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Joyce P. Jacobsen

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WESLEYAN UNIVERSITY

Department of Economics
Public Affairs Center
238 Church Street
Middletown, CT 06459-007

Tel: (860) 685-2340
Fax: (860) 685-2301
http://www.wesleyan.edu/econ

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Joyce P. Jacobsen
Andrews Professor of Economics
Wesleyan University

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Affirmative action is a step beyond simply ensuring equal treatment through antidiscrimination policy measures. It is an activist approach to trying to increase the representation of historically underrepresented groups, whether in the workforce, in particular occupations, in higher-paid, more prestigious positions, in the political system, or in higher education. As such, it is a more controversial policy than antidiscrimination policy and can generate more resistance, whether passive or active, but it also holds the promise of enacting more radical change in society towards the ultimate goal of equality of both opportunity and outcome for members of different groups.

In this paper I first briefly outline the history of affirmative action policy in the United States. I discuss its current institutional design and enforcement as well as its interaction with US antidiscrimination policy. Then I consider whether US affirmative action policy has had measurable effects. Given that the Korean program is focused on improving employment outcomes for women, I focus on the US studies relating to affirmative action's effects on women workers rather than on minority workers. However, it is interesting to contrast affirmative action's effects on minorities with its effects on women in thinking about the limits on affirmative action's ability to create change in the patterns we see regarding gender in the workplace, and thus I mention some comparative results as well. I close by considering the potentially necessary conditions for affirmative action policy to be successful in improving women's position in the workforce.

Background

Starting in June 1941 with Franklin Roosevelt's Executive Order 8802, a series of executive orders[1] barred discrimination by federal contractors on the bases of "race, creed, color, or national origin." In March 1961, John Kennedy's Executive Order 10925 required federal contractors to "take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin." It specified further: "Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship." It created the President's Committee on Equal Employment Opportunity, chaired by Vice President Lyndon Johnson, and granted the Committee the authority to impose sanctions, including contract termination, on noncompliers. This order is the foundation for affirmative action as we understand it through the present, and is also the origin of the term.

Title VII of the Civil Rights Act of 1964 established the Equal Employment Opportunities Commission (EEOC), which enforces the federal laws prohibiting job discrimination (which include the Equal Pay Act of 1963, Title VII, the Age Discrimination in Employment Act of 1967, Title I and Title V of the Americans with Disability Act of 1990, and the Civil Rights Act of 1991). Lyndon Johnson's Executive Order 11246 of September 1965 strengthened enforcement by outlining in greater detail the procedures for determining

[1] An executive order is a directive issued by the US President, similar to a decree in other countries. This is not explicitly covered in the US Constitution, though there is a vague grant of executive power therein. Such orders have been issued since 1789 and include the Louisiana Purchase and the Emancipation Proclamation. An executive orders may be overturned by Congress either by passing legislation that conflicts with it or by refusing to fund enforcement of the directive. In practice, either action is rare to unheard of. Also, while executive orders have been challenged in the courts, only two have ever been overturned.

compliance, the sanctions for noncompliance, and by establishing that the Department of Labor and the EEOC would coordinate in sharing relevant data and in enforcement of these laws.

Johnson's Executive Order 11375 in 1967 took the key step of extending affirmative action on the basis of sex as well as the four previous bases. However, effective regulations enforcing this expansion did not reach full stride until after the Equal Employment Opportunity Act of 1972, which strengthened enforcement of Title VII, giving the EEOC authority to litigate, and expanded its reach to educational institutions and government bodies (federal, state, and local) as well as to employers with as few as 15 employees (before it had been 25). All federal contractors and first-tier subcontractors with 50 or more employees (or a contract worth $50,000 or more in a twelve-month period) must take actions including maintaining written affirmative action plans containing goals and timetables for correcting deficiencies in equal employment opportunity

In October 1978 Jimmy Carter's Executive Order 12086 consolidated into the Department of Labor all of the different federal agencies' contract monitoring functions related to equal employment opportunity provision. This expanded the purview of the Department's Office of Federal Contract Compliance, originally established by the Secretary of Labor following Executive Order 11246. The renamed Office of Federal Contract Compliance Programs (OFCCP) collects relevant data and enforces the order and subsequent related orders and legislation.

As women's participation in higher education and in the workforce expanded in the late 1970s, politicians began to take a broader view of women's participation in employment and how it might be assisted by government actions. Carter's 1979 Executive Order 12138 created a National Women's Business Enterprise Policy, which required each executive branch

department and agency to "take affirmative action in support of women's business enterprise in appropriate programs and activities," including but not limited to "management, technical, financial and procurement assistance....business-related education, training, counseling information dissemination," and "procurement." Title II of the Civil Rights Act of 1991 called for establishment of a federal Glass Ceiling Commission, to study "the manner in which business fills management and decisionmaking positions" and to prepare recommendations concerning "eliminating artificial barriers to the advancement of women and minorities" and "increasing the opportunities and developmental experiences of women and minorities to foster advancement of women and minorities to management and decisionmaking positions in business."

In March 1995, Bill Clinton called for a review of affirmative action, which was completed by two of his aides by July 1995, at which point he reaffirmed his administration's support for affirmative action. The Glass Ceiling Commission's report appeared in November 1995, bringing more attention to the issue of women's and minorities' progress up corporate career ladders, but not leading to additional legislation.

One of the final pro-affirmative action moves during the Clinton Administration took place in 2000, when the Department of Labor began an Equal Opportunity Survey. Surveyed federal contractors were asked to report not only employment data, but also compensation data by gender and minority status. This data was meant to be used to improve the OFCCP's compliance audit procedures (i.e., deciding which contractors to audit). However, under the Bush Administration, the Department first reduced the number of surveys (from 50,000 down to 10,000) and then, in September 2006, eliminated the survey altogether. While the Bush Administration has not dismantled affirmative action, it has not expanded its mandate either.

Current Institutional Design and Enforcement

Commentators often refer to the whole set of antidiscrimination laws and executive orders mentioned above as affirmative action (Welch 1981). Using that broad definition, almost all employers and employees, save for those in the smallest firms, would be subject to affirmative action. A narrower view of affirmative action's coverage would be to consider only Executive Order 11246 (as amended) and the related parts of the 1972 Equal Opportunity Act as embodying affirmative action (as opposed to antidiscrimination), and thus to consider only federal employees and those employers monitored by the OFCCP, namely federal contractors, as subject to its requirements.

However, this would be inappropriately narrow in thinking about which firms have stated that they are following affirmative action principles in their employment practices. Many organizations that are not required to have an affirmative action plan nonetheless have them, to varying degrees of formality. In addition, government employees, who make up a large percentage of the workforce, are covered by these principles. These include 5 million state government employees, 1.8 million federal government employees, and 700,000 postal service employees. Also, some states, counties, and cities have affirmative action statutes, with which contractors with those governments' agencies are required to comply. Thus, out of the total US workforce of about 146 million employed persons, a sizable proportion (I estimate 28 to 40 percent) are in workplaces that are covered by either a required or voluntary affirmative action plan.

Even if only private sector employers under OFCCP's jurisdiction are considered as being subject to affirmative action, this covers a large number of employers and employees—over 20 percent of the civilian workforce (about 29 million workers). These contractors need to

have a written affirmative action plan detailing the "good faith" efforts they are undertaking to recruit, retain, and provide advancement opportunities for the covered groups. They are supposed to collect applicant flow data, keep applicant files/applications for a two-year period, use recruiting services and pipelines that will given them access to the covered groups, keep copies of all job advertisements, and indicate in all such advertisements that they are an "equal employment opportunity employer."

Hiring committee members within organizations and firms, as well as, of course, human relations/personnel department professionals, have become increasingly familiarized with these procedures. In my own university, every time we run a search for a new faculty member, we have a meeting with the university's affirmative action officer to remind us of these steps. We keep data on all of our applicants in a spreadsheet coded to indicate their gender, race, Hispanic status, and nationality or country of origin, to the extent we can determine it. Universities (though not mine) also routinely send postcards to faculty applicants asking them to indicate their racial and ethnic background; however, since applicants are not required to fill out these postcards as a condition of employment, much of this information goes unreported. At the end of the initial stage of our search (including after our initial interviews at the national economics association meetings), we have to turn in a report to the Dean of our division of social sciences, indicating the composition of the applicant pool and making specific requests to bring certain candidates to campus for the final selection phase. We are supposed to detail our good faith efforts to increase the pool of women and minority applicants, including describing our outreach (which routinely includes posting our job notices on listservs that attract more women, such as the feminist economist listserv; running an advertisement on the National Economic Association website, which is the association for African American economists; and calling the head of the

American Economic Association minority fellowships and summer training program). Wesleyan University as a whole tracks new hires as well as the percentage of woman and minority members of the faculty and staff.

In general, private employers with 100 or more employees and all federal contractors with 50 or more employees are required to file an annual report with the EEOC, the EEO-1 form. About 50,000 employers, representing more than 55 million employees, file this report. The data are confidential, so only pooled statistics are made public. The current EEO-1 form is appended to this paper as an exhibit. The EEOC can investigate employers for violations of Title VII and the other antidiscrimination laws. However, since its purview is both wider than the OFCCP and not focused on affirmative action but rather discrimination (though below we shall see that the two forms of investigation are intimately linked), I will not describe its procedures in detail, but rather will explicate the OFCCP's procedures in investigating firm's behavior.[2]

The OFCCP selects federal contractors for audit, or what they call a "compliance evaluation." The OFCCP's new Active Case Management system allows them to prescreen the universe of contractors using statistical patterns to decide whom to audit. The OFCCP is currently focusing enforcement on firms practicing what it calls "systemic" discrimination. This is parallel to the concept of class discrimination, as used in civil discrimination suits, and implies an ongoing or recurring practice, rather than isolated acts of discrimination. This approach appears conducive to supporting the affirmative action part of OFCCP's purview, as the pattern could include underrepresentation of women and minorities in the firm's workforce as well as apparent low promotion rates of these groups to higher levels in the firm. However, the OFCCP

[2] In many ways the two agencies have similar operations, though the EEOC is a larger operation and has a larger caseload than the OFCCP. This is largely because individuals can initiate cases with the EEOC, under multiple statutes, though most of these cases are related to individual rather than systemic discrimination claims. The EEOC tends to prosecute only on the large, class action claims; thus, they mediate many more charges than they litigate.

also claims it selects some firms for auditing completely at random. If a firm has been audited, it cannot be subjected to re-review during the next two years.

The OFCCP begins the evaluation with a "desk audit," requiring the firm to provide statistics for the previous two years on their workforce composition (which, at any rate, they were supposed to have been collecting and filing). The OFCCP is particularly interested in considering the employment representation part of the audit and in comparing these firm statistics to workforce availability statistics deemed relevant to the firm's situation. These would include considering the workforce composition for the geographic area from which the firm typically draws its workers, and for the particular occupations and levels within occupations (e.g., educational qualifications) that the firm utilizes. Again, the firm was already supposed to be collecting and considering these availability statistics in formulating its affirmative action plan. A rough guideline for firms to consider regarding compliancy is the "four-fifths rule," as "a selection rate for any race, sex, or ethnic group which is less than four-fifths (or eighty percent) of the rate for the group with the highest rate will generally be regarded by the Federal enforcement agencies as evidence of adverse impact" on that group of the firm's employment procedures (Department of Labor). However, even relative selection rates greater than four-fifths could be regarded as evidence of adverse impact.

The OFCCP can proceed beyond the desk audit to a fuller review of firm information, including detailed records on employees, and may choose to make an on-site visit/review. Upon conclusion of the full review, the OFCCP will either issue a closure letter (no violations found), a closure letter with minor violations, or a draft conciliation agreement (if major violations are found). Under the conciliation agreement, the firm is supposed to make good-faith efforts to correct the shortcomings/violations detailed in the agreement and to report back to the OFCCP

on these efforts. If the firm does not choose to accept conciliation upon negotiation of a final agreement, the OFCCP can make a "recommendation of enforcement," which would detail the problems found and suggest remedies, including back pay, front pay, and reinstatement of employment (Smith, Currie & Hancock LLP 2008). Financial agreements obtained totaled over $51 million in 2007, a record amount. The OFCCP can have companies debarred, i.e., made ineligible for Federal contracts due to having violated Executive Order 11246. This list is publicly available in the web-based Excluded Parties Listing System.

Bergmann (1996) points out that the majority of audited firms are found to be noncompliant; however this may be in part related to nonrandom selection (even before the use of the Active Case Management system) by the OFCCP of firms that are more likely to be noncompliant, though also likely speaks to the difficulty of achieving full compliance for many firms. The probability of a firm being selected in a given year is small but not negligible; in fiscal year 2007, OFCCP carried out 4923 compliance evaluations (down from the Bush Administration high of 6529 evaluations in 2004).

Thus we see that the "stick" approach to enforcement of affirmative action is the threat of a company's having to undergo a compliance review, and the costs, trouble, and potentially unpleasant publicity both within and outside the firm that this entails. A compliance review often includes hiring outside counsel, and any number of law firms offer advice and support to firms undergoing audit (Creasman 2008, Smith, Currie & Hancock LLP 2008). There is also the possibility of additional financial penalty relating to patterns uncovered during the audit, including back pay awards to applicants denied hiring or promotion.

The OFCCP does try to provide positive reinforcement for companies as well as negative, but it is much more minor and involves positive publicity rather than any cash award. The

Secretary of Labor's Opportunity Award is given each year to a federal contractor "that has established and instituted comprehensive workforce strategies to ensure equal employment opportunity" (the 2007 award winner is Raytheon, a major defense contractor). They also give several Exemplary Voluntary Efforts Awards to contractors who "have demonstrated through programs or activities, exemplary and innovative efforts to increase the employment opportunities of employees, including minorities, women, individuals with disabilities, and veterans" (the 2007 award winners are Cornell University, Public Service Enterprise Group, and Rush University Medical Center). The OFCCP does not publicly list companies that they are auditing, or that they consider to be bad examples—other than of course the companies that have been debarred.

Effects of Affirmative Action

There have been a number of studies that try to assess the effects of affirmative action on employment patterns and other outcomes in the US economy. Economists Holzer and Neumark have written a useful series of articles (2000a, 2000b, 2006) assessing what we do and don't know about affirmative action, both from their own studies and from other people's studies. It is clear that the main area of interest in the US studies has been minority outcomes rather than women's outcomes. Most of the more recent (post-2000) research and discussion has focussed on the effects of actual and proposed changes in preferential admission on minority university enrollments. Given that women comprise a majority of US undergraduate students and have achieved or surpassed parity in many graduate fields and professional schools as well, it is not surprising that there would be little focus on gender effects of affirmative action in higher education (though there is interest in effects on gender balance in the professoriate as well as the

role of mentoring in increasing the pipeline of women and minorities). The second most popular topic of study is the effect on minorities' employment patterns. Women's employment patterns come in at a distant third in terms of research emphasis. Regarding subsectors of the economy, there has been more interest in studying government positions, including in particular a fairly substantial literature on the effects of affirmative action on police force composition (cf. Sass and Troyer 1999, Lott 2000, and McCrary 2007—though again with more focus on race), and some work on female federal government employees (Dolan 2004). The corporate workforce has not been studied as much (though Holzer and Neumark 200a, 2006 list some case studies); nor have independent professions, contractors (though see Carvajal 2006), or the construction industry been studied (though see Price 2002).

How might one measure the impact of affirmative action on women's employment patterns? One way is to compare changes in female employment in the covered sector with changes in the uncovered sector. For instance, several studies compare federal contractors, who are covered by affirmative action, with similar employers who are not covered. While studies concentrating on the effects of affirmative action on women's employment in the early 1970s found little effect—or even net employment losses—for white women (Goldstein and Smith 1976, Heckman and Wolpin 1976), by the late 1970s black women appeared to have benefited substantially, and white women somewhat. In 1974, 27.6 percent of the average federal contractor workforce were white women, compared with 39.4 percent among noncontractor employees (Leonard 1989). Because federal contractors are more likely than noncontractors to be in the manufacturing sector and less likely to be in the service or retail trade sector, we would expect women's employment share to be lower among contractors. However, women's employment growth in the contractor sector outstripped growth in the noncontractor sector. By

1980 employment of white women had increased by 1.2 percentage points among contractors, but only by 0.6 percentage points among noncontractors. Thus it appears that affirmative action has had a modest effect in increasing white women's employment. Black women have made more sizable employment gains overall, but less of a difference in growth rates appears between sectors.

Studying the effect of affirmative action on federal contractors overstates the impact of implementing affirmative action throughout the economy to the extent that contractor gains represent a reshuffling from noncontractors that could not occur if there were no uncovered sector. Alternatively, it can understate the effect if there are spillover effects on noncontractors or use of voluntary or state- (or county- or city-) mandated affirmative action among noncontractors that raises their female employment as well (and thus part of the base-level rise in female employment in both sectors was because of widespread adherence to affirmative action principles).

Griffin (1992) critiques this sector-comparison methodology on different grounds, pointing out that there are no specific statistical controls for wage and technology differences between the sectors. Economic theory predicts that firms subject to affirmative action will have higher costs than firms that are not if they find hiring restrictions binding in the sense of limiting their ability to substitute between inputs (e.g., between black workers and machinery). Griffin finds that such constraints were binding in 1980 and that "the cost of complying with affirmative action averaged 6.5 percent of total costs for constrained firms" (p. 259). This indicates that such restrictions may cause supply to contract in the covered sector, thereby reducing the sector's demand for labor. One could interpret this as a social cost of enforcing integration. Indeed, Holzer and Neumark's (2000b) study using data from employer surveys in the early 1990s does

find that affirmative action increases the number and type of recruitment and screening methods that employers use, but that it also increases the number of minority and female applicants, increases employers' willingness to hire stigmatized applicants, and increases employers' likelihood of providing training and formal evaluation of employees.

Holzer and Neumark's employer survey data provides a useful complement to the studies that use the federal contractor data, because in their set employers who have voluntary affirmative action plans, or plans required by nonfederal governments, are also coded as having affirmative action, thus expanding the definition of the covered sector. Their data are limited in geographic range however, as they derive from a sample of four major metropolitan areas (Atlanta, Boston, Detroit, and Los Angeles). Nonetheless, they also find evidence of employment gains for women and minorities. Lastly, they find (1999) that there is no evidence of lower job performance by women and minority affirmative action hires, though they do find that they have lower educational qualifications.

It is the case that these studies support the view that affirmative action has had positive effects in expanding employment for women and minorities. There is also a fair amount of evidence in support of the view that affirmative action has had positive effects on earnings for women and minorities.

These gains appear to have come with little ill effect in terms of measurable drops in quality of output or other indicators that would suggest a loss of efficiency in the economy from implementing affirmative action. In part this may be because the extent of, and thus the effect of, affirmative action compliance has not been that high. Or it could be that affirmative action actually improves efficiency if it overrides discriminatory impulses that were efficiency-

reducing. But it indicates that any dire concerns about constraints on competitive behavior appear unfounded.

How Might Affirmative Action Policy Become More Effective?

Assuming that we would like to further expand the representation of women (and minorities) in the workforce and in the better-paying, more secure jobs, there are a number of reasons to be optimistic regarding the continued role of affirmative action as an agent in effecting change.

To be sure, many policies exist on paper but do not affect company's dealings much in practice. Economist Jonathan Leonard (1994), in his working paper for the Glass Ceiling Commission on affirmative action enforcement, cites numerous ways in which enforcement could be improved (mainly by devoting more resources to audits and by being stricter regarding remedies), none of which have actually been enacted since the report was released. In addition, numerous commentators (cf. Bergmann 1996, 1999) do not think affirmative action as currently enacted (let alone as currently enforced) goes far enough towards generating equal outcomes for different groups.

Also, there is some reason to believe that the extent of affirmative action is limited in range, at least when applied to women. The implementation of affirmative action policies provides an interesting case study in the contrast between such policies' more sizable effect on minority employment—particularly for blacks and Hispanics—and the small effect on white women's employment. It appears that workforce sex segregation in the form of distribution of workers between the covered and uncovered sectors, where the sector covered by affirmative action is more male-dominated (and appears to contain relatively better-paying jobs), has not

been greatly influenced by these policies. If one believes that this distribution between sectors is driven at least in part by supply-side considerations, i.e., women and men choosing to enter different occupations rather than being slotted into them by employer actions (whether motivated by employer, employee, or customer discrimination, or through some form of imperfect information regarding women and men's relative abilities), then it also implies that there is a limit on how much affirmative action can integrate occupations further.

However, it is not at all clear that this limit has yet been reached. Recall that the main way in which affirmative action plan violations are identified is through looking to see if a particular firm's workforce is out of line with the supposed availability of workers in the relevant labor market. If a firm's workforce is not in line with the expected proportion of, say, women, then the only way that the firm can make up for this is by increasing the proportion of women, whether through increased hiring or increased retention of women (which may often involve promoting them more rapidly than men). Thus the firm is forced to practice affirmative action in order to reach parity with the overall labor market. And thus stragglers are forced to catch up.

This implies that affirmative action has a natural limiting range in how long it can be generally applicable. If all firms had workforces that were in line with the overall market availability of women, it would no longer be necessary to practice affirmative action in hiring (except to the extent that women and men might have different turnover rates).

This also underscores how in the US legal system, with the relative ease by which plaintiffs can bring discrimination suits in which one basis is disparate impact and another is disparate treatment, supports affirmative action even in firms not directly subject to OFCCP or other regulations. Thus the additional fear of discrimination suits, which often range widely in topic from pay differentials to hiring differences to promotion differences, support the relatively

weak direct suasion that OFCCP can bring by making firms not only accountable to the EEOC as well, but to private suits that can be brought under Title VII.

For instance, in my work as a consultant on litigation discrimination, I see a firm's affirmative action plans, as well as their failure or success in meeting their own outlined goals, routinely considered as evidentiary in cases relating to disparate treatment and/or disparate impact. Thus if a firm shows no progress in meeting their goals over time, this information, coupled generally with other indicators of problems in reaching equal employment opportunity (and outcomes), will be helpful in forcing the firm into a settlement that is more favorable to the plaintiff(s).

It is true that there has been "pushback" regarding affirmative action in the US, particularly as reflected in state-level legislation. In the states of Washington, California, and Michigan, voters have supported propositions (Initiative 200 in 1988, Proposition 209, in 1996, and the Michigan Civil Rights Initiative in 2006, respectively) that have rolled back use of affirmative action by their states in employment, contractor selection, and university admissions, and in general rule out preferential treatment on the basis of race, sex, ethnicity, or national origin. Interestingly, proponents of these measures cite the 1964 Civil Rights Act (and the Equal Protection Clause of the 14th Amendment to the US Constitution) as supporting their actions.

It is also true that to the extent that women still are less likely to enter the workforce than men, are less likely to have continuous work histories, and are less likely to work full-time or overtime hours, that they are still less likely to be represented in the top positions within firms, and still less likely to be among the highest earners within any occupation (Jacobsen 2007). Thus supply-side factors, including, most importantly, women's continued greater involvement in the family, affect women's progress in the workforce. At every point in the career pipeline,

and at every critical career juncture—whether a promotion, tenure, or partnership decision—women are more likely to fail to be chosen or to fall behind pace than are comparable male candidates (Jacobsen 2005).

Nonetheless, it appears unlikely that affirmative action in the workplace, in the sense particularly of continuing to monitor and pressure laggard firms whose workforce is noticeably different in gender and minority composition from comparable firms, will be rolled back, even as new administrations are elected at both the national and state levels.

Thus, the conditions in the US, at least as compared to many other countries, provide a strong basis for optimism. First, there is an increasingly well-educated workforce of women and minorities, thanks to improved (though not perfect in the case of minorities) general access to higher education. Thus there is no shortage of qualified women and minorities in the workforce as a whole, although the distribution (of women in particular) varies significantly across occupations. In addition, with the current demographic composition of the US being such that there will be many retirements in the near future as the baby boomer generation ages out of the full-time labor market, opportunities for minorities in particular (who tend to be younger than the general population) should be expanding. Second, the legal system allows for initiative in bringing suits against discriminating firms, whether by the government or a private party, and these suits lead to examination of patterns in hiring in such a way that the natural remedy in many cases will be to hire in greater than proportionate numbers so as to have overall workforce be in proportion. Third, the very length of time that these laws and executive orders have been in operation have now entrenched them in our social system. You cannot get a managerial position in the personnel department of any firm of reasonable size without being familiar with these regulations. Firms are increasingly used to filing these data and to complying with these

regulations, at least on paper. While familiarity can breed contempt for the principles embodied in these policies, it can also make them part of the regular practice of firms without being subject to constant discussion.

Let me close this paper by considering the lessons, if any, that Korea can gain from the US experience. First, time will help. As firms become used to the paperwork, it will become routine. Second, having an educated workforce of women is helpful. On the other hand, if women are not supported in their family obligations, then it will still be unlikely that they will persist in career tracks that require long hours and steady work attachment. Thus, additional two-career household and family-friendly workforce policies are necessary, both in the society as a whole and in firms, for women to be able to balance these demands on their time. Third, to the extent that other aspects of the legal and administrative system support the affirmative action policy, it will reinforce it through general support for antidiscrimination policies, both formally and informally enforced. I am not sufficiently familiar with the Korean legal system to know how much it is possible to coordinate these policy initiatives. My guess is that it is quite similar to the US system in basic structure, but that your citizens are less litigious than are ours and that you have fewer lawyers per capita, including fewer labor lawyers specializing in employment actions.

Finally, conferences such as this one are helpful in continuing to legitimize and support policies to increase the representation and good treatment of women in the workplace. To the extent that the broader society supports these goals and becomes increasingly familiar with what is necessary to achieve these goals, it will be easier for firms to see that support of such policies, in action as well as words, is not only appropriate but necessary in order to operate in today's civilized society.

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Civil Rights Act of 1991: http://www.eeoc.gov/abouteeoc/35th/thelaw/cra_1991.html
Clinton Affirmative Action Review: Report to the President: http://clinton2.nara.gov/WH/EOP/OP/html/aa/aa-index.html
Equal Employment Opportunity Act of 1972: http://www.eeoc.gov/abouteeoc/35th/thelaw/eeo_1972.html
Executive Order 8802: http://www.eeoc.gov/abouteeoc/35th/thelaw/eo-8802.html
Executive Order 10925: http://www.eeoc.gov/abouteeoc/35th/thelaw/eo-10925.html
Executive Order 11246: http://www.eeoc.gov/abouteeoc/35th/thelaw/eo-11246.html
Executive Order 11375: http://www.uhuh.com/laws/donncoll/eo/1967/EO11375.TXT
Executive Order 12086: http://www.archives.gov/federal-register/codification/executive-order/12086.html
Executive Order 12138: http://www.usdoj.gov/crt/cor/byagency/sbaeo12138.htm
General Services Administration, Excluded Parties Listing System: http://www.epls.gov/
Glass Ceiling Commission: http://digitalcommons.ilr.cornell.edu/glassceiling/
Office of Federal Contract Compliance Programs, Employment Standards Administration, U.S. Department of Labor: http://www.dol.gov/esa/ofccp/
_____. Best Practice Awards: http://www.dol.gov/esa/media/reports/ofccp/eveint.htm
_____. Best Practice Award Recipients: http://www.dol.gov/esa/media/reports/ofccp/pre_eve.htm
_____. Facts on Executive Order 11246: http://www.dol.gov/esa/regs/compliance/ofccp/aa.htm
_____. Final Rule Rescinding the Equal Opportunity Survey: http://frwebgate1.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=707887356455+2+0+0&WAISaction=retrieve
_____. "OFCCP Once Again Produces Record Financial Remedies for a Record Number of American Workers in FY 07" http://www.dol.gov/esa/ofccp/enforc07.pdf
U.S. Department of Labor: http://www.dol.gov/

_____. Information on impact: http://www.dol.gov/dol/allcfr/title_41/Part_60-3/41CFR60-3.4.htm
U.S. Equal Employment Opportunity Commission: http://www.eeoc.gov/
_____. 2007 Annual Report: http://www.eeoc.gov/abouteeoc/plan/par/2007/index.html
_____. 2007 EEO-1 Survey: http://www.eeoc.gov/eeo1survey/

Joint Reporting Committee
- Equal Employment Opportunity Commission
- Office of Federal Contract Compliance Programs (Labor)

EQUAL EMPLOYMENT OPPORTUNITY

EMPLOYER INFORMATION REPORT EEO—1

Standard Form 100
REV. 01/2006

O.M.B. No. 3048-0007
EXPIRES 01/2009
100-214

Section A—TYPE OF REPORT

Refer to instructions for number and types of reports to be filed.

1. Indicate by marking in the appropriate box the type of reporting unit for which this copy of the form is submitted (MARK ONLY ONE BOX).

(1) ☐ Single-establishment Employer Report

Multi-establishment Employer:
(2) ☐ Consolidated Report (Required)
(3) ☐ Headquarters Unit Report (Required)
(4) ☐ Individual Establishment Report (submit one for each establishment with 50 or more employees)
(5) ☐ Special Report

2. Total number of reports being filed by this Company (Answer on Consolidated Report only) _____

Section B—COMPANY IDENTIFICATION *(To be answered by all employers)*

OFFICE USE ONLY

1. Parent Company

a. Name of parent company (owns or controls establishment in item 2) omit if same as label — a.

Address (Number and street) — b.

City or town	State	ZIP code	c.

2. Establishment for which this report is filed. (Omit if same as label)

a. Name of establishment — d.

Address (Number and street)	City or Town	County	State	ZIP code	e.

b. Employer identification No. (IRS 9-DIGIT TAX NUMBER) | | | | | | | | | | f.

c. Was an EEO–1 report filed for this establishment last year? ☐ Yes ☐ No

Section C—EMPLOYERS WHO ARE REQUIRED TO FILE *(To be answered by all employers)*

☐ Yes ☐ No 1. Does the entire company have at least 100 employees in the payroll period for which you are reporting?

☐ Yes ☐ No 2. Is your company affiliated through common ownership and/or centralized management with other entities in an enterprise with a total employment of 100 or more?

☐ Yes ☐ No 3. Does the company or any of its establishments (a) have 50 or more employees AND (b) is not exempt as provided by 41 CFR 60–1.5, AND either (1) is a prime government contractor or first-tier subcontactor, and has a contract, subcontract, or purchase order amounting to $50,000 or more, or (2) serves as a depository of Government funds in any amount or is a financial institution which is an issuing and paying agent for U.S. Savings Bonds and Savings Notes?

If the response to question C–3 is yes, please enter your Dun and Bradstreet identification number (if you have one): | | | | | | | | | |

NOTE: If the answer is yes to questions 1, 2, or 3, complete the entire form, otherwise skip to Section G.

Section D-EMPLOYMENT DATA

Employment at this establishment – Report all permanent full- and part-time employees including apprentices and on-the-job trainees unless specifically excluded as set forth in the instructions. Enter the appropriate figures on all lines and in all columns. Blank spaces will be considered as zeros.

Job Categories	Number of Employees (Report employees in only one category)														
	Race/Ethnicity														
	Hispanic or Latino		Not-Hispanic or Latino												Total Col A - N
			Male						Female						
	Male	Female	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	Aamerican Indian or Alaska Native	Two or more races	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
Executive/Senior Level Officials and Managers 1.1															
First/Mid-Level Officials and Managers 1.2															
Professionals 2															
Technicians 3															
Sales Workers 4															
Administrative Support Workers 5															
Craft Workers 6															
Operatives 7															
Laborers and Helpers 8															
Service Workers 9															
TOTAL 10															
PREVIOUS YEAR TOTAL 11															

1. Date(s) of payroll period used: _____ (Omit on the Consolidated Report.)

Section E - ESTABLISHMENT INFORMATION (Omit on the Consolidated Report.)

1. What is the major activity of this establishment? (Be specific, i.e., manufacturing steel castings, retail grocer, wholesale plumbing supplies, title insurance, etc. Include the specific type of product or type of service provided, as well as the principal business or industrial activity.)

Section F - REMARKS

Use this item to give any identification data appearing on the last EEO-1 report which differs from that given above, explain major changes in composition of reporting units and other pertinent information.

Section G - CERTIFICATION

Check one
1 ☐ All reports are accurate and were prepared in accordance with the instructions. (Check on Consolidated Report only.)
2 ☐ This report is accurate and was prepared in accordance with the instructions.

Name of Certifying Official	Title	Signature	Date
Name of person to contact regarding this report	Title	Address (Number and Street)	
City and State	Zip Code	Telephone No. (including Area Code and Extension)	Email Address

All reports and information obtained from individual reports will be kept confidential as required by Section 709(e) of Title VII.
WILLFULLY FALSE STATEMENTS ON THIS REPORT ARE PUNISHABLE BY LAW, U.S. CODE, TITLE 18, SECTION 1001