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Race and Workplace Integration

A Politically Mediated Process?

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The Civil Rights Act of 1964 stands as one of the greatest achievements in U.S. history. Although the law made discrimination illegal, its effectiveness, especially Title VII covering the employment domain, remains highly contested. The authors argue that legal shifts produce workplace racial integration only to the extent that there are additional political pressures on firms to desegregate. They examine fluctuating national political pressure to enforce equal employment opportunity law and affirmative action mandates as key influences on the pace of workplace racial desegregation and explore trajectories of Black-White integration in U.S. workplaces since 1966. Their results show that although federal and state equal employment opportunity pressures had initial successes in reducing racial segregation in workplaces, little progress has been made since the early 1980s. They conclude that racial desegregation is an ongoing politically mediated process, not a natural or inevitable outcome of early civil rights movement victories.

Keywords: *race; segregation; workplace; inequality; civil rights*

The Civil Rights Act of 1964 made discrimination on the basis of race illegal in access to voting, public accommodations, schools, and employment in the United States. Legal change by itself, however, does not necessarily produce the intended social change. Organizations typically change because of pressures from their environment or from internal constituencies (Meyer & Rowan, 1977; Selznick, 1969). Thus, legal shifts stemming from the Civil Rights Act should produce workplace integration only to the extent that there are real or perceived

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pressures on workplaces to desegregate. In this article, we explore trajectories of workplace race desegregation since 1966, focusing on how political pressures for enforcement, both coercive and ideological, influence the pace of workplace desegregation in the United States. Drawing from perspectives conceptualizing racial inequality as a “politically mediated” process (S. Collins, 1997) and new institutional theory and research (Dobbin & Sutton, 1998; Edelman, 1990, 1992; Sutton & Dobbin, 1996), we argue that racial desegregation is more pronounced when the federal government more aggressively advocates U.S. equal employment opportunity (EEO) laws. Conversely, when the federal government reduces its enforcement activity and symbolic appeals, employment integration declines or stops altogether. Therefore, Black-White employment equality, one of the primary goals of the Civil Rights Act, requires continuous political pressure on organizations.

This article is organized in four parts. In the first section, we describe establishment-level estimates of Black-White and female-male workplace integration trends from 1966 to 2000. Our comparison of Black-White workplace inequality trends with female-male trends yields two observations. First, African American gains in U.S. workplaces are discontinuous over time in comparison with the continuity and evenness of female-male trends. Second, this temporal variation is roughly consistent with national political eras, which signal differences in federal commitment to and enforcement of EEO law.

In the second section of the article, we review the history of national EEO policy, legislation, and enforcement. The review of this historical record reveals four distinct political eras since 1964. The political negotiation of civil rights law and enforcement between the executive, legislative, and judicial branches of government provide the defining characteristics of each era. Our historical overview indicates that national EEO enforcement increased markedly during the late 1960s and early 1970s, remained high throughout the remainder of the 1970s, sharply declined in the 1980s, and increased modestly during the late 1990s.

In the third section, we develop expectations for Black-White workplace desegregation trajectories from this historical record. Our central prediction is that during periods of peak enforcement, Black-White workplace inequality will decline dramatically, but when enforcement is weak, integration will slow, stall, or perhaps resegregation will ensue. Two additional expectations modify this prediction. First, we expect that federal mandates requiring federal contractors to maintain annual affirmative action (AA) plans will make enforcement efforts particularly apparent (Leonard, 1984a, 1984b, 1990; J. Smith & Welch, 1984). Federal contracting firms should respond to their environments more quickly due to the additional federal pressure on these firms. Second, we also expect that the effect of federal enforcement efforts in the early post-civil rights period will be weaker in states with preexisting EEO laws and strongest in states (mostly in the South) with no equal opportunity protections prior to the Civil Rights Act of 1964.

In the fourth section of the article, we examine these theoretical predictions with workplace data collected annually by the U.S. Equal Employment Opportunity Commission (EEOC) since 1966 for all private sector firms with 50 or more employees if federal contractors (25 prior to 1983) and 100 or more employees if noncontractors (50 prior to 1983). These data, known as EEO-1 reports, allow for the documentation of actual patterns of Black-White integration at the workplace level across the United States from 1966 to 2000. We do this in a modeling context where we control for two major alternative explanations for observed desegregation trends—the change in industrial structure from a goods-producing to a service economy and changes in the local labor supply.

We are well aware that political pressures emanate from sources other than the federal government. State and local governments, local and national social movement organizations, firm-specific lawsuits, personnel policy, and firm-level organizational leadership are all likely mechanisms promoting integration as well. This article analyzes federal pressures to promote racial workplace equal opportunity, but we strongly suspect that this is only the most general of a host of political processes encouraging organizational change (or stability) in racial inequality.

TRENDS IN WORKPLACE SEGREGATION

Race and sex employment segregation research has occupied a central place in sociological studies of inequality during the past three decades. This trend reflects the historical importance of the Civil Rights Act of 1964 and associated social movements, lawsuits, and changes in organizational personnel practices toward equal opportunity goals. Previous trend research consistently documents declines in race and sex occupational segregation in the United States since the 1950s (Baunach, 2002; Beller, 1984; Carlson, 1992; Fossett, Galle, & Burr, 1989; Fossett, Galle, & Kelly, 1986; King, 1992). Surprisingly, there are no previous studies that explore actual *workplace* data on trends in race segregation. All previous studies explore trends in segregation between census *occupational* titles and, therefore, never directly examine changes in Black-White workplace segregation since the Civil Rights Act.

In a companion article, we examined trends in race and sex segregation from 1966 to 2000 (Tomaskovic-Devey et al., 2004). We found remarkable differences between the race and sex trends over time, which are illustrated in Figure 1. Workplace sex segregation shows a steady decline during the entire period.¹ This pattern occurs in every region of the country and in all major industrial sectors. For Black-White workplace segregation, we found that change is intermittent and uneven rather than continuous. Black-White segregation declined precipitously from the late 1960s through the late 1970s. In the 1980s, the trend leveled off with little aggregate change during the decade, whereas in the 1990s, we see only modest improvement over the previous decade. This basic pattern

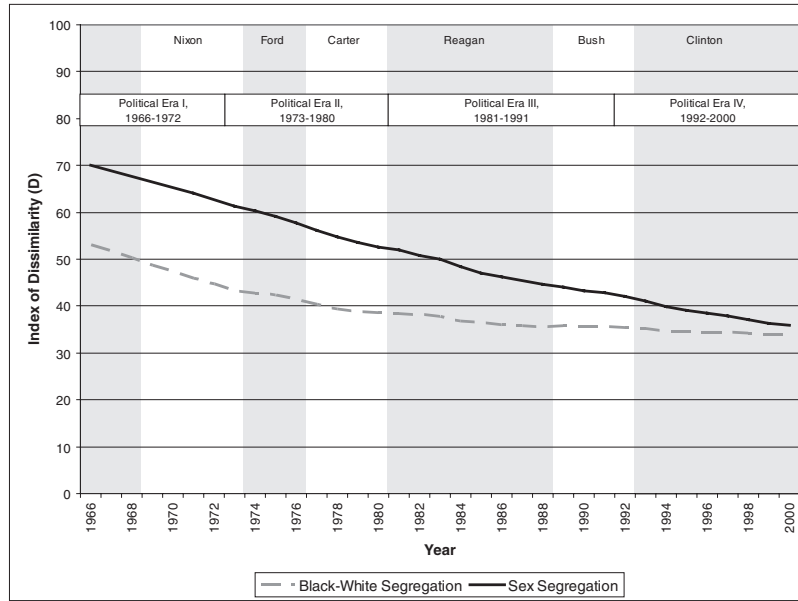


Figure 1: Race and Sex Workplace Integration Trends in the United States, 1966 to 2000

repeats with different starting and stopping points in different regions of the country and across major industrial sectors.

We know very little about the mechanisms responsible for workplace segregation and integration in the United States (Reskin, 2003; Reskin, McBrier, & Kmec, 1999). Because of the different trends for race and sex, we suspect that sex desegregation may be responding to a set of secular mechanisms, because sex desegregation is happening continuously across time, space, and industry.² The trends in Black-White desegregation are discontinuous, both temporally and spatially, suggesting that the mechanisms are embedded within historical processes unique to racial inequality.

Recent sociological research stresses the importance of contextualizing workplace inequality (Beggs, Villemez, & Arnold, 1997; Cohen, 2001; Cohen & Huffman, 2003; Cotter, Hermsen, Ovadia, & Vanneman, 2001; Huffman & Cohen, 2004; Tomaskovic-Devey & Roscigno, 1996). These lines of inquiry examine spatially situated workplaces as the central sites where inequality is produced and re-created as well as the specific contextual elements contributing to changes in workplace inequality. We expand on these approaches by emphasizing the temporal, organizational, and spatial variation in EEO/AA law and enforcement and their effects on Black-White workplace desegregation from 1966 to 2000.

**WORKPLACE RACIAL INTEGRATION AS
A POLITICALLY MEDIATED PROCESS**

There is disagreement in the literature concerning the importance of federal civil rights legislation on changes in Black-White workplace inequality. Some researchers have concluded that the federal government lacks the capacity to properly enforce these laws. These researchers have argued that progress in racial workplace equality took place before the Civil Rights Act of 1964 and that this change would probably have come about without federal law due to the “great migration” of African Americans to the North and relative declines in the Black-White education gap (J. Smith & Welch, 1984, 1989).

Other studies find that the federal government affects changes in Black economic opportunities, a process that S. Collins (1997) referred to as politically mediated. S. Collins’s study of Black corporate managers illustrates the role of political institutions in market processes. She argued that politically mediated processes are largely responsible for changes in Black employment. These include the degree of monetary and rhetorical support for equal opportunity enforcement, federal contractor enforcement, contract set-aside programs, and federally funded social welfare policies. Many researchers have found that the reduction in federal support for these agencies, programs, and policies during the Reagan administration coincided with stagnating or declining employment opportunities for African Americans in the United States (Amaker, 1988; Bergman, 1996; Cancio, Evans, & Maume, 1996; S. Collins, 1993; Leonard, 1990; Shull, 1993, 1999).

Cancio et al. (1996), although not explicitly taking a politically mediated approach to racial inequality, suggested that the reversal of government support for AA initiatives in the 1980s stalled racial wage progress. In fact, they estimated that Black-White wage disparity increased during the period between 1976 and 1985, controlling for racial differences in human capital. Other researchers have asserted that early EEO/AA enforcement coincided with the development of equal opportunity personnel practices (Dobbin, Sutton, Meyer, & Scott, 1993; Edelman, 1990, 1992; Sutton, Dobbin, Meyer, & Scott, 1994), increases in the hiring of minority workers (Leonard, 1984b, 1990), and African American gains in access to managerial positions (S. Collins, 1997; R. Smith, 2002; Wilson, 1997).

Consistent with this research, we see Black-White workplace desegregation as politically mediated. This literature is consistent with the discontinuous trend in Black-White integration documented in Figure 1. Next, we place the history of the EEOC legal framework and enforcement activity in a broader historical context by examining EEO/AA legislation and enforcement efforts before and after Title VII of the Civil Rights Act of 1964.

CIVIL RIGHTS IN THE PRE-TITLE VII PERIOD

Federal legislation and regulatory changes are responsible for increasing African American employment opportunities in the United States since the 1940s. Civil rights protests from the 1940s through the 1960s were largely responsible for the federal government's development and implementation of antidiscrimination legislation and enforcement as an attempt to mollify dissent (Burstein, 1985; Dahl, 1967). In January of 1941, civil rights leader A. Phillip Randolph asked President Roosevelt for federal intervention to reduce the widespread discrimination in the defense industry. President Roosevelt took no immediate action. After it appeared that the president was not going to get involved in legislating employment equality for African Americans, Randolph organized a mass march on Washington, D.C., to take place on July 1, 1941, if the president failed to create an antidiscrimination policy for the defense industry. The Roosevelt administration made numerous unsuccessful attempts to stop the march through the end of June but finally, on June 25, 1941, days before the march was to take place, Roosevelt issued Executive Order No. 8,802, which restricts employment discrimination on the basis of race in federal government and in firms with government contracts. Randolph then called off the march on Washington.

Two decades later, President Kennedy issued Executive Order No. 10,925, which is more expansive in scope than Roosevelt's Executive Order No. 8,802. It requires all government contractors to take "affirmative action" in hiring and promoting of racial minorities. Its enactment and enforcement in 1961 may partially explain the racial integration that occurred prior to the Civil Rights Act of 1964. Previous research that negates the importance of the Civil Rights Act, due to the significant changes in racial employment relations prior to 1964, fails to consider the politics that took place earlier in time. It is likely that organizations began experimenting with compliance during this time due to the introduction of uncertainty into the organizational environment resulting from the ambiguous meanings of *affirmative action* and *regulatory compliance* (Edelman, 1990).

In addition to early federal efforts by the executive branch, many states acted to reduce racial workplace inequality by implementing enforceable EEO laws, called fair employment practice (FEP) laws, prior to the passage of the Civil Rights Act of 1964 (Chay, 1998; W. Collins, 2000, 2001; Heckman, 1976; Landes, 1968; Moreno, 1997). Nearly half of all U.S. states enacted enforceable laws restricting racial discrimination in employment opportunities prior to the implementation of Title VII (see Figure 2). In 1964, these state-level laws provided legal protections to 4 out of 10 African Americans in the United States and nearly all African Americans living outside of the South (W. Collins, 2001; Moreno, 1997).

racial inequality. Specifically, we seek to uncover the influences of pre-civil rights state policies outlawing discrimination on Black-White inequality in the United States after the Civil Rights Act of 1964. Previous research concluding that discrimination was higher in the South than the non-South misses an important political reality—that antidiscrimination politics took place earlier in the non-South.

An obvious objection to this claim is that states with more favorable public opinion toward racial equality will adopt legislation more rapidly than states where public opinion is less hospitable to racial equality (Burstein 1985, 1998); therefore, public opinion research becomes central to understanding the historical changes in African American employment opportunities in the United States. There is, in fact, tremendous support for the effects of public opinion on a variety of public policy issues. The evidence appears so clear that in a recent review and analysis of previous research examining this relationship, Burstein (2003) claimed that “public opinion affects policy three-quarters of the times its impact is gauged” (p. 36). There is, however, compelling evidence suggesting that the enactment of specific types of laws and policies may not reflect public sentiment (see Burstein, 2003; Manza & Cook, 2002). Moreover, some research suggests that the relationship between public opinion toward racial equality and the adoption of civil rights policy is tenuous at best (W. Collins, 2001; Santoro, 2002). Santoro (2002) found no relationship between public opinion and the passage of civil rights legislation before 1964. Instead, initial legislation passed due to “dramatic events” not tied to public opinion. Santoro’s results indicate that initial civil rights legislation often passed without public support; however, there is a relationship between public opinion and the passage of later legislation. This perspective is congruent with Wellman (1993), who suggested that Whites are likely to support the idea of racial equality in principle; however, they are unlikely to support the necessary measures that would bring it about. If this is the case, even if opinion polls show support for EEO, change in law or other policy may not reflect these attitudes. It is our position that attitudinal research informs our perceptions of differences in normative environments across place but is likely to tell us very little about the institutions that maintain and reproduce racial inequality.

Our sense is that the implementation of laws exerts significant effects on African American employment opportunities because such implementation produces change, however modest, in the cultural/normative environment over time (Edelman, 1990). Structural changes require cultural adaptation, a need to make the seemingly irrational appear rational; however, the path of adaptation to these changes and their effects on inequality are historically contingent. The more ambiguous laws are, the more unpredictable the cultural shift, because actors at various levels are seeking to stabilize their *institutional fields* by imposing meanings and limits on regulatory law. Hence, the implementation of civil rights laws, even before the creation of regulatory institutions, exerts a significant impact on racial integration, not due to an organization’s desire to comply

with government mandates but instead, because organizations seek to anticipate and capture the regulatory process so that these laws are not intrusive.

Organizational theory plays a pivotal role in understanding this process. Perrow (2002) critiqued new institutional theory for overemphasizing culture (*institutional logics*) and ignoring what he called *organizational interests*. For Perrow, power is paramount; organizations do not simply respond to their cultural environments—they actively shape them. We believe that the effect of the implementation of law has both interest and logic components. The implementation of state or federal laws forces firms to pursue new organizational interests—the stabilization of their regulatory environment. In response to legislation, organizations negotiate regulatory compliance with the government and in the courts (Fligstein, 2001). Once indicators of compliance are seen as legitimate, they spread as organizations respond to institutional logics—legitimacy imperatives. We suspect that the most important mechanisms creating further changes in racial workplace equality after the implementation of a law are sustained enforcement and continued change in normative social pressures, both of which generate new uncertainty in terms of legitimate indicators of compliance.

BEYOND THE CIVIL RIGHTS ACT OF 1964

Title VII of the Civil Rights Act of 1964 created the EEOC to monitor and enforce EEO law in the private sector. Shortly thereafter, the Johnson administration issued Executive Order No. 11,246, establishing the Office of Federal Contract Compliance, which later became the Office of Federal Contract Compliance Programs (OFCCP), to monitor and enforce equal opportunity in firms with federal government contracts. This order requires federal contractors to “take affirmative action” in the hiring and promotion of minorities. In 1968, the OFCCP began requiring government contractors and subcontractors with a federal contract of US\$50,000 or more and 50 or more employees to develop and maintain annual AA reports with employment goals, plans, timetables, and progress reports for achievement. Although AA reports are held within the files of the firm, the OFCCP can conduct compliance reviews on any federal contractor. Contracting firms face penalties for noncompliance, including loss of federal contracts and possible debarment from future federal contracts. Past research suggests that federal contractors are particularly responsive to EEO/AA laws, especially those who experience compliance reviews (Leonard, 1984a, 1984b).

The EEOC is an independent regulatory agency; however, its policies and enforcement philosophy are directly subject to political manipulation. Political institutions play a pivotal role in the capacity of regulatory agencies to monitor and enforce Title VII through creating the budget and dictating enforcement philosophies. Changing presidential administrations and their support or lack thereof for EEO/AA law deeply influence the effectiveness of EEO/AA enforcement because the top administrators dictating the organization’s enforcement

and litigation philosophies are presidential appointees (Wood, 1990). Historically, appointees' enforcement philosophies have mirrored their respective presidential administrations' positions on EEO/AA law. Therefore, the political elites who have the power to directly manipulate the structural and ideological position of these organizations influence the direction of EEO/AA enforcement far more than public will.

Presidential administrations, Congress, and the Supreme Court provided differing support for civil rights legislation and enforcement throughout the 20th century (Amaker, 1988; Shull, 1999; Tucker, 2000; Wasby, 1993). African Americans' civil rights advancement occurred in the courts during the 1950s and early 1960s and then through legislative action in the mid-to-late 1960s. During the Johnson administration, the executive and legislative branches of government maintained a strong commitment to civil rights advancement, spurring the most active round of legislative activity in history, whereas the Nixon and Ford administrations showed inconsistent but generally positive support for civil rights issues. The Carter administration supported EEO advancement through executive orders and increases in enforcement funding, although a Congress with little commitment to equal opportunity efforts thwarted new legislative attempts (Shull, 1999).

A series of conservative Supreme Court interpretations of Title VII, deeming AA to be "reverse discrimination" against Whites, were responsible for nurturing a clear ideological shift in the late 1970s and throughout the 1980s (see *Regents of the University of California v. Bakke*, 1978). Building on Whites' concerns regarding reverse discrimination, the Reagan-Bush administration was able to fuel the racial fears of Whites, specifically White men, and mobilize White voters to win three presidential elections. The Reagan-Bush administration was the first administration in the post-civil rights period to promulgate an openly hostile stance toward civil rights issues, especially those addressing issues of racial inequality. President Reagan

opposed the Civil Rights Act of 1964, denouncing it as a "bad piece of legislation," and the Voting Rights Act of 1965, opining that "the Constitution very specifically reserves control of voting to local governments. Additional legislation is unnecessary." (Omi & Winant, 1994, p. 133)

In addition to the strong rhetorical stance against AA, the Reagan-Bush administration reduced funding and resources to civil rights enforcement agencies (Wood, 1990). During this time, the Supreme Court ruled more conservatively on civil rights cases, due in part to the many conservative Reagan-Bush appointments to the Supreme Court.³

For several decades after the amendment to Title VII via the Equal Employment Opportunity Act of 1972, Congress remained unsupportive of civil rights measures. This changed when Congress proposed the Civil Rights Act of 1990, seeking to override several conservative Supreme Court decisions. President

G. H. W. Bush vetoed the initial act, but Congress passed the legislation in the following year as the Civil Rights Act of 1991. This act reinstated many of the rights taken away by the courts in the 1980s. In 1992, President Clinton entered office with a more supportive racial equality rhetoric, although his support for AA was ambiguous, and EEO/AA enforcement agencies' budgets were not substantially increased during his term.

THE IMPORTANCE OF POLITICAL ERAS

Previous research clearly documents the discontinuous changes in Black-White employment inequality and changes in political support for enforcement agencies over time (Donohue & Heckman, 1991; Jones, 1982; Shull, 1999; J. Smith & Welch, 1984; Wood, 1990). We know little about the effects of political eras on changes in Black employment opportunities during the post-civil rights years. In this section of the article, we define four distinct political eras since 1966. We classify these eras in light of the historical development of the EEO/AA enforcement agencies as well as changes in political climates, rather than simply presidential eras. However, it is evident that the two are closely related (see Figure 1).

The first political era (1966 to 1972) encompasses a portion of the Johnson and Nixon presidencies and marks the earliest stage of EEO/AA enforcement, which some researchers have claimed should produce little change due to weak enforcement agencies (Leonard, 1984a; J. Smith & Welch, 1984). The empirical research, however, suggests that the greatest gains in Black-White labor market equality occurred during this early period (Ashenfelter & Heckman, 1976; Heckman & Wolpin, 1976; Leonard, 1984b; J. Smith & Welch, 1984, 1989). Although the EEOC did not have the power to initiate litigation until 1972, this early period was important for producing beneficial change in numerous ways.

First, a number of important private lawsuits occurred during this period (e.g., *Griggs v. Duke Power Company*, 1971). Second, during this period, the OFCCP began requiring federal contractors to maintain annual AA reports. We believe contractors and noncontractors were responsive to political pressures during this period, particularly due to the legal ambiguity in Title VII concerning compliance. Some organizational researchers have argued that organizational action results from preemptive responses to ambiguous laws such as Title VII, as well as responses to coercive environmental pressures (Dobbin & Sutton, 1998; Edelman, 1990, 1992). Third, Burstein (1985) found that public opinion regarding equal opportunity for minority groups was highest during this period. Overall support and issue saliency declined in the late 1960s through the early 1970s. Finally, as mentioned previously, numerous states enacted enforceable EEO laws prior to the passage of the Civil Rights Act of 1964 (Chay, 1998; W. Collins, 2000, 2001; Moreno, 1997; Newman et al., 1978). In hindsight, we can see that the EEOC and OFCCP were weak regulatory agencies during this era; however, the years from 1964 to 1972 witnessed landmark lawsuits, the

requirement of employers to maintain annual governmental reports, and the highest level of public support for EEO measures. These factors may have led organizations to seek compliance by ceremonially adopting, experimenting with, or seeking to define the rules of regulatory compliance. And in the process of experimentation, organizations actually may have changed their racial compositions. Due to these events and the uncertainty concerning the shape and form of future enforcement, we see this early period as producing significant political effects on the racial structure of work organizations.

We construct the second political era from 1973 to 1980. This era comprises the heaviest enforcement stage for both the EEOC and OFCCP (Jones, 1982). The Equal Employment Opportunity Act of 1972 provides the EEOC with the power to initiate lawsuits against private employers. In 1973, the EEOC actively investigated some of the country's largest employers, including General Motors, General Electric, Sears and Roebuck, and Ford Motor Company. Large monetary settlements were reached with these and other prominent companies, providing compensation to workers who were discriminated against and forcing changes in many employment policies and practices (EEOC, 2004).

The executive and legislative branches continued to show support for equal opportunity in employment throughout this era, although the Supreme Court became antagonistic to EEO/AA policies in the late 1970s. This shift is seen in the landmark case *Regents of the University of California v. Bakke* (1978), in which the Court's ruling concretized the reverse-discrimination rhetoric. The Supreme Court did, however, continue to rule in favor of the implementation of AA in federal contracting throughout this period. Using EEO-1 reports for 1974 and 1980, Leonard (1984b) found that contractor firms increased Black employment at a faster rate than noncontractors between 1974 and 1980, suggesting that enforcement may have been effective in changing Black employment opportunities during this era. Employment gains, however, are not the same as integration into comparable jobs within workplaces.

The next political era, from 1981 to 1991, witnessed drastic changes in the philosophy and capacity of enforcement agencies as well as changes in EEO laws and their interpretation. The Reagan administration coincided with the near elimination of back-pay awards, compensation award limitations, and the burden of proof for showing discrimination shifting to the plaintiff. This era also witnessed substantial reductions in the allocation of resources to EEO/AA regulatory agencies (Amaker, 1988; Omi & Winant, 1994; Wood, 1990). The appointment of social conservatives to head civil rights agencies also led to a change in federal support for EEO/AA enforcement (e.g., the appointment of Clarence Thomas as the chair of the EEOC).

During this era, the Reagan and Bush administrations openly denounced AA policies and civil rights legislation. The Supreme Court delivered a series of blows to EEO, including the use of "strict scrutiny"⁴ when evaluating the use of race in AA in awarding federal contracts (see *City of Richmond v. J. A. Croson Co.*, 1989) and opining against the 1971 *Griggs v. Duke Power Company* case on

disparate impact⁵ (see *Wards Cove Packing Co., Inc. v. Antonio*, 1989). We see this era as producing the smallest pressure on firms to desegregate based on the lack of federal support legally, rhetorically, and in the allocation of resources for EEO/AA enforcement.

During the most recent political era (1992 to 2000), we might expect to see some influence of the Civil Rights Act of 1991, which reverses many of the judicial rulings unsupportive of EEO/AA law during the Reagan-Bush period. The act restores back-pay awards, reduces the plaintiff's burden to prove discrimination, and incorporates the *Griggs v. Duke Power Company* (1971) decision from judicial precedent into law. On the other hand, during the late 1980s and early 1990s, the bulk of EEO cases and complaints shifted from race- and sex-related issues to age- and disability-related issues (Wakefield & Uggen, 2004).

The Clinton years saw few advances in EEO/AA legislation, yet more supportive presidential rhetoric in comparison to the Reagan-Bush eras. Funding for federal EEO/AA enforcement did not increase over the previous era, and there was a counterpolitical rhetoric in Congress opposing EEO/AA measures, especially in federal contracting. During this period, members of the House of Representatives and Senate unsuccessfully introduced several bills seeking to end the use of AA in various public and private spheres of work and federal contracting. In 1995, Senator Jesse Helms (Republican–North Carolina) unsuccessfully introduced the Civil Rights Restoration Act of 1995. The act was intended to amend the Civil Rights Act of 1964, making AA an unfair labor practice and the use of AA illegal in federal contracting as well as public and private sectors of employment (see Senate Bills to Amend, S. 26 and S. 318, 1995; also see similar House Bills to Amend Title 28, H.R. 1764, 1995, and to Ensure Equal Opportunity, H.R. 1840, 1995).

EXPECTATIONS

Political eras. The political eras defined and discussed in the previous section provide the context for our analyses. Given each era's historical specificity, we expect era-specific change in Black-White inequality even after controlling for changes in establishment size, labor supply, and industrial composition. Thus, we expect that Black-White inequality levels and trends differ by political era. The historical record suggests that the steepest declines in racial segregation occurred during the first political era and became less pronounced with each subsequent era.

Federal contractors. We expect federal contractors to be particularly responsive to political era due to the financial threat of losing a federal contract. During the first political era, organizations were confronted with uncertainty about how compliance would be determined. This uncertainty should produce minor differences between contractors and noncontractors because both were seeking to

stabilize similarly uncertain regulatory environments. During the second era, we expect to find greater integration, especially within federal contractor firms due to increases in enforcement and more important, the *Griggs v. Duke Power Company* (1971) case in which the Court ruled that employers can be responsible for unintentional discrimination in addition to intentional discrimination. In addition, organizations during this time were rapidly adopting formal EEO offices, policies, and procedures for hiring, firing, and promotions, which provided some insulation from lawsuits, but in the process of reducing legal ambiguity in the courts, they also increased opportunities for African Americans.

One might anticipate the effects of OFCCP enforcement to stop altogether during the third political era due to decreases in personnel and funding for enforcement agencies. This line of reasoning potentially suggests that decreases in enforcement could lead to increases in racial segregation; however, because organizations tend toward inertia after they create routines and standard operating procedures (Starbuck, 1983), we expect that declining enforcement stalls progress but does not necessarily increase racial segregation. With enforcement and political pressures for EEO practices waning, racial workplace integration should slow or stall during the third political era. Contractors are more likely to develop offices, policies, and programs to handle the administrative requisites of EEO/AA law than noncontractors, regardless of the level of federal enforcement. Previous research shows that contractors continued to adopt policies and procedures more rapidly than noncontractors in the 1981-to-1985 period. Prior to this time, there was no difference in the rate of policy/program adoption between contractors and noncontractors (Dobbin & Sutton, 1998; Sutton & Dobbin, 1996). Thus, contractor firms may have continued to offer greater opportunities to African Americans during this period, especially if they continued to expand the EEO capacity of their personnel functions. Thus, we may observe African American advances into the third and perhaps fourth political eras in federal contracting firms; however, the beneficial effects of OFCCP enforcement in the later two political eras were not about new enforcement but rather, the lack thereof coupled with administrative inertia among contractor firms. EEO/AA offices, human resource departments, and the formalization of rules governing hiring and promotion all potentially reduce discrimination and, therefore, may act to encourage the advancement of African Americans in U.S. workplaces. Once instituted, they should provide a stable lower level of Black-White segregation.

FEP laws. There are a myriad of institutional bases responsible for upholding racial inequality in the United States. Therefore, changes in the institutional underpinnings, such as outlawing racial employment discrimination, should produce changes in African American employment opportunities. We incorporate the presence or absence of a state-level FEP law prior to the passage of Title VII as an institutional pressure that predates the 1964 Civil Rights Act. Early

FEP-adopting states (prior to 1950) should witness lower initial levels of racial inequality than states without FEPs in 1950, and states adopting such legislation between 1950 and 1964 should show lower initial levels of inequality than those states (mostly in the South) without FEPs in 1964.

Following institutional theory on the role of the state and the diffusion of civil service reform (Tolbert & Zucker, 1983), we suspect that early adopters may have had a stronger commitment to EEO, at least during the period of adoption, whereas the later adopters were primarily mimicking other states. Regardless of a state's intention to pass an FEP law, its implementation will affect racial inequality, even if the adoption is largely ceremonial. We expect that this effect will be most prominent during the first political era and then diminish with time as states become more homogeneous due to the effects of federal EEO laws and the diffusion of similar personnel practices across regions. This prediction reflects an "administratively weak, but normatively strong" view of government action (Dobbin & Sutton, 1998). After the creation of laws, leader organizations seek to define the field of EEO/AA compliance to stabilize the regulatory environment. After a legitimate form of compliance emerges, other firms mimic this form and the number of adopters increases. The regulatory environment then reaches stability as policies, programs, and offices that demonstrate regulatory compliance diffuse across organizations. For change to continue, enforcement of EEO laws must be strong or new uncertainty must enter the regulatory environment. We suspect that lawsuits may be one form of continuous uncertainty operating in some organizations' environment.

METHOD

DATA

We use establishment-level data collected annually by the EEOC since 1966. Title VII of the Civil Rights Act of 1964 mandates that private sector employers submit yearly reports on the racial/ethnic and sex composition of their employees to the EEOC. These reports, known as EEO-1 reports, contain employment counts of sex by five racial/ethnic (White, Black, Hispanic, Asian/Pacific Islander, American Indian/Alaskan Native) groups distributed across nine broad occupational categories at the establishment level. The occupational categories are officials and managers, professionals, technicians, sales workers, office and clerical workers, craft workers, operatives, laborers, and service workers. EEO-1 reports also include information on the establishment's parent company, industry, and geographic location. Finally, each record states whether the firm is a federal contractor (for a detailed discussion of these data, see Robinson, Taylor, Tomaskovic-Devey, Zimmer, & Irwin, 2005).

Coverage currently includes all private firms with 50 or more employees if federal contractors and 100 or more employees if noncontractors. Prior to 1983,

contractor firms provided separate reports for establishments with 25 or more employees and noncontractor firms with 50 or more employees.⁶ Firms do not include employment data for workers who are temporary or casual employees but do include data for leased and part-time employees. To make data handling easier, we draw a 20% sample from the EEO-1 files for all available years⁷ and limit analyses to the 48 contiguous U.S. states.

MODELS

Our basic modeling strategy is to regress Black-White segregation (D) on an indicator for time, federal contractor status, state FEP laws, and their interactions within political eras, controlling for two major alternative explanations—changes in both the labor supply and industrial structure. We achieve this with pooled cross-sectional ordinary least squares models for each political era. Controlling for establishment size, labor market, and industrial characteristics, we direct our analysis toward an examination of the effects of political eras, OFCCP enforcement, and state FEP laws on Black-White workplace desegregation since 1966. We then add interaction effects between the rate of change within each era with federal contractor status and state legislation prior to 1964. The latter approach allows for an examination of change processes, whereas the former approach is primarily about understanding average levels of inequality within and between eras.

MEASUREMENT OF VARIABLES

Racial workplace segregation. We use the index of dissimilarity (D) as our measure of segregation. The index ranges from 0 (perfect integration) to 100 (total segregation) and describes the evenness of the distribution of two status groups across a defined set of positions. The interpretation of D is the proportion of workers in one status group who would have to switch jobs to create full integration. We compute the index of dissimilarity (D) across occupations within establishments as follows:

$$\text{Index of Dissimilarity } (D) = \left(\frac{1}{2} \sum_{oe=1}^{N_{oe}} |P_{oex} - P_{oey}| \right) \times 100,$$

where P_{oex} and P_{oey} are the proportions of Groups x and y , respectively, within an occupation in an establishment, and N_{oe} equals the number of occupations in each establishment; we then sum status group distributions across all occupations within an establishment.

Environmental pressure variables. We pool data for each of the four political eras defined previously to allow for all variables in the models to interact with

political era. The first era includes data from 1966 to 1972, the second from 1973 to 1980, the third era begins in 1981 and runs through 1991, and the fourth political era starts in 1992 and ends in 2000. We also create a variable to capture the rate of change, or slope, for each political era. For each era, we assign the 1st year a value of 1 and each subsequent year we add 1, thus, an average yearly change is given by the political era coefficient. This also controls for variation between years within eras.

We include a binary variable for federal contractors (0, 1) to determine whether the additional pressure that federal contractors face, such as the maintenance of AA plans and the possibility of compliance reviews, affects workplace desegregation. We also create a dummy variable for organizations embedded within states with enforceable FEP laws prior to 1950 and another for states adopting FEP laws after 1950 but before the passage of the Civil Rights act of 1964, which allows us to examine how racial politics unfold differently across places.

Labor market characteristics. We use commuting zones to delineate local labor markets (see Tolbert & Sizer, 1996). We impose the 1990 commuting zones on all years for consistency in our geographic units over time, then we calculate the racial/ethnic and sex composition of each commuting zone by totaling EEO-1 employment data for each year and calculating the percentage of the commuting zone labor force that is Black, Hispanic, and female, respectively. These variables serve as controls for changes in labor supply, a potential alternative explanation for changes in workplace segregation.

Industrial sector. In a previous article, we found that industries vary in both their race composition and degree of racial segregation (Tomaskovic-Devey et al., 2004). We include 10 dummy variables to account for sectoral variation in Black-White segregation as well as the changing nature of the industrial structure in the United States. The retail sector is the baseline category. These variables serve as controls for changes in the composition of the economy that might also account for changes in segregation.

Establishment size. We include a statistical control variable for organizational size because larger establishments are more likely to have centralized administrative systems and policies regarding hiring and promotion (Tomaskovic-Devey & Skaggs, 1999; Villemez & Bridges, 1988), which may tend to reduce racial inequality within workplaces. Establishment size (\ln) is measured with total employment at the establishment level. This variable also controls for the 1983 size changes in reporting requirements to the EEOC.

Occupation controls. Measurement error in segregation estimates is also dependent on the degree to which the nine occupational categories in the EEO-1 reports actually mimic firm-level divisions of labor. Firms use job titles, not

occupational groups, to make internal social and task distinctions (Strang & Baron, 1990). The EEOC data capture workplace-level between-occupation segregation but miss within-occupation job segregation. Thus, the EEOC data will always underestimate true segregation, but that measurement error will vary across workplaces. We reason that this measurement error is higher when workers are observed in fewer of the nine EEOC occupational categories. Establishments with low occupational heterogeneity will also have low segregation because of the increasing disjunction between the EEOC occupational categories and actual divisions of labor. An occupationally heterogeneous workplace might have substantial employment in all nine occupational categories. As such, the chance of displaying high levels of segregation increases because there are more positions to distribute people across. A firm with all employment in one occupational category will have no racial segregation in the EEO-1 data. In the real world, however, this firm might make numerous job distinctions within that one occupational category and so have high segregation in practice. In the regression models, we adjust for this source of measurement error by controlling for observed occupational heterogeneity within establishments. We use the Gibbs-Martin Index of Heterogeneity to control for this source of underestimation in segregation (Gibbs & Martin, 1962):

$$\text{Index of Heterogeneity } (H) = 1 - \left(\sum_{oe=1} (P_{oe})^2 \right) \times (100),$$

where $(P_{oe})^2$ is the percent of establishment employment in each occupation. We square these percents and then sum across all nine occupations.

FINDINGS

In Table 1, we examine models of Black-White segregation across political eras. Consistent with our expectations, desegregation occurred most rapidly in the first era and slowed with time. Net of the variables in the Political Era I model, D declined by an average annual rate of 1.184 points throughout the first political era. In the second political era, the rate of integration was nearly cut in half, decreasing to a rate of decline of .619 points per year. The rate of desegregation in the third political era was significant yet negligible, with a decline of .107 per year, and then stopped altogether during the fourth political era. We found that the greatest change in Black-White workplace segregation occurred during the weak enforcement phase followed by significant, although less pronounced, changes during the second, strong enforcement political era. This result suggests that the dramatic regulatory and ideological shifts in the late 1970s and early 1980s slowed and eventually stopped further integration in the latter two eras.

TABLE 1: Black-White Workplace Segregation Across Political Eras, 1966 to 2000

<i>Independent Variable</i>	<i>Political Era I (1966 to 1972)</i>	<i>Political Era II (1973 to 1980)</i>	<i>Political Era III (1981 to 1991)</i>	<i>Political Era IV (1992 to 2000)</i>
Environmental pressures				
Era slope	-1.184***	-0.619***	-0.107***	0.001
Federal contractors	-1.530***	-2.387***	-1.827***	-1.264***
FEP law before 1950	-4.670***	-0.649***	1.767***	1.570***
FEP law 1950 to 1964	-3.513***	-0.661***	0.336***	0.434***
Era Slope × Contractor	-0.245**	-0.061	0.056**	0.043
Era Slope × FEP pre-1950	1.051***	0.386***	0.192***	-0.123***
Era Slope × FEP 1950 to 1964	0.787***	0.225***	0.018	-0.022
Intercept	42.273***	37.237***	30.665***	28.845***
R^2	.33889	.34451	.36336	.39652
Number of establishments	48853	118449	257246	271803

NOTE: Table contains unstandardized ordinary least squares regression coefficients. All models include controls for establishment size (ln), race and sex composition of the labor market, industrial sector, and the Gibbs-Martin Heterogeneity Index. FEP = fair employment practice.

*** $p < .01$. ** $p < .001$ (two-tailed tests).

The models also show that net of other factors, federal contractors were racially more integrated than noncontractors during all political eras. On average, *D* for federal contractors was 1.5 points lower than noncontractors throughout the first political era, controlling for the other variables in the model. Black-White segregation averaged 2.39 points lower than noncontractors during the second political era, when OFCCP enforcement was at its heaviest. During the third political era, government contractors maintained a 1.83 point lower level of segregation and a 1.264 point lower level of segregation during the fourth era compared to noncontractors, thus, confirming our expectations concerning the role of federal OFCCP enforcement on racial workplace desegregation.

The adoption of FEP laws prior to the passage of Title VII yields some intriguing results. For the first era, the index of dissimilarity for states that adopted these laws before 1950 was, on average, 4.67 points lower than states without FEP laws in 1964, and 1.16 points less than states adopting these laws between 1950 and 1964. But the difference between pre-1950 adopters and 1950-to-1964 adopters became inconsequential in the second political era. Both groups of FEP-adopting states were less than 1 point lower on average than states without FEPs in 1964. In the third and fourth eras, this trend reversed. During the third era, early adopters became the most segregated on average (1.77 points higher than other states) with the 1950-to-1964 adopters slightly more segregated (.34) than those states without FEPs in 1964. These results were consistent into the fourth era. Collectively, these results suggest that laws at the state and federal levels are important in changing Black-White workplace inequality across the United States, but they also suggest that the consequences of legal change may not endure. In 1966, states enacting enforceable antidiscrimination laws before the passage of the 1964 Civil Rights Act displayed greater racial integration than states that failed to adopt such legislation prior to 1964. But by 2000, non-FEP states had lower average levels of racial workplace segregation than early FEP-adopting states.

In Table 1 we add interaction effects for the environmental pressure variables and the era trends. Although the previous discussion examines levels of inequality across periods, by interacting the era trends with contractor status and FEP law variables, we gain additional insight into the process of organizational stability and change. In the first political era, we found that contractors not only have lower average levels of segregation across the era but also integrated more quickly than noncontractors. Surprisingly, in the second political era, there was no difference between contractors and noncontractors in the rate of integration across the period, the only difference was in the intercepts. This could be a function of overall high enforcement for contractors and noncontractors alike or the rapid diffusion of organizational policies, programs, and procedures during this period. In the third and fourth political eras, we found that the overall rate of integration was virtually nonexistent among contractors. In fact, contractors integrated at a slightly slower rate than noncontractors in the third political era, and there were no contractor/noncontractor differences in the fourth era. This is

likely the result of the elimination of regulatory uncertainty among firms as federal enforcement efforts and political leadership came to a standstill. In short, federal contractors provided slightly greater opportunities for African Americans than noncontractors across all political eras, but this was largely the result of more rapid integration before 1973. This effect translated into lower average levels of Black-White job segregation in later eras. The difference in the rate of change between contractors and noncontractors after 1972 was trivial. The lower initial levels of segregation found in contractor firms was probably a function of the greater likelihood for these firms to implement EEO/AA offices to meet the administrative needs of the organization, which in turn removes some capriciousness from hiring and promotion processes. These results strongly suggest that relative to noncontractors, OFCCP enforcement had no independent effect on Black-White employment segregation in the 1970s and actually may have encouraged resegregation after the political retreat from EEO/AA goals in the 1980s.

The results from interacting era trends with the adoption of FEP laws confirms previous research suggesting that change is most marked in states without FEP laws (mostly in the South) prior to 1964. Table 1 shows that the earlier the time period in which a state adopted an FEP law, the lower the initial levels of Black-White workplace segregation. The rate of change across the era, however, shows that integration occurred at a faster pace in the states without FEPs in 1964, followed by the 1950-to-1964-adopting states, and slowest among early FEP-adopting states. The decline in D for both sets of states with FEP laws in 1964 is less than 1 point per year compared to 1.56 points per year in states without preexisting FEP laws. This rate of decline falls again for FEP states in the second political era to less than a .5 annual decrease in D compared to a .73 decrease for states without FEPs prior to 1964. In the third era, early FEP-adopting states actually had a slight incline in segregation during the period before slightly declining again in the fourth era compared to other states. States that adopted FEP laws between 1950 and 1964 and those states without FEP laws in 1964 show virtually no change in racial segregation after 1980.

The results from this analysis strongly suggest that laws affect the employment opportunities available to African Americans. The initial levels of segregation in states without preexisting legislation prior to the Civil Rights Act of 1964 are near 80, whereas states adopting laws earlier show greater racial integration. Federal legislation brought about a convergence in segregation patterns in the 1980s. These results indicate that the Civil Rights Act of 1964 is at least partially responsible for improving African American employment opportunities, especially in states lacking previous civil rights legislation.

DISCUSSION AND CONCLUSIONS

In this article, we started with an examination of the wildly different trends in workplace integration for race and sex since 1966. The trends for sex integration

show consistent declines in segregation during the entire 1966-to-2000 period. The Black-White trend declined rapidly in the early political eras and then leveled off in the 1980s with little change since. From our review of the historical record and previous research concerning the creation and enforcement of EEO/AA laws in the United States, we developed three core ideas addressing how political pressures might influence Black-White workplace integration. First, there are four clearly distinct political eras, each with variation in federal support for and enforcement of EEO/AA laws, leading us to expect that these eras coincide with actual change in racial segregation within U.S. workplaces. Second, previous research asserts that firms with federal contracts, which must develop annual AA reports, are more responsive to EEO/AA law to avoid losing a government contract. This additional pressure should provide increasing opportunities for African Americans in those workplaces. We also expect that the effect of this additional enforcement will interact with political era. Finally, we expect that the development of state-level enforceable EEO laws, as early as 1945, aids in explaining state-level differences in the initial levels of racial segregation in 1966. Similarly, FEP laws may also explain differential effects of Title VII on African American employment opportunities in the United States.

We explore these factors to develop greater conceptual clarity regarding political environments and how they affect organizations. Our results indicate that first, political eras matter a great deal. The rates of racial integration are fairly consistent with the historical account of EEO/AA enforcement and support. Integration occurred most rapidly in the earliest era, and the rate of integration declined during each subsequent era. The level of federal support and enforcement are clearly contributing factors to the dynamics of racial workplace integration.

Second, relative to noncontractors, OFCCP enforcement had no independent effect on Black-White employment integration in the 1970s and actually may have encouraged resegregation after 1980. Across all eras, federal contractors showed greater integration than noncontractors; however, the rate of racial integration did not differ based on contractor status after 1972. We argue that the consistent lower level of racial segregation in contractor firms results from the early adoption and implementation of offices, policies, and programs to meet the administrative requisites of EEO/AA law along with organizational inertia thereafter. Change in race regimes are likely to result through one of two processes: the process by which organizations actively seek to gain control over their regulatory environment, or through mimetic processes where organizations implement forms of legal compliance that already have cognitive legitimacy (DiMaggio & Powell, 1983; Edelman, 1990; Meyer & Rowan, 1977). Federal contractors made nearly all of their changes in internal racial segregation before the era of active enforcement, suggesting that organizational changes with the intentions to preempt and define the regulatory environment are the dominant source of contractor/noncontractor differences in racial segregation.

Third, paying attention to the consequences of the development of enforceable EEO laws prior to the Civil Rights Act of 1964 reveals several interesting insights. States that adopted these laws prior to the 1964 Civil Rights Act had the lowest levels of racial segregation in 1966, suggesting that the implementation of state EEO laws produces real changes in racial inequality. These results also indicate the effectiveness of the 1964 Civil Rights Act in reducing racial inequality in the United States, but most of this effect took place right after the law was instituted, during the periods of maximum uncertainty and enforcement. Our results show the steepest declines in Black-White segregation in states without laws in 1964 and the convergence of all states during the 1980s. Previous research concluding that discrimination during the early civil rights period was higher in the South than the non-South overlooks the political reality that the antidiscrimination politics happened earlier in the non-South and so state-level laws and enforcement preceded the 1964 Civil Rights Act in these states. It is not that the non-South was nondiscriminatory; it is just that the politics of equal opportunity happened there first. During this time, discrimination was prevalent outside of the South as well; however, the effects of state-level antidiscrimination laws explain the different initial levels of Black-White segregation across U.S. states.

Finally and most important, legal change does not produce organizational change in the absence of environmental pressure. This pressure emanates from uncertainty in the environment, as in the initial period after the enactment of equal opportunity law, or from enforcement, as in the second period with the development of legal and administrative sanctions to deal with discrimination. Even in the case of sanctions, few firms directly faced these pressures, and it is the threat of sanctions—a form of environmental uncertainty—which motivated most firms to institute equal opportunity policies and practices during the 1970s. Reductions in uncertainty resulting from the stabilization of legal environments and declines in regulatory enforcement produced a labor market with no further aggregate improvements in racial integration in U.S. workplaces.

Our analyses examining changes in Black-White workplace inequality generate a number of important contributions. We advance the importance of political environments and how they affect the social structure of work organizations—an underused perspective on racial inequality in the United States. Our results also provide strong support for bringing the state into studies of racial inequality over time. Although the role of the state is a central tenet of new institutional theory's explanations of organizational action, the existing research concentrates primarily on the diffusion of organizational policies, structures, and procedures rather than how these structures affect inequality and the role of the state in this process. Future research might explore more specific state-level indicators of political pressures on organizations and their impacts on racial workplace inequality. Sorting out exactly how laws interact with public sentiment and organizational (in)action remains an important question for understanding social change in U.S. workplaces.

We add a few notes concerning the limitations of these analyses. First, we speculate that underemployment and declining labor force participation rates for young working-age African American males affects our segregation (*D*) statistic over time. Although we cannot quantify the effect, the absence of many young African American men from the labor force has the effect of lowering observed segregation. This suggests that rather than stagnation after 1980, employment segregation potentially increased due to involuntary increases in unemployment and incarceration among African Americans during the 1980s.

Second, we know that individual and employer characteristics explain some of the variation in employment disparity. Economists and sociologists have cited both supply-side and demand-side factors to explain Black-White employment inequality in the United States throughout the latter half of the 20th century. Although we do not dispute these effects, in this article we grapple with the understated political context in which these traits play out. This is partially a function of EEO-1 data quality, which limits our access to employee characteristics and employer practices. Although we do not theorize these supply and demand forces relative to Black and White labor, we have statistically controlled for them by including local labor market indicators of the race composition of employment and industrial indicators of change in the sectoral distribution of employment.

We conclude that political eras matter a great deal; it is not merely enforcement but the larger political mix of presidential rhetoric, court behavior, and perhaps even public opinion that shapes the pace of change. The effects of laws on changes in the social structure of organizations are contingent on enforcement, both real and symbolic. Initial changes in race regimes may result from the uncertainty generated by the passage of laws as organizational actors struggle to preempt and define compliance and so gain control of the regulatory process. Continuing integration, however, is not likely without sustained pressure to enforce EEO/AA laws. Although we focus on pressure from the federal political environment in this article, we suspect that such pressure might also emanate from local and organizational political constituencies as well. For example, the vigor of state-level EEO enforcement may vary across time, industries, and states. Certainly the incidence and success of EEO lawsuits varies dramatically across firms as well. There is likely much more to EEO political pressure than federal politics generates.

Progress toward racial equality in U.S. employment effectively stopped in the 1980s with the election of the Reagan-Bush administration, which openly denounced EEO/AA law, and did not pick up again, and then only weakly, until the 1990s under Clinton, who rhetorically supported EEO/AA law but did little administratively to advance racial equality.

In the end, it is political will that matters. Racial desegregation is an ongoing politically mediated process, not a natural or inevitable outcome of early civil rights movement victories. At this moment in history, the United States has lost its political will to challenge racial employment inequality.

NOTES

1. In Figure 1, segregation is measured with the index of dissimilarity (D):

$$D = \left(\frac{1}{2} \sum_{oc=1}^{N_{oc}} |P_{ocx} - P_{ocy}| \right) \times 100$$

It is calculated for each EEO-1 reporting establishment for each year. The index ranges from 0 (perfect integration) to 100 (total segregation). It is interpreted as the proportion of Status Group x or y that would have to change jobs to create full integration. The trend line represents the mean level of segregation across time. The calculated segregation indices in Figure 1 are accurate representations of time trends but understate true segregation because of the omission of small firms and establishments in the Equal Employment Opportunity Commission data and the use of occupational categories rather than firm-specific job titles in the EEO-1 surveys that generate these data (see Robinson, Taylor, Tomaskovic-Devey, Zimmer, & Irwin, 2005). Later in the article, we adjust for the latter source of error.

2. It could be the case that sex desegregation is also politically mediated and a more sustained barrage of political struggles is responsible for producing continuous change with time. The Equal Rights Amendment, although initially introduced in Congress in 1923, finally became a public issue during the late 1960s and into the early 1970s. It remained heavily publicized well into the 1980s. In addition, the sheer number of women entering the workforce would eventually affect change due to changes in the labor supply and shifts in cultural beliefs regarding gender equality—what some researchers have referred to as normative change (Burstein, 1985). Throughout the 1980s, women continued to make gains in the courts concerning employment discrimination, more so than African Americans. Moreover, although states developed equal employment opportunity laws as early as 1945 to ensure that African Americans received equal employment opportunities, not until the early 1970s did states begin to adopt state-level legislation granting rights to women in employment. Thus, the very starting points for race and sex segregation are quite different. Sex segregation starts at a much higher level than race in 1966 (see Figure 1).

3. Under Reagan, Nixon nominee Associate Justice Rehnquist became chief justice. In addition, Reagan appointed Kennedy, Scalia, and O'Connor as new Supreme Court justices. G. H. W. Bush appointed Justices Souter and Thomas to the high court.

4. *Strict scrutiny* refers to the full examination of any use of race as a deciding factor in the distribution of resources by state and federal government.

5. *Disparate impact* refers to employers' liability for policies, practices, and procedures that lead to differential outcomes for different status groups, whether intentional discrimination is implicated or not.

6. *Federal contractors* are defined as (a) having a federal contract or first-tier subcontract worth US\$50,000 or more, (b) acting as depositories of federal funds in any amount, or (c) acting as issuing and paying agents for U.S. savings bonds and notes (Equal Employment Opportunity Commission, 1999).

7. Data are not available for the following years: 1967 to 1970, 1974, 1976, and 1977.

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