, it may be perceived as discrimination based on their race. While most white women interpret discrimination as being based on
their sex as opposed to their class. Gender discrimination differs by race and class; therefore, gender discrimination is racialized and classed. Hence, individuals can experience simultaneous advantage and disadvantage.

Previous research has shown that gaps in wage inequality between women and men from working class backgrounds are less significant than the differences found among other classes. This does seem to hold true for some women of different racial backgrounds. Black women have historically been more concerned with discharge because they were often the "last hired and the first fired" (Anderson 1982), but firing is not just a problem for black women. White women also file significantly more firing charges than any other type of injury. Although there are no significant differences between working class Black and working class white women for any injury, but there are significant differences between middle class black and middle class white women for charges filed based on firing and general harassment.

Working class Black and white women and middle class Black women file more charges based on unequal treatment as compared to their peers, while middle class white women appear to file more charges based on pregnancy and maternity related issues. At least for middle class white women, a disjuncture seems to remain about their role as a mother versus their role as a full time worker; whereas most black women and working class white women experience discrimination based on unequal treatment, which may be a combination of factors including race and class.

It is also conceivable that many employees do not report experiences of discrimination out of fear of retaliation, or if they are experiencing discrimination, they may simply quit or transfer from their current job instead of filing charges and seeking
compensation. This would especially hold true for working class women who need these jobs to survive. This may be why more working class women are not filing discrimination charges even if it occurs. It is also difficult to acquire proof that discrimination has occurred and many working class women may not be in a position to collect enough evidence. This will affect both the total number of discrimination cases found to be probable cause as well as the number of cases involving women in situations of promotion, demotion, or discharge.

I only examine the discrimination experienced by African American and white women although discrimination also may occur differently for women of other races and ethnicities and this should be considered in future research. Although the population of Ohio is not representative of the population of the United States in many respects, it should be noted that according to the U.S. Bureau of the Census (1990) the Ohio labor force participation of white and black women is very similar to that of the United States. The same federal discrimination laws apply to all the states, and many states share similar occupations and industries with the state of Ohio. Consequently, although the data is not nationally representative, it does shed a light on how discrimination might be playing out in other areas of the country.

This research builds upon and expands our understanding of how race and class play a role in the type of discrimination women experience in the labor market. It also contributes theoretically by supporting existing theories of intersectionality, which analyze how gender, race, and class work together, as well as makes empirical contributions to expand current literature on institutionalized discrimination and what is known about the mechanisms that reproduce inequality.
APPENDIX A

TABLES
<table>
<thead>
<tr>
<th>Injury</th>
<th>Count</th>
<th>White Women</th>
<th>Total</th>
<th>Chi-Square</th>
<th>df</th>
<th>Asymp. Sig.</th>
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Table 1: Discrimination Cases by Type of Injury
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<th>EEO Category</th>
<th>Count</th>
<th>Black Women</th>
<th>White Women</th>
<th>Total</th>
<th>Chi-Square</th>
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<td>Officials/Managers</td>
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<td>% within occupation</td>
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<td>% within occupation</td>
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Table 2: Breakdown of Discrimination Cases by EEO Categories
<table>
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<tr>
<th>Injury</th>
<th>Black Women</th>
<th>White Women</th>
<th>Chi-Square Results Comparing Black and White Women by Class</th>
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<tr>
<td></td>
<td>Low Status</td>
<td>Medium Status</td>
<td>High Status</td>
</tr>
<tr>
<td>Hiring</td>
<td>% within injury</td>
<td>22.2</td>
<td>77.8</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Asymp. Sig.</td>
<td>1.000</td>
</tr>
<tr>
<td>Firing</td>
<td>% within injury</td>
<td>51.7</td>
<td>40.4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Asymp. Sig.</td>
<td>0.750</td>
</tr>
<tr>
<td>Promotion</td>
<td>% within injury</td>
<td>39.1</td>
<td>56.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Asymp. Sig.</td>
<td>0.805</td>
</tr>
<tr>
<td>Demotion</td>
<td>% within injury</td>
<td>49.0</td>
<td>40.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Asymp. Sig.</td>
<td>0.857</td>
</tr>
<tr>
<td>General Harassment</td>
<td>% within injury</td>
<td>45.5</td>
<td>42.4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Asymp. Sig.</td>
<td>0.805</td>
</tr>
</tbody>
</table>

Table 3: Discrimination Cases by Type of Injury
BIBLIOGRAPHY


