How Firms Turn Middle Managers into Diversity Leaders

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ABSTRACT

In 2007, the Conference Board published a piece calling middle managers "the biggest roadblock to diversity and inclusion" for standing in the way of change efforts. Today, many chief diversity officers report that they have failed both to diversify middle management and to get middle managers involved in promoting inclusion. We explore popular diversity programs that create "paper" or "symbolic" principles for achieving diversity (diversity policy statements and guidelines for hiring, promotion, and discharge), as well as programs that engage middle managers in promoting diversity (special recruitment and mentoring programs, and diversity task forces). "Paper" policies often fall flat, but by getting managers involved in finding new talent, mentoring staff, and designing new diversity initiatives, firms have turned them into champions of diversity. Our quantitative analyses, tracking more than 800 firms over more than three decades, show that "paper" policies often have adverse effects, while manager-led targeted recruitment programs, mentoring programs, and diversity taskforces have been hugely effective at diversifying the ranks of management. Interviews with managers document why these programs are so effective.

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INTRODUCTION

At the 1963 March on Washington for Jobs and Freedom, Martin Luther King Jr. spoke of his dream of a future free from racial discrimination and animus. The next year, Congress passed the Civil Rights Act, making it illegal for all employers to discriminate on the basis of race or sex. Through the 1960s and 1970s, corporate America made slow but steady progress on opening opportunity. White women, Black women and men, Latinx women and men, and Asian American women and men gained more corporate jobs and made inroads into management.[1]

But for Black and Latinx Americans, that progress stalled sometime in the 1980s, according to data collected by the Equal Employment Opportunity Commission.[2] In 1985, 6% of Black men working in corporate America were managers, as were 7% of Latinx men. For both groups, the percentages were the same in 2018.[3] At this rate, Black and Latinx men will never reach parity with white men, of whom 16% are managers—that number has held steady.[4] Over the same period, 4% of Black women working in corporate America were managers at the start, and 5% were managers at the end.[5] Latinx women rose from 4 to 6%.[6] At this rate it will be a century before either group reaches parity with white men.[7]

1. *See* FRANK DOBBIN, INVENTING EQUAL OPPORTUNITY 1–21 (2009).
2. *See Employment Statistics*, U.S. EQUAL EMP. OPPORTUNITY COMM'N, https://www.eeoc.gov/statistics/employment [https://perma.cc/B8SD-8Y5M]. Numbers for earlier years were calculated using micro data provided by the Equal Employment Opportunity Commission under a confidential Intergovernmental Personnel Agreement to Dobbin and Kalev. *See generally* FRANK DOBBIN & ALEXANDRA KALEV, GETTING TO DIVERSITY: WHAT WORKS AND WHAT DOESN'T (2022).
3. *See Employment Statistics*, *supra* note 2.
4. *Id.*
5. *Id.*
6. *Id.*
7. *Id.*

White women made steady progress until 2000, when 10% were managers, but progress slowed to a near standstill; by 2018, only 11% of white women were managers. It will be a century before they reach parity with white men if this trend continues.[8]

Asian American men and women made greater headway. Ten percent of Asian American men were managers in 1995; in 2018, 15% were managers.[9] For women, the number grew from 5 to 9%.[10] But Asian American men and women are the best educated of all of these groups—54% of Asian Americans aged twenty-five and older have bachelor's degrees (or more), compared with 33% of all Americans.[11] Their progress in the corporation has lagged behind their progress in educational attainment.

Why has progress on diversifying the workforce slowed? A host of studies suggest that the conventional organizational remedies to blocked opportunities have failed, namely programs that lay blame for discrimination on individual managers. Diversity training programs signal that managerial bias is the main culprit. Civil rights and harassment grievance systems telegraph that misbehavior is the root problem and can be rooted out by quasi-judicial procedures that hold managers and coworkers to account. While discrimination and harassment remain widespread, myriad studies show that these programs, which place blame on individual managers, are more likely to reduce managerial diversity than to promote it, suggesting that they backfire.[12]

In this Article we look at a different set of practices; neutral "paper" or "symbolic" anti-discrimination measures—diversity policies and hiring, promotion, and discharge guidelines—that set ground rules for managers. We contrast them with programs that directly engage managers in promoting workforce diversity. As in other domains, we suggest, "paper" diversity interventions do not lead to behavior change. We

8. *Id.*

9. *See id.*

10. *Id.*

11. Abby Budiman & Neil G. Ruiz, *Key Facts About Asian Americans, a Diverse and Growing Population*, PEW RSCH. CTR. (Apr. 29, 2021), https://www.pewresearch.org/fact-tank/2021/04/29/key-facts-about-asian-americans/ [https://perma.cc/VXL4-KMX3].

12. Lisa Legault, Jennifer N. Gutsell & Michael Inzlicht, *Ironic Effects of Antiprejudice Messages: How Motivational Interventions Can Reduce (but Also Increase) Prejudice*, 22 PSYCH. SCI. 1472, 1476 (2011); *see also* Alexandra Kalev, Frank Dobbin & Erin Kelly, *Best Practices or Best Guesses? Assessing the Efficacy of Corporate Affirmative Action and Diversity Policies*, 71 AM. SOCIO. REV. 589, 603 (2006). *See generally* Justine Tinkler, Skylar Gremillion & Kira Arthurs, *Perceptions of Legitimacy: The Sex of the Legal Messenger and Reactions to Sexual Harassment Training*, 40 L & SOC. INQUIRY 152 (2015); Lauren B. Edelman & Stephen M. Petterson, *Symbols and Substance in Organizational Response to Civil Rights Law*, 17 RSCH. SOC. STRATIFICATION & MOBILITY 107 (1999); Frank Dobbin & Alexandra Kalev, *The Promise and Peril of Sexual Harassment Programs*, 116 PROC. NAT'L. ACAD. SCIS. 12255 (2019).

suggest, further, that such interventions will have adverse effects on managerial diversity when they take the place of real action. As laboratory studies of reactions to diversity programming suggest, "paper" policies can lead people to think the organization has solved the problem and relax the sort of self-scrutiny that can prevent discrimination.[13]

We argue that the solution lies in engaging managers in changing career systems in firms. The permanent solution to blocked career opportunities for women and people of color is to institutionalize changes that will open opportunity to all. Asking middle managers to help with that, we suggest, is the best way to make sure it happens. In this Article, we focus on three potential solutions: open recruitment, open mentoring, and creation of diversity task forces.

To make progress on diversifying the workforce, firms must get all managers to join the cause. Corporate leaders need to be part of the process, but every middle manager has a role to play in changing systems that exclude some groups. To make every manager part of the solution, firms need to engage them in identifying problems and remedies. In our research, we met plenty of white men managers who gladly became part of the solution when asked to recruit at a state university where a majority of students are Latinx or volunteer to be a mentor for someone from a disadvantaged background. Such actions can encourage every manager to think of inclusion as part of their job.

We show that when employers dragoon middle managers to recruit at historically black colleges and Hispanic-serving institutions; to mentor junior colleagues from all races and ethnic groups; and to serve on diversity task forces that scrutinize workforce data, identify problems, brainstorm for solutions, and put those solutions into place, they see large increases in management diversity. The challenge we face now is that too few firms adopt the manager-engagement programs that actually work and too many embrace "paper" solutions that are ineffective. It is time to fight the complacency that Mellody Hobson, co-CEO and president of Ariel Investments, has identified in the ranks of chief executives, "In business we set targets [for managers] on everything. Only in the area of diversity have I seen CEOs chronically say, 'We're working on it.'"[14]

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13. *See, e.g.*, Laura M. Brady, Cheryl R. Kaiser, Brenda Major & Teri A. Kirby, *It's Fair for Us: Diversity Structures Cause Women to Legitimize Discrimination*, 57 J. EXP. SOC. PSYCH. 100, 100 (2015); Cheryl R. Kaiser, Brenda Major, Ines Jurcevic, Tessa L. Dover, Laura M. Brady & Jenessa R. Shapiro, *Presumed Fair: Ironic Effects of Organizational Diversity Structures*, 104 J. PERSONALITY & SOC. PSYCH. 504, 504 (2013). *See generally* Emilio J. Castilla & Stephen Benard, *The Paradox of Meritocracy in Organizations*, 55 ADMIN. SCI. Q. 543 (2010).

14. Derek Loosvelt, *4 Ways Companies Can Hire More Black Professionals, According to Black CEOs*, FIRSTHAND (June 10, 2020), https://firsthand.co/blogs/workplace-issues/how-companies-can-hire-more-black-professionals-according-to-black-ceos [https://perma.cc/3TA2-NKDQ].

Our argument is based on evidence from interviews with managers and data on diversity programs and workforce composition from employers. We interviewed over 100 HR managers, executives, and line managers about their experiences with diversity programs. Those interviews are the basis of our contention that engaging managers in leading diversity efforts can change the workplace. Quantitative data confirm that the programs we discuss have real effects. In quantitative analyses, we examine how initiatives to promote diversity affect the shares of white, Black, Latinx, and Asian American men and women in management, following 829 private-sector workplaces for more than thirty years. We report the results of pooled, cross-sectional, time-series models in which we explore the effects of adoption of these programs on the share (odds) of each race/ethnic-by-gender group in management. In effect, we compare firms that adopt each program to themselves, before adoption, controlling for the demographic composition of the industry and regional labor force, and of non-managers within the firm. We also control for other firm features, including dozens of other diversity and inclusion programs, to isolate effects of program of interest.[15]

In this Article, we first discuss "paper" diversity policies and guidelines that represent a bureaucratic approach to decentered regulation. We discuss the history of corporate adoption of diversity policies and hiring, promotion, and discharge guidelines, and their effect on the representation of women and people of color in management. We then discuss organizational innovations that address structural barriers to diversity in the corporate career system. We focus on opening recruitment and mentoring and on the role of internal taskforces in remedying systemic biases. For each innovation, we first explain how it works to engage managers and open opportunity and then look at its effects on management diversity. In the conclusion, we formulate two broader principles—management engagement and accountability—that are key components of decentered regulation if it is to successfully reduce bias at work.

I. "PAPER" DIVERSITY POLICY AND GUIDELINES

Recognizing the failure of top-down, command-and-control public regulation, legal scholars have been promoting an alternative approach to public policy, often known as decentered regulation or new governance. Decentered regulation gives non-state actors a larger role in devising

15. See DOBBIN & KALEV, *supra* note 2 for a detailed overview of methods. Details on a parallel analysis can be found on the online methodological appendix to the book. *See generally* FRANK DOBBIN & ALEXANDRA KALEV, ONLINE METHODOLOGICAL APPENDIX (2022), https://scholar.harvard.edu/dobbin/HUP2022Supplement [https://perma.cc/Z653-AXP9].

mechanisms to achieve policy goals. This includes using management procedures and innovations as tools for improving compliance.[16]

When it comes to corporate anti-discrimination compliance practices, scholars have pointed to two different types of management innovations designed to promote change in the domains of labor relations, human resources management, and anti-discrimination. Broadly, they range from formal law-like policies that establish general compliance guidelines on paper but do not directly change management behavior (symbolic or paper policies) to policies that are active, responsive, and lead to engaging managers in compliance.[17] In the case of diversity programming, perhaps the policies that most closely conform to the definition of "paper" policies are corporate "diversity policy" statements and guidelines for anti-discriminatory hiring, promotion, and discharge processes.[18]

Today's corporate "diversity policy" statements evolved from early equal-opportunity policy statements, which spread after John F. Kennedy required federal contractors to practice "affirmative action" in pursuing non-discrimination.[19] Statements got a boost from the Civil Rights Act of 1964, requiring all corporations to end discrimination. They took the form of short, general proclamations of commitment to non-discrimination, typically added to company personnel manuals. They were "paper" policies because they required no particular changes in management behavior.[20]

When federal affirmative-action and equal-opportunity regulations came under attack in the 1980s, on the principle that these regulations were no longer needed, many companies introduced "diversity policy" statements.[21] The idea was that even if the law no longer required

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16. *See* Cynthia Estlund, *Labor Law Reform Again? Reframing Labor Law as a Regulatory Project*, 16 N.Y.U. J. LEGIS. & PUB. POL'Y. 383, 393–98 (2013). *See generally* David J. Doorey, *A Model of Responsive Workplace Law*, 50 OSGOODE HALL L.J. 47 (2012); John Howe, *Labour Regulation Now and in the Future: Current Trends and Emerging Themes*, 59 J. INDUS. RELS. 209 (2017).

17. *See* Lauren B. Edelman & Stephen M. Petterson, *Symbols and Substance in Organizational Response to Civil Rights Law*, 17 RSCH. SOC. STRATIFICATION & MOBILITY 107, 109 (1999). *See generally* Lauren B. Edelman, *Legal Ambiguity and Symbolic Structures: Organizational Mediation of Civil Rights Law*, 97 AM. J. SOCIO. 1531 (1992); TRISTIN K. GREEN, DISCRIMINATION LAUNDERING: THE RISE OF ORGANIZATIONAL INNOCENCE AND THE CRISIS OF EQUAL OPPORTUNITY LAW (2017).

18. *See generally* Lauren B. Edelman, Sally Riggs Fuller & Iona Mara-Drita, *Diversity Rhetoric and the Managerialization of the Law*, 106 AM. J. SOCIO., 1589 (2001).

19. DOBBIN, *supra* note 1, at 1.

20. *Id.* at 142–44.

21. *See generally* Erin Kelly & Frank Dobbin, *How Affirmative Action Became Diversity Management: Employer Response to Antidiscrimination Law, 1961 to 1996*, 41 AM. BEHAV. SCIENTIST 960 (1998).

affirmative steps or even neutral promises of equality of opportunity, corporations would continue to pursue inclusive management practices to make the best possible use of an increasingly diverse American workforce. Diversity policy statements themselves looked much like the equal-opportunity policy statements they replaced. They required no particular changes in management practice, but they articulated a firm's commitment to allowing employees from all groups to succeed. By 2000, over 90% of American firms had an equal opportunity statement, and some 40% had a diversity statement.[22]

Hiring, promotion, and discharge guidelines also date to the early 1960s, when federal contractors joined forces to develop strategies for affirmative-action compliance.[23] The idea behind guidelines was to standardize how hiring decisions, promotion decisions, and discharge decisions were made so that they would not be driven by managerial bias. Guidelines would ensure that managers did not simply hire their co-ethnics, that they did not merely promote their cronies, and that they did not fire employees from different race, ethnic, and gender groups to fill positions with their brethren. Hiring guidelines, for instance, sometimes specified that all jobs should be advertised and that all qualified applicants should be interviewed. Promotion guidelines often specified that past performance should be considered when promotion decisions were made and that punctuality and absenteeism should be considered. Discharge guidelines frequently specified that managers could not summarily fire employees without prior approval by the personnel department, and that performance, punctuality, and absenteeism should be taken into account.

By 2000, eighty percent of US firms had hiring guidelines, and a similar proportion had discharge guidelines, while forty percent had promotion guidelines.[24] These guidelines established principles, but by themselves, they do not set up specific regulatory mechanisms to ensure that, for instance, each job is advertised before being filled. Thus, they served more as recommendations than as requirements.[25]

Sociologist and legal scholar Lauren Edelman calls these symbolic rather than substantive compliance mechanisms, because they symbolize an employer's commitment to legal compliance, while having less substantive impact than courts often assume.[26] Similarly, the scholars who

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22. DOBBIN, *supra* note 1, at 144–45.
23. *Id.* at 1–21.
24. *Id.* at 124.
25. *See id.*
26. *See* LAUREN B. EDELMAN, WORKING LAW: COURTS, CORPORATIONS, AND SYMBOLIC CIVIL RIGHTS 5 (2016).

write of active and responsive compliance strategies suggest that these symbolic approaches will be ineffective in achieving change.[27]

Social psychologists also suggest that such "paper" or "symbolic" compliance mechanisms will be ineffective, and that they may even backfire by leading employees to believe that existing policies protect against discrimination, permitting them to relax self-regulation of their own bias. Their research suggests that decision-makers may not merely fail to scrutinize their own behavior for evidence of bias, but that they may dismiss claims of bias in the mistaken belief that these "paper" policies have actually eradicated discrimination. These laboratory findings predict that "paper" policies may actually backfire, decreasing workforce diversity, as employer bias and dismissal of discrimination claims are unleashed.[28]

What effects do these policies and guidelines have? Our data from over 800 companies confirm what laboratory research by social psychologists suggests: diversity policies and guidelines have significant negative effects on the diversity of managers.

To isolate program effects on diversity, we compare the years before the introduction of diversity policies and guidelines to the years after; for each firm, taking into account other firm characteristics that might affect diversity.[29] The figures presented cover programs adopted between 1971 and 2002. We examined effects during that period and checked that they lasted until 2015. The figures show the mean effects of each program or policy across the years after adoption, for 1971 to 2002.[30]

We show bars for effects that were statistically significant ($p > .05$). Where the effect is not statistically significant, we show a place marker. As Figure 1 demonstrates, the adoption of a diversity policy resulted in decreases in the share of management jobs held by Latinx men, Latinx women, and Asian-American women (dark grey bars). The adoption of hiring guidelines resulted in decreases in white men but also decreases in Black women and Latinx women (white bars). The adoption of promotion guidelines led to an increase in white men in management and decreases in white women and Asian-American women (black bars). The introduction of discharge guidelines resulted in only one significant change, an increase in white men in management (light grey bar). Overall,

27. *See generally* PHILIPPE NONET & PHILIP SELZNICK, LAW AND SOCIETY IN TRANSITION: TOWARD RESPONSIVE LAW (1978).

28. *See* Brady, Kaiser, Major & Kirby, *supra* note 13, at 100; Kaiser, Major, Jurcevic, Dover, Brady & Shapiro, *supra* note 13, at 504. *See generally* Castilla & Benard, *supra* note 13.

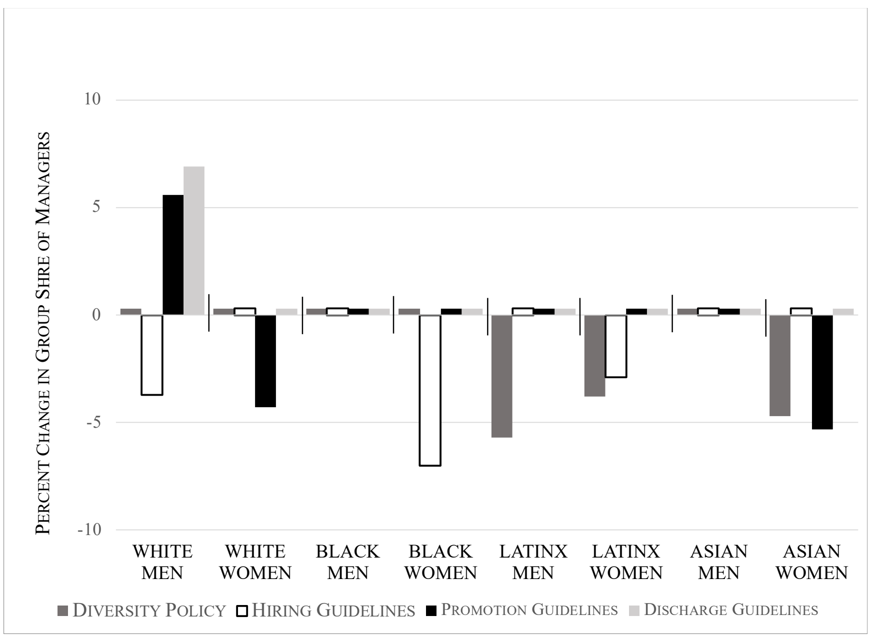
29. *See* DOBBIN & KALEV, *supra* note 2, at 10. The methods are described in our book. Details on a parallel analysis can be found on the online methodological appendix to the book. *See generally* DOBBIN & KALEV, ONLINE METHODOLOGICAL APPENDIX, *supra* note 15.

30. DOBBIN & KALEV, *supra* note 2, at 4.

the pattern suggests that diversity policy statements and guidelines have adverse effects on management diversity. This is consistent with the findings from studies by social psychologists, who have shown that the presence of diversity programs—even programs that are known to be ineffective—leads people to be less careful about censoring their own biases, and more likely to disbelieve employees who come forward with complaints of discrimination.

Taken together, then, law-like corporate "paper" policies that establish general compliance guidelines do not promote management diversity because these policies do not engage or mobilize managers in changing things. It is also because they do not address systemic biases in career systems. They do not change recruitment or mentoring procedures. Next, we explore the effects of corporate innovations that address systemic bias and engage managers in creating change.

Figure 1: Effects of Diversity Policies and Guidelines on Management Diversity



II. OPEN RECRUITMENT

We suggest that policies that engage managers in making substantive changes to their employers' career systems, so as to promote diversity, will have very different effects. If hiring guidelines stipulate that managers should advertise all jobs, they may or may not do so. But they likely use the same methods for finding new talent that they were using two generations ago. They advertise in generic venues—then, it was big newspapers; now, it is big job boards. They actively recruit at the alma maters of their managers—often Big Ten and Ivy League schools—neglecting colleges that serve mostly Black and Latinx students.

To help diversify entry-level and mid-career hires, companies need recruitment programs that use managers to scout for workers in new places, at high schools and colleges, and among professional groups that serve women and people of color. Such targeted recruitment programs can diversify the pipeline and also get managers involved in retaining new recruits and sponsoring them for advancement.

Why do so few firms recruit at schools where there are large numbers of Black and Latinx prospects? Part of the reason is that they look to schools that current (white, male) managers attended. Another part of the reason is that they look to highly ranked schools, excluding most schools that, for instance, serve first generation college students. We see this in all kinds of corporations, from finance firms to hospital chains. Yasmin, a Black nurse, interviewed by the sociologist Adia Wingfield, explains how the devaluation of historically Black colleges and universities (HBCUs) makes it hard for Black nurses to find jobs:

> I think the opportunities are there, the jobs are there. But I think employers really tend to focus on the school that you went to . . . because the school makes a huge impact on what the employer sees as a good nurse or not such a good nurse.[31]

So, although HBCUs are chock-full of nursing students, many employers do not send recruiters there.

What are the components of a successful open recruitment program? Next, we seek to answer that question.

A. Target Diverse Schools and Groups

Too few companies today use managers to recruit at diverse venues where they will find, say, Black management trainees or women engineers, but there are enough to provide encouraging examples.

Minneapolis-based Target touts its recruitment program as one of its most effective tools for diversifying the workforce.[32] Target sends women and people of color from departments with openings to recruit at colleges,

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31. Adia Harvey Wingfield & Koji Chavez, *Getting In, Getting Hired, Getting Sideways Looks: Organizational Hierarchy and Perception of Racial Discrimination*, 85 AM. SOCIO. REV. 31, 43 (2020).

32. DIVERSITYINC, CASE STUDY: RECRUITING WOMEN, BLACKS 1 (2010), https://www.diversityincbestpractices.com/talent-development-mentoring/case-study-recruiting-women-blacks/ [https://perma.cc/QZ7B-3XUR].

works with associations of underrepresented professionals to identify mid-career prospects for lateral hires, and taps its Black and Latinx employee resource groups to refer prospects.[33]

Nearby, General Mills has recruitment programs for Black and Latinx college students.[34] The company sends managers out to find prospects, then brings top Latinx recruits to headquarters for two visits, topped off by dinner with other recruits at the home of an executive.[35] General Mills signs more than ninety percent of the Latinx prospects it goes after.[36]

Facebook gets managers at all levels involved in recruiting women and people of color. Jocelyn Goldfein, director of engineering, argues that they have to prime the pipeline for women in computer science. CEO, Mark Zuckerberg, and Chief Technology Officer, Mike Schroepfer, had guest-lectured yearly in Stanford's Computer Science 101 class to encourage women to stick with the major and then come to Facebook. Goldfein reports, "Facebook has focused very hard on claiming our disproportionate share of the women that are out there," just one of a set of "scarce, valuable, talent pools in software" that they focus on.[37] Getting the CEO and CTO to recruit women and minorities is part of Facebook's targeted recruitment game plan.[38]

"A diversity manager at a commercial bank told us about the bank's multichannel management recruitment program."[39] The bank managers "visit HBCUs and Hispanic-serving institutions and sponsor programs on majority-white campuses that have business associations for women and for Black and Latinx MBA students."[40] To reach industry professionals, they visit annual conferences such as the National Bankers Association, the Hispanic American Bankers Association, and accounting associations for Blacks and Hispanics; "there are just a ton of these professional societies."[41]

Another key component of a successful targeted recruitment program is to use line managers as recruiters.

33. *Id.*

34. ROBERT RODRIGUEZ, LATINO TALENT: EFFECTIVE STRATEGIES TO RECRUIT, RETAIN AND DEVELOP HISPANIC PROFESSIONALS 69 (2007).

35. *Id.*

36. *Id.* at 70.

37. Billy Gallagher, *Engaging Female Engineers Is Key to Facebook's Recruitment Strategy*, TECHCRUNCH (Apr. 20, 2013), https://techcrunch.com/2013/04/20/encouraging-female-engineers-is-key-to-facebooks-recruitment-strategy/ [https://perma.cc/3QRQ-G9AJ]; *see also* DIVERSITYINC, *supra* note 32, at 1–2.

38. Gallagher, *supra* note 37.

39. DOBBIN & KALEV, *supra* note 2, at 68.

40. *Id.*

41. *Id.* at 69.

B. Put Managers In Charge

Too few of the firms we contacted send line managers on recruitment trips. But the firms we visited that used line managers to recruit new team members "reported strong improvements in diversity."[42] One reason is that a firm's managers, who know exactly what new recruits would be doing, are its best ambassadors—HR staff and outside recruiters may have only a hazy idea of what the engineering team does.

A second advantage of asking company managers to recruit is that they become built-in mentors for the people they recruit. At a food industry firm in Massachusetts, the HR director told us they achieved their "biggest successes" in recruiting diverse staff by sending managers to area colleges with large minority populations.[43] "It's usually an open session," she said, where students sit down to talk with three or four recruiting managers, one after another.[44] If a manager thinks a student would be a good fit, they invite her to visit headquarters. Thus, managers are on board with each hire from the get-go, and because of the bond established at the start, the firm retains college-visit recruits like no one else. In our interviews, supervisors-turned-recruiters reported looking after the recruits they had nabbed. This matters because having someone on your side is key to retention.

At a Bay Area technology industry giant we approached, recruitment is done by visiting colleges that enroll plenty of women engineering students, or Black and Latinx accounting students. After the first screening, prospects visit the facility, where they meet five or six team members.[45] That may sound like a lot of screening, but it also means a lot of live, pre-employment networking. An added advantage of using supervisors to recruit is that they come away with college contacts to call the next time they have an opening.

A third reason for sending managers on recruitment visits emerged from our interviews. Managers tell us that the experience opens their eyes to the pools of talent the firm has missed, by, for example, recruiting only at the state's flagship university.[46] They get to know people from different backgrounds, and those kinds of personal connections and experiences are the surest way to break down boundaries between groups and to stem bias.[47] Getting to know a young Latinx woman can open a white male

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42. *Id.* at 69.

43. RODRIGUEZ, *supra* note 34.

44. *Id.*

45. *Id.* at 70.

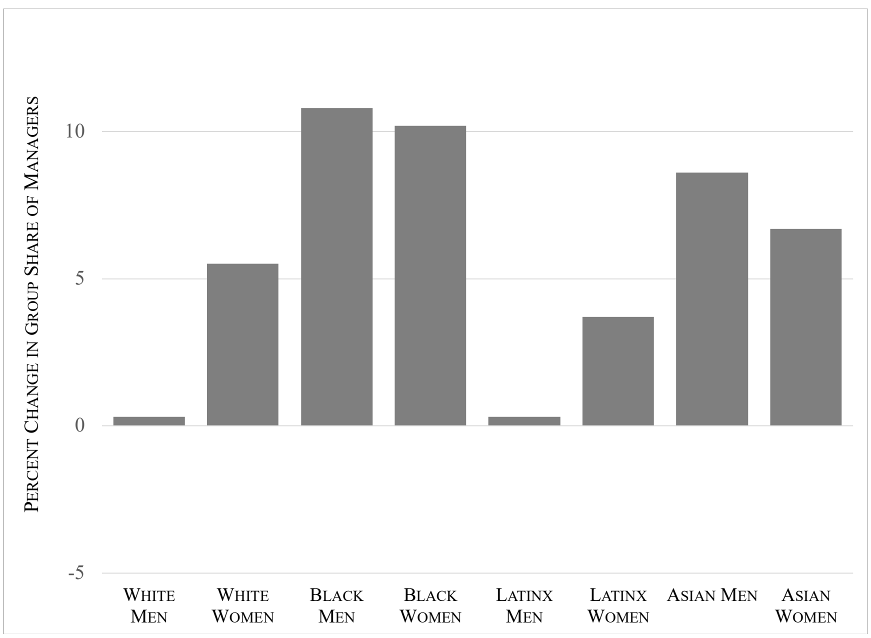
46. *Id. See generally* LAUREN A. RIVERA, PEDIGREE: HOW ELITE STUDENTS GET ELITE JOBS (2015).

47. *See generally* Thomas F. Pettigrew & Linda R. Tropp, *A Meta-Analytic Test of Intergroup Contact Theory*, 90 J. PERSONALITY & SOC. PSYCH. 751 (2006).

manager's eyes to the challenges her group faces in moving up the ladder at the firm, and can do that better than any diversity training session can.

Does targeted recruitment work? Our data show that targeted recruitment programs had significant positive effects on the diversity of managers. As demonstrated in Figure 2, the adoption of recruitment programs resulted in increases in the share of management jobs held by all underrepresented groups but Latinx men. White men saw a small decline, although the results were not statistically significant for them. Here again, we show bars for statistically significant effects ($p > .05$), and place markers for non-significant effects. Because in most firms there are small numbers of women and people of color, and a large number of white men, a large percentage change in the share of an underrepresented group often translates to a small percentage change in the share of white men that is not statistically significant, as is the case here.

Figure 2: Effect of Target Recruitment on Management Diversity



When it comes to women, after firms began targeted recruiting, the proportion of managers who were white women increased by 6 percent, from 30 to 32 percent. For Black women, their share in management rose from about 3.5 percent to 3.9 percent—an increase of more than 10 percent. Latinx women grew by about 4 percent from 3.4 to 3.5 percent and Asian American women grew by about 7 percent, from 2.7 to 2.8

percent.[48] The gains for women, moreover, are sustained over time, our analyses suggest. That may be in part because, as several studies have shown, firms that increase women in top management see subsequent increases in women in middle management.[49]

The effect on Latinx men was negative, but it was not statistically significant. That may be because as a group, Latinx men have been one of the least likely demographics to complete college.[50] So college recruitment programs may not be as good at finding Latinx men as they are at finding members of the other groups. College completion is rising for Latinx men, so targeted recruitment should become more effective for them.[51]

Note that our statistical analyses assess the effects of a targeted recruiting program in isolation. Other programs can boost these gains. Take employee resource groups for example, which bring together members of an identity group (women, Black workers, LGBTQ+ workers) for support, advocacy, outreach, and mentoring. Our analyses show that employee resource groups can double or triple the effects of targeted recruitment through outreach—when members join the recruitment visits, for instance. At Target, which has had a targeted recruitment program for years, and which has employee resource groups as well, ten percent of first and mid-level managers are Black, and half are women.[52] Target is above average on both scores for a retail firm—particularly impressive given that Target is headquartered in largely white Minneapolis.[53]

The overall pattern is crystal clear. Companies that put in new recruitment programs, often led by managers, saw large, sustained changes. The success of the program is rooted not only in priming the pipeline by recruiting among new groups, but also in engaging line managers who become committed to the new recruits they find.

For employers worried that white male managers will rebel against these programs and refuse to search for women and people of color on the grounds that these groups are being singled out for special treatment, our findings indicate that they need not worry. The data show that even if there are some adverse reactions, they are overwhelmed by positive effects. We

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48. DOBBIN & KALEV, *supra* note 2, at 72.

49. Fidan Ana Kurtulus & Donald Tomaskovic-Devey, *Do Female Top Managers Help Women to Advance? A Panel Study Using EEO-1 Records*, 639 ANNALS AM. ACAD. POL. & SOC. SCI. 173, 173 (2012).

50. NAT'L CTR. FOR EDUC. STAT., DIGEST OF EDUCATION STATISTICS (2021), https://nces.ed.gov/programs/digest/d21/tables/dt21_322.20.asp [https://perma.cc/YE89-HTUM].

51. *Id.*

52. TARGET CORPORATION, TARGET 2019 WORKFORCE DIVERSITY 2 (2020), https://corporate.target.com/_media/TargetCorp/csr/pdf/Target-Workforce-Diversity-Report_FY2019.pdf [https://perma.cc/P5NM-GQUD].

53. *Id.*

suggest that by engaging managers in recruitment, these programs overcome resistance.

III. OPEN MENTORING

Women and people of color are often told that they need to excel in order to attract mentors. Mentors flock to stars, the story goes. But when sociologist Margaret Chin studied Asian American professionals and managers, she found that this recipe rarely worked. As Alice, a Korean American college grad working at an investment bank, reported, "I discovered too late that techniques for school and college success—working hard, being smart, being the best at what you do, and not rocking the boat—were useless past junior-level positions." [54] Her boss had told her, "We know that you're doing a great job, but you should make an effort to speak up more and make an effort to make people get to know you." [55] Doing her job well was not enough to draw mentors—she was going to have to get on their radar.

"It's who you know, not what you know" may sound antiquated in a knowledge economy, but in most workplaces, networks are key to advancement. Networking is often tougher for women and people of color, who are either in departments dominated by people like themselves—in HR or logistics rather than engineering or finance—or in departments dominated by white men. Being the only representative of their group, in departments dominated by white men, women and people of color may feel isolated and sense they are being scrutinized for every move.[56] A 2018 study of three dozen big financial firms showed that seventy-five percent of Black workers above entry level were on teams with no one else from their racial group—true of forty percent of Latinx workers, thirty-one percent of Asian American workers, and four percent of white workers.[57] Being in the minority often means being shut out of informal networks, being excluded from plum projects that catapult people into management,

54. MARGARET M. CHIN, STUCK: WHY ASIAN AMERICANS DON'T REACH THE TOP OF THE CORPORATE LADDER 93 (2020).

55. *Id.*

56. *See generally* ROSABETH MOSS KANTER, MEN AND WOMEN OF THE CORPORATION (1977); Gail M. McGuire, *Gender, Race, Ethnicity, and Networks: The Factors Affecting the Status of Employees' Network Members*, 27 WORK & OCCUPATIONS 501 (2000); Herminia Ibarra, *Homophily and Differential Returns: Sex Differences in Network Structure and Access in an Advertising Firm*, 37 ADMIN. SCI. Q. 422 (1992); Debra E. Meyerson & Joyce K. Fletcher, *A Modest Manifesto for Shattering the Glass Ceiling*, HARV. BUS. REV., Jan.–Feb. 2000, at 126; Ronald S. Burt, *The Gender of Social Capital*, 10 RATIONALITY & SOC'Y 5 (1998).

57. Arelis Diaz, La June Montgomery Tabron, Carlos Rangel, Joel Wittenberg, Stefon Burns, Aria Florant, Stacey Haas, Max Magni & Paula Ramos, *Racial Equity in Financial Services*, MCKINSEY & CO. (Sept. 10, 2020), https://www.mckinsey.com/industries/financial-services/our-insights/racial-equity-in-financial-services [https://perma.cc/3JAN-BDUB].

and being treated as a token. Mentoring is a key career resource, and opening up mentoring to everyone can equalize access to that resource.

A. Create a Formal Mentoring Program

Firms can democratize mentoring and get middle managers engaged in mentoring women and people of color by taking three common-sense steps; establish formal mentoring programs, match mentors and protégés based on interests, and open up mentoring at all levels. A *formal program can solve problems endemic to informal mentoring. In workplaces with only informal mentoring,* junior white men often benefit from pre-existing ties and shared interests with senior white men. Women and people of color are often left out. In her study of investment bankers, Louise Roth recounts the experience of a freshly minted white MBA working in her bank's mergers and acquisitions department:

> Sunday night was basketball night where everybody in the department goes and plays basketball. I don't play basketball. (Laughter.) So there was a big social network there that revolved around men's sports and men's activities, and to be on the outside of that really impacted my ability to develop relationships with people.[58]

The informal socializing often led to mentoring relationships, she explained:

> [Where] some of the senior guys would take some of the junior guys under their wing. How did they do that? "Well, I'm moving on Saturday, come help me move my furniture." Well, nobody was ever going to call me and say, "Move my furniture." . . . [J]ust by definition of what the activities were, I was not a part of it.[59]

However difficult it is for white women to find mentors without a formal program for matching mentors and protégés, they have it easy compared with Black women. In a study of executives' careers, Ella Bell and Stella Nkomo found that Black women hardly ever talked, as white women did, of "mentors" or "father figures."[60] "They did not get the kind of psychosocial support [the term] mentoring suggests."[61]

In most firms, junior white men benefit from a certain level of comfort with their mostly white men mentors, comfort that runs deeper than shared interests. By contrast, researchers have found that many white

58. *See* LOUISE MARIE ROTH, SELLING WOMEN SHORT: GENDER AND MONEY ON WALL STREET 85 (2006).

59. *Id.*

60. ELLA L. J. EDMONDSON BELL & STELLA M. NKOMO, OUR SEPARATE WAYS: BLACK AND WHITE WOMEN AND THE STRUGGLE FOR PROFESSIONAL IDENTITY 168 (2001).

61. *Id.*

men are hesitant to mentor women and people of color. For example, David Thomas, president of Morehouse College, found that informal cross-gender and cross-race mentoring relationships are rare.[62] When men mentor women outside of formal programs, the relationship is often interpreted as sexual in nature, which can lead to resentment and gossip. Men may conclude that it's best to just avoid mentoring women.[63] The #MeToo movement may have strengthened this sentiment. In a national survey from 2019, sixty percent of male managers reported that they were uncomfortable engaging in common workplace activities with women, including mentoring.[64] The previous year, before the rise of #MeToo, twenty-eight percent of male managers reported the same.[65]

Thomas argued that there is an unwritten taboo against informal mentoring relationships between white men and Black employees, which he ties to the legacy of slavery and fraught workplace relations generally. A Black woman manager told Thomas, "My being seen with white men, I have a problem with it. . . . So when I'm away on training, I isolate myself after hours."[66] Cross-race connections that do arise outside of a formal program tend to be less personal and lower in commitment than same-race connections.[67]

In academia, when young scholars approach faculty to ask them about research opportunities—a common way of asking for mentoring—faculty are more likely to respond to white men than to women or people of color.[68] That is true across fields, regardless of the level of faculty diversity.[69] Thus, American women scientists often find better opportunities for collaboration with men scientists in other countries than with men in their own departments, in part because in other countries, they

62. *See generally* David A. Thomas, *Mentoring and Irrationality: The Role of Racial Taboos*, 28 HUM RES. MGMT. 279 (1989).

63. *See generally* Raymond A. Noe, *Women and Mentoring: A Review and Research Agenda*, 13 ACAD. MGMT. REV. 65 (1988); David Marshall Hunt & Carol Michael, *Mentorship: A Career Training and Development Tool*, 8 ACAD. MGMT. REV. 475 (1983).

64. *Working Relationships in the #MeToo Era: Key Findings*, LEANIN (2019), https://leanin.org/sexual-harassment-backlash-survey-results [https://perma.cc/9WZZ-BT6C].

65. *Id.*

66. Thomas, *supra* note 62, at 281.

67. *See generally id.*

68. *See generally* Katherine L. Milkman, Modupe Akinola & Dolly Chugh, *Temporal Distance and Discrimination: An Audit Study in Academia*, 23 PSYCH. SCI. 710 (2012) [hereinafter Milkman, Akinola & Chugh, *Temporal Distance*]; Katherine L. Milkman, Modupe Akinola & Dolly Chugh, *What Happens Before? A Field Experiment Exploring How Pay and Representation Differentially Shape Bias on the Pathway into Organizations*, 100 J. APPLIED PSYCH. 1678 (2015) [hereinafter Milkman, Akinola & Chugh, *What Happens Before*].

69. *See generally* Milkman, Akinola & Chugh, *Temporal Distance*, *supra* note 68; Milkman, Akinola & Chugh, *What Happens Before*, *supra* note 68.

are seen, first and foremost, as American and thus escape gender bias to some degree.[70]

At companies without formal mentoring programs, up-and-coming white men more often have mentors than up-and-coming women and people of color, and they develop closer connections.[71] But that's not because only white men want mentors. When Sun Microsystems created a program open to all, women and people of color signed up in droves.[72] White men more often declined, thinking they had all the mentoring they needed.[73] A formal program matching mentors and protégés may help to close the mentoring gap between groups.[74]

The first step in getting managers to mentor across group boundaries is to *create a formal program*. Some champions of mentoring argue that informal, "natural" matches are superior.[75] But for women and people of color, assigned mentors can be *more* helpful than "natural" mentors.[76] One study found that women matched with mentors by formal programs were fifty percent more likely to be promoted than women who found mentors on their own.[77] That may be because programs connect protégés to higher-ups outside of their normal circuits who can provide new opportunities.[78] Formal programs may also confer legitimacy on cross-group mentoring relationships that, as noted, may otherwise raise eyebrows.

70. *See generally* KATHRIN ZIPPEL, WOMEN IN GLOBAL SCIENCE: ADVANCING ACADEMIC CAREERS THROUGH INTERNATIONAL COLLABORATION (2017).

71. *See generally* Burt, *supra* note 56; Gail M. McGuire, *Gender, Race, and the Shadow Structure: A Study of Informal Networks and Inequality in a Work Organization*, 16 GENDER & SOC'Y 303 (2002).

72. *See generally* KATY DICKINSON, TANYA JANKOT & HELEN GRACON, TECHNICAL REPORT: SUN MENTORING: 1996–2009 (2009), http://www.mentoringstandard.com/wp-content/uploads/2020/06/2009-Sun-Mentoring-1996-2000-Dickinson.pdf [https://perma.cc/SG66-6XNF].

73. *See generally id.*

74. *See generally* Christina M. Underhill, *The Effectiveness of Mentoring Programs in Corporate Settings: A Meta-Analytical Review of the Literature*, 68 J. VOCATIONAL BEHAV. 292 (2006).

75. *See id.* at 303.

76. Herminia Ibarra, Nancy M. Carter & Christine Silva, *Why Men Still Get More Promotions Than Women*, HARV. BUS. REV., Sept. 2010, at 80, 85.

77. *Id. See generally* CENTER FOR FRONTLINE RETAIL & COMMUNITY DEVELOPMENT PROJECT AT THE URBAN JUSTICE CENTER, PATHWAYS TO SUCCESS: THE NEED FOR ACCESSIBLE, APPROPRIATE TRAININGS FOR RETAIL WORKERS (2017), https://www.workforceprofessionals.org/wp-content/uploads/2020/01/CFR-CDP-Pathways-To-Success-2017-11-02-compressed.pdf [https://perma.cc/46UR-8SKE].

78. *See generally* Tammy D. Allen, Lillian T. Eby & Elizabeth Lentz, *Mentorship Behaviors and Mentorship Quality Associated with Formal Mentoring Programs: Closing the Gap Between Research and Practice*, 91 J. APPLIED PSYCH. 567 (2006).

B. Make Matches Based on Interests, Not Demographics

The second step is to *make matches based on interests rather than on gender and race.* There are two problems with matching based on group identity. The first is a numbers problem. In most firms, the junior ranks are more diverse than the senior ranks, so it's hard to match all women and people of color with similar mentors. In 2020 in corporate America, there are five junior white managers for every senior white manager and thirteen junior Black managers for every senior Black manager.[79] There just aren't enough senior Black managers to go around. The second is a power problem. White men are more often in the higher ranks of management where they can do the most to help protégés. And although protégés report stronger social support from same-race mentors, people of color don't advance faster under same-race mentors.[80]

Matching based on interests guarantees that mentor and protégé have something in common. It is as simple as asking protégés what skills they'd like to develop and asking mentors what skills they could impart—whether coding, financial management, or teamwork.[81] A young female electrical engineer at Xerox, for example, was matched with a man whose career had followed the sort of trajectory she hoped for—someone who had started out as an entry-level engineer and become a vice president of marketing.[82]

C. Open the Program to All Employees

The third step firms can take to get middle managers involved in mentoring people from all groups is to *open the formal program to workers at all ranks.* Plenty of firms have mentoring programs for the top one percent, the "high potentials," in which senior executives nominate protégés. In those programs, protégés already have somebody on their side—the person who nominated them. These programs may serve a role, but they need to be combined with programs that offer everyone a mentor. After all, mentoring has the biggest payoff for people who are not on an executive's radar.[83] Sun Microsystems found that giving mentors to non-

79. U.S. EQUAL EMP. OPPORTUNITY COMM'N, JOB PATTERNS FOR MINORITIES AND WOMEN IN PRIVATE INDUSTRY (EEO-1), https://www.eeoc.gov/statistics/employment/jobpatterns/eeo1 [https://perma.cc/H2CW-LQ8K].

80. *See* David A. Thomas, *The Truth About Mentoring Minorities: Race Matters*, HARV. BUS. REV., Apr. 2001, at 98, 104–06.

81. *See* DICKINSON, JANKOT & GRACON, *supra* note 72, at 25.

82. Toddi Gutner, *Finding Anchors in the Storm: Mentors*, WALL ST. J. (Jan. 27, 2009), https://www.wsj.com/articles/SB123301451869117603 [https://perma.cc/D234-HSQS].

83. *See* Ellen Berrey, *Breaking Glass Ceilings, Ignoring Dirty Floors: The Culture and Class Bias of Diversity Management*, 58 AM. BEHAV. SCI. 347, 363 (2014).

star workers is the best investment—they see the biggest performance improvements.[84]

The Spirit of Mentoring program at Sodexo, the French food services and facilities management behemoth, which operates in eighty countries, has a mandate to "establish a diverse pipeline" from the bottom to the top, not merely to pick out a few promising women and people of color, who are already on the fast track, and try to accelerate them.[85] That program has helped Sodexo increase retention, which helps sustain a pipeline of managers from diverse backgrounds.[86]

Perhaps the biggest surprise from studies of mentoring programs is that they can do as much good for mentors as for protégés. For instance, a study of Sun Microsystems compared 1,613 participants in its mentoring program with nearly 6,500 other workers. More protégés (25%) *and more mentors* (28 %) had a salary grade change than people who didn't take part (5%).[87] Retention for protégés (72%) *and for mentors* (69%) was higher than for people who didn't take part (49%).[88] The numbers for mentors and protégés alike are impressive. Reduced turnover alone saved $6.7 million—not a bad return for a program that had cost $1.1 million.[89] Mentoring programs, then, are a secret weapon against costly turnover.

Companies have begun to build on the insight that mentors gain from the relationship by creating formal reverse mentoring programs, where junior employees are paired with senior executives to teach them new skills, new technologies, or advise them on business strategy.[90] At Proctor & Gamble, for example, reverse mentoring helped increase awareness of the challenges faced by workers with disabilities.[91] Employers have increasingly used reverse mentoring to teach senior leaders about the difficulties underrepresented groups face. For instance, at the law firm Linklaters "[t]he aim was to improve the senior leadership's understanding

84. WHARTON SCHOOL, WHARTON ON LEARNING LEADERSHIP: VOLUME 1, CREATING A LEARNING ENVIRONMENT 6 (2007) [https://perma.cc/463Y-D7EC] [hereinafter WHARTON ON LEARNING LEADERSHIP].

85. *See Case Study: Sodexo's Mentoring Program*, DIVERSITYINC (Aug. 4, 2012), http://www.diversityinc.com/mentoring/case-study-sodexo-mentoring-program/ [https://perma.cc/9BYZ-TH54].

86. *Id.*

87. CAPITAL ANALYTICS, CASE STUDY: SUN MICROSYSTEMS UNIVERSITY MENTORING PROGRAM 3 (2012), http://www.symbiontperformance.com/sitebuildercontent/sitebuilderfiles/sunmentoring-case-study-2012.pdf [https://perma.cc/Y8U6-KJHG].

88. *Id.*; WHARTON ON LEARNING LEADERSHIP, *supra* note 84, at 6.

89. CAPITAL ANALYTICS, *supra* note 87, at 3.

90. Jeanne C. Meister & Karie Willyerd, *Mentoring Millennials*, HARV. BUS. REV., May 2010, at 68, 70.

91. Joseph Jaynes, *Should You Adopt Reverse Mentoring at Your Workplace?*, AVILAR (July 10, 2019), https://blog.avilar.com/2019/07/10/should-you-adopt-reverse-mentoring-at-your-workplace/ [https://perma.cc/WA2D-6KE4].

of LGBT, ethnic minorities and social mobility."[92] These programs give junior staffers a chance to gain visibility while keeping leaders up to date. Many junior mentors report feeling that leaders value their opinions.[93] We have, however, heard from junior mentors that reverse mentoring can burden them with the job of teaching executives the basics of inclusive management. People of color are often doing more than their share of that work already.[94]

Formal mentoring programs require a commitment from both mentors and protégés. They also require coordination. But there is ample evidence that they benefit both members of the pairing—and, as our data show, they help to increase diversity within the ranks of managers. We examined the effects of mentoring programs that were open to all workers and featured measures to encourage women and people of color to enroll, such as targeted language in the program announcement, a special web portal for applications, and outreach through employee resource groups.

The adoption of formal mentoring programs resulted in an increase in the proportion of managers for most underrepresented groups: Black women, Latinx men and women, and Asian American men and women (Figure 3). These effects are large; the programs increased the share of each of these groups among managers by 6 to 18 percent. Effects for women of color are especially large, probably because they have the most trouble finding mentors when mentoring is informal. We do not see significant negative effects for white men, countering the increases in other groups, in part because small numerical changes for those groups can produce large percentage increases. Losses for white men, then, may be barely discernable. In a typical firm with 200 managers, where seven are black women, the addition of one Black woman translates to a 14 percent increase, while the loss of one white man translates to a 0.5 percent loss.

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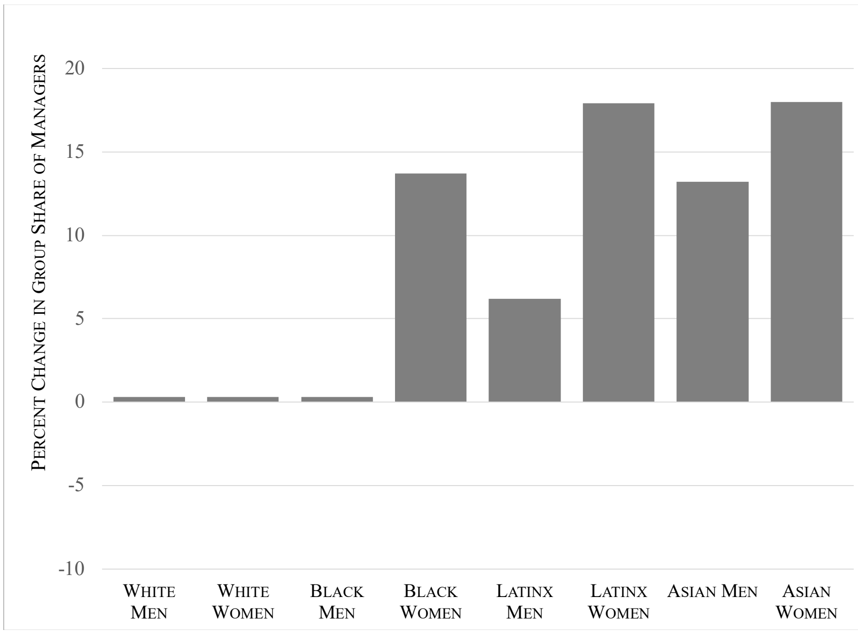
92. *See* Emma De Vita. *Reverse Mentoring: What Young Women Can Teach the Old Guard*, FIN. TIMES (Mar. 6, 2019), https://www.ft.com/content/53d12284-391f-11e9-b856-5404d3811663 [https://perma.cc/ABG4-6SH3].

93. *Id.*

94. ADIA HARVEY WINGFIELD, FLATLINING: RACE, WORK, AND HEALTH CARE IN THE NEW ECONOMY 37–38 (2019).

Figure 3: Effect of Formal Mentoring Program on Management Diversity



It is worth noting that in many industries, white women and Black men also see statistically significant positive effects of mentoring programs. In the analyses presented in Figure 2, we combine all industries, including industries in which there are usually few non-managers who have the college degrees typically required for management jobs. Take retail, for example. Few non-managers have college degrees, and for those workers, a mentoring program alone cannot help them move into management. Indeed, in retail, our analyses suggest that while mentoring may help entry-level managers to move up the ranks of management, it does not help frontline women workers and workers of color to move into management—we do not find positive effects for any group. But in industries with plenty of college-educated non-managers, such as electronics and chemicals, the positive effects of mentoring programs extend to white women and Black men.

IV. CREATE DIVERSITY TASK FORCES

How can employers make sure their employment systems will adapt to changing circumstances to sustain inclusion? How can they make sure programs such as targeted recruitment or mentoring will not become paper programs? The best bet is to build structures that ensure regular assessment and updating. Firms cannot outsource that task to consultants, or leave all of the work to diversity and inclusion units. Line managers have to be involved.

Task forces, or councils, were initially created in response to lawsuits or internal advocacy from Black and women workers. At a major electronics firm studied by David Thomas and John Gabarro, for example, young Black workers began to meet to discuss inequities as early as 1970.[95] Within a few years, the company had set up diversity advisory councils charged with expanding opportunities for Blacks.[96] By 1991, nearly one-third of America's biggest firms had such groups.[97]

If a company wants a permanent structure that gets managers involved, there is nothing like a diversity task force. These can help in several ways. Task force members spot problems by examining the company's HR data. They may discover that people from one group get stuck on the second rung of the ladder and that people from another leave after their second child is born. The task force then brainstorms for solutions. Members from different departments—most often managers—may well become champions in their own corners of the company for the solutions the task force develops and hold each other accountable for change. They can nudge supervisors to let people use flextime, for instance, or encourage fellow managers to join the recruitment visit to an HBCU.

Most firms organize a single task force to address inequalities of all sorts, but some set up several, with each one focused on a particular issue or group. In 1995, IBM CEO Lou Gerstner created task forces organized around eight identity groups: Asian, Black, Hispanic, LGBT, men, Native American, people with disabilities, and women. Gerstner gave each six months to recommend strategies for improving representation. Each group had a senior executive sponsor who reported directly to the CEO, at least two co-chairs from the constituency group, and fifteen to twenty executives from different business units.[98]

In our own interviews, as well as in case studies of task forces, members point to key features that make them successful.[99] They must, of course, be demographically diverse, but they need to be organizationally diverse too, including plenty of leaders from across the firm who can make

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95. DAVID A. THOMAS & JOHN J. GABARRO, BREAKING THROUGH: THE MAKING OF MINORITY EXECUTIVES IN CORPORATE AMERICA 178–81 (1999).

96. *Id.*

97. MARY J. WINTERLE, WORK FORCE DIVERSITY: CORPORATE CHALLENGES, CORPORATE RESPONSES 21 (1992).

98. DAVID A. THOMAS & AYESHA KANJI, IBM'S DIVERSITY STRATEGY: BRIDGING THE WORKPLACE AND THE MARKETPLACE 7–8 (2004) [hereinafter IBM'S DIVERSITY STRATEGY].

99. *See, e.g.*, Susan Sturm, *Second Generation Employment Discrimination: A Structural Approach*, 101 COLUM. L. REV. 458, 489–520 (2001).

sure the task force's recommendations are taken up. They have to be initiated by top management, not HR, to provide clout and get middle managers' buy-in. FedEx's Diversity & Inclusion Executive Steering Committees provide a good example of a mix of unit heads from all across the organization "from Human Resources to Engineering, Air Ops to Finance," spearheaded by top leadership.[100]

Task forces also need close connections to HR, particularly to gain access to relevant data. The task forces at IBM get just what they need: regular updates on current workforce composition, retention rates, and recent hires categorized by gender, race, ethnicity, and job title.[101] Close ties to HR can also help ensure that HR leaders are on board from the start with any proposed changes in career systems.

Beyond initiating changes and putting them into place, taskforces can provide members from different backgrounds with opportunities for visibility, which can lead to promotions in new departments. Task forces themselves, then, provide the same kind of networking opportunities that enable targeted recruitment and mentoring programs to boost management diversity.

A. Brainstorming for Solutions—An Example

What do task forces actually do? Brainstorming is a core activity of taskforces, which are asked to investigate barriers to diversity and find solutions. The diversity manager at a large Chicago electronics firm we visited put her task force's success down to "brainstorming."[102] Everybody knew what the main goal was: recruiting women and people of color to engineering jobs. The task force included insiders who had moved up the ranks and knew where the barriers were, as well as department chiefs who could make sure the firm implemented task force innovations.

Brainstorming starts with looking at data. The task force scrutinized recruitment and retention data. The company already had a terrific college recruitment program for women and people of color, but mid-career turnover among engineers was high, as it is in many firms. When they looked at the firm's record on replacing departed engineers, they saw the problem right away. The replacements were almost all white men. Task force members determined that targeting mid-career engineers through groups such as the Society of Hispanic Professional Engineers and the Society of Women Engineers was the solution, so they sent engineers to

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100. FEDEX, DIVERSITY & INCLUSION: ENTERPRISE OVERVIEW 2, https://fedexcares.com/sites/default/files/2020-07/FINAL%20-%20FedEx%20D%26I%20Enterprise%20Overview.pdf [https://perma.cc/QAZ7-HAFR].

101. *See* IBM'S DIVERSITY STRATEGY, *supra* note 98, at 10–11.

102. DOBBIN & KALEV, *supra* note 2, at 164.

local meetings and partnered with the groups to set up special events. That fixed the problem in short order—mid-career recruits were soon as diverse as rookie recruits.

B. Getting Managers to Lead

Diversity task forces also succeed by getting managers to take responsibility for diversity rather than leaving it to consultants or to the diversity team. Leadership begins with the CEO. The rise of women at the accounting and consulting giant Deloitte and Touche in the 1990s shows just how influential the CEO can be.[103] In 1991, Mike Cook, chairman and CEO of Deloitte, noticed a discrepancy in retention between men and women. It was hard to miss. For ten years, fully fifty percent of Deloitte's professional recruits were women. But for each cohort, retention rates for men and women diverged sharply after three or four years. Cook realized that "since 50% of the [company's] best hires were women, its disproportionately low promotion and retention policies were diluting the quality of the partnership."[104] Deloitte set up a task force on the retention and advancement of women to solve the problem. Cook made himself chair and invited group leaders from across the business.[105] Their investigation showed that women were not being mentored, did not get the plum assignments (most were doing low-profit-margin work), and faced work-life conflicts due to the 24-7 nature of consulting and accounting.[106]

The task force planned a women's initiative to solve these problems, but it did not impose a one-size solution for the whole firm, and it did not give the job to HR. The task force gave operational managers at each location the job of figuring out site-specific solutions. As the legal scholar Susan Sturm noted in her study of the firm, each location was asked to produce an annual plan specifying progress on key benchmarks, such as female staff at each level and partner promotions, with a self-assessment of achievements, goals for the next year, and an action plan for achieving those goals.[107]

Instead of devising a generic solution, Cook's task force pushed responsibility down to local offices. Every office had its own internal task force running the women's initiative, brainstorming for solutions to the problems of mentoring, assignments, and work-life flexibility, and implementing those solutions. The company found that decentralization of leadership and local accountability were key to the program's success. As

103. *See* Sturm, *supra* note 99, at 492–99.
104. *Id.* at 495.
105. *Id.* at 493.
106. *Id.* 493–94.
107. *Id.* 495–96.

Ellen Gabriel, a top audit partner in the Boston office and head of her office's task force, reported, "[W]e didn't know how Dallas was different from Denver was different from Des Moines. Instead we said, 'Here is the goal. Here are a bunch of ways to get there. How you get there is up to you. Any help you want, we'll give you.'"[108]

Local offices were encouraged to learn from and compete with one another, and their progress was publicized across the firm. The women's initiative was followed by a sharp change in women's prospects at Deloitte. The firm had eighty-eight women partners in the US in 1993 and 246 in 1999. By 1998, the turnover rate had declined significantly for both men and women; Cook credited Deloitte's thirty percent increase in size and increased competitiveness in the industry to this decrease in turnover.[109]

As at Deloitte, at the large Chicago electronics firm we mentioned above, the task force succeeded thanks to large numbers of members who led business units. It helps that senior employees have the authority to make operational changes. But it is not just that. As one member of the global task force told us, these leaders bring the general insights and decisions of the task force back to the many sites where the daily work of the business is done. The firm has over one hundred locations worldwide, and that meant, for instance, getting engineers from a wide range of countries to build special recruitment programs for women engineers.

Task force members in consumer-facing industries told us that they could get buy-in from heads of business units by emphasizing the importance of mirroring the client base. The CEO of a national insurance company we visited charged nineteen senior managers from all of the major branches with integrating diversity "in everything [they] do," with the goal of "growing [their] brand" and market share.

C. Tracking Success

The key to success, says an HR manager who sits on the diversity task force at the Chicago electronics firm, is not just to have the right people on the council, but to track data so that the council can assess progress and adjust course. Their diversity metrics, the manager explained, "measure how [they] are improving diversity." The metrics include an analysis of workforce diversity by rank to assess the corporate goal of improving overall workforce diversity by ten percent every quarter.

As at Deloitte, the electronics firm's global task force decided to push metrics down to task forces at individual facilities. Each facility

108. ROSABETH MOSS KANTER & JANE ROESSNER, DELOITTE & TOUCHE (B): CHANGING THE WORKPLACE 5 (2003).

109. Sturm, *supra* note 99, at 498.

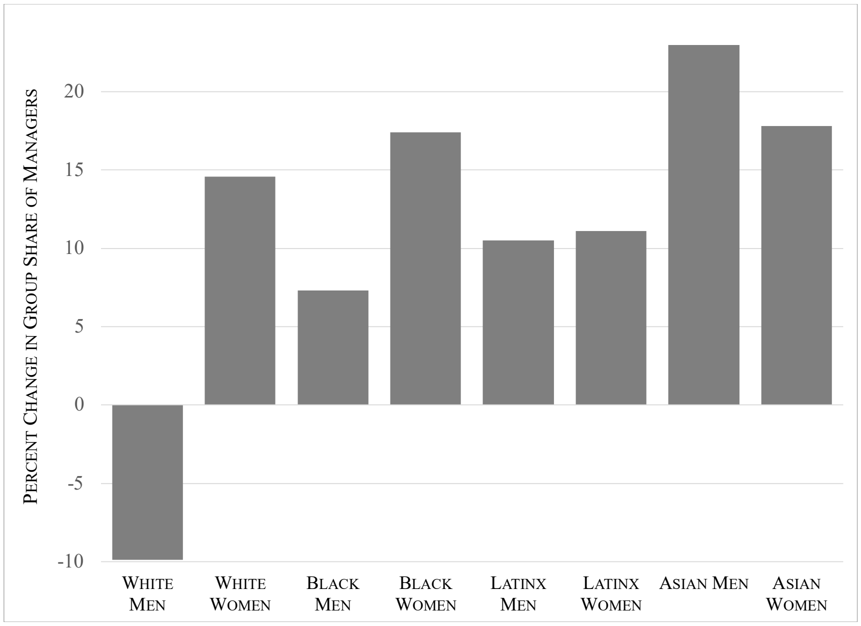
follows two metrics. One is to improve gender representation, and the other, in this global company, is chosen locally. Thus, in Asia and Europe, "international experience or country of origin" may be the second metric. The task force for each facility gets regular reports on measures such as the diversity of job candidate slates and of actual hires by rank. The overarching global task force holds monthly conference calls and quarterly meetings to assess progress and develop new strategies.

One of the global task force's innovations was to set targets for gender diversity on candidate slates. The company aims to have at least one woman on thirty percent of slates, which is harder than it sounds, given that most of the professionals are engineers, and that the company is committed to internal promotion. In the first two years of that program, the number of women managers more than doubled, from four to eight percent, and several women were added to top management.

As at Deloitte, the global task force also got local managers on board by letting them choose their own strategies and ask for intermediate goals. "Initially the managers were very reluctant because it was new," said the HR manager we interviewed, "and they are like 'you know this isn't my job.'" But buy-in improved over time. HR helps them to think through implementation, saying in effect, "'I can see how this could help you' . . . or 'you know this is what this is for.'" The local managers get diversity targets and a toolkit of strategies to try. The approach has worked. The company has hit the ten percent goal every quarter.

Do taskforces help to promote management diversity and inclusion? Our data show that introducing a diversity task force has significant positive effects on the representation of all groups of women and all groups of minority men (Figure 4). Even after accounting for the effects of the programs those task forces put into place, a task force itself boosts management diversity. The effects are the largest and most consistent of all the programs we assessed, rivalled only by the effects of mentoring programs. While the share of management jobs held by white men declined by an average of almost ten percent after the creation of a task force, the share held by each of the other groups increased by seven to twenty-three percent. These effects are on top of the effects of any programs, such as referral incentive programs, that task forces design and implement.

Figure 4: Effect of Diversity Task Force on Management Diversity



What is perhaps most impressive about these results is that in the firms for which we have data, there are well-managed task forces as well as badly managed ones. Some do not track the data, do not engage managers, and do not actually try to come up with solutions. At some of the firms we visited, managers told us the task force was designed not so much to promote diversity as to celebrate it. An insurance industry HR director explained that her task force "take[s] a look at whether there are any celebrations that need to happen. I mean, 'look at February coming up with Black History Month!'" That is the extent of it, she grumbled. Our results average the effects of all these task forces; in the ones that get it right, the effects would be even greater.

CONCLUSION

The decentered regulation theory approach recognizes the limits of a top-down strategy to enforce public policy and gives corporations more room to manage change and achieve policy goals.[110] Two types of management procedures have been used: written guidelines and policies that leave a paper trail but do nothing to directly change managers' behavior, and active policies that engage managers in changing the

110. Doorey, *supra* note 16, at 52; *see also* Estlund, *supra* note 16, at 385–400. *See generally* Howe, *supra* note 16.

opportunity structure of the firm. "Paper policies" were adopted to create a semi-legal structure within the firm. They create an appearance of fairness, transparency, and universalism. But they do not lead to the change desired by policy makers. In fact, they have largely worsened inequalities at work by causing decision makers to let their guards down, allowing bias to penetrate decisions rather than clearing bias from decisions. "System change" policies, such as targeted recruitment, mentoring, and diversity taskforces, recruit managers to participate as leaders in opening career opportunities to all workers.

We come away from these analyses with two insights about decentered regulation. First, the idea that firms can change the behavior of their own managers simply by putting internal regulations on paper, in this case in the form of published commitments to equity and inclusion, and guidelines for hiring, promotion, and firing, is naïve. "Paper" or "symbolic" policies do not change manager behavior in the intended direction. In practice, they sometimes backfire, likely, as psychologists have shown, by causing managers to think that those policies have solved the problem, causing them to stop scrutinizing their own behavior, in this case for signs of bias, or by dismissing complaints.

Yet policies that engage managers as change agents have shown a different pattern. Turning line managers into active recruiters for women and people of color, mentors for people from those groups, and task force members charged with leading change, has proven remarkably effective. Firms that have relied on outside consultants or consigned all diversity and inclusion matters to a separate department must take steps to engage all managers in promoting diversity. Corporate leaders need to be part of the process, but every manager can play a role in thinking through where systems shut off access to the best jobs. To bring middle managers on board, there is nothing like asking them to help lead the change.

The second insight we come away with is that firms can build social accountability for change by getting all managers to think of equity and inclusion as part of their job. Getting a white male manager to recruit at an HBCU, mentor a person from a different group, or serve on a taskforce can encourage him to see the problem as his to solve, and to hold others accountable. Thus, our research suggests that one key thing members of diversity task forces do is to ask other managers why they did not hire or promote a particular person.

Research shows that those conversations are consequential. For sociologists, the "looking-glass self" is the self that is aware of social norms, looking in the mirror to see how their actions come off to others.[111]

111. CHARLES HORTON COOLEY, HUMAN NATURE AND THE SOCIAL ORDER 183–85 (1902).

People worried about what others will think experience "evaluation apprehension."[112] Phillip Tetlock explored the effects of this kind of apprehension, asking undergraduates about their attitudes toward affirmative action, and telling only some that they would be questioned afterward.[113] Only those who thought someone would question them took time to prepare justifications for their answers. Studies suggest that simply knowing that you may be asked why you made a certain decision will cause you to consider whether your decisions would appear to be biased to others.[114] A middle manager knowing that she might be asked by a task force member why she promoted Scott over Maria is going to think twice. Thus, engaging managers as change agents shapes their own behavior, but it also shapes the behavior of others.

The United States has had a long history of decentered regulation. Compared to most European countries, regulations have been decentered in many domains, with policies that largely leave it to firms to sort out how to comply. Regulation of workplaces is a prime example. In the area of equal employment opportunity, this has allowed employers to embrace "paper" policies that have little chance of achieving the regulatory goal of equity by race, ethnicity, and gender because those policies do not shape the behavior of middle managers, who make key personnel decisions, for the better. Yet policies that push responsibility for change down to those managers, engaging them as change agents, have shown promising results. Decentered regulation should not just push responsibility down to the firm, it should push responsibility down to individuals within the firm.

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112. *See generally* Nickolas B. Cottrell, *Social Facilitation*, *in* EXPERIMENTAL SOCIAL PSYCHOLOGY 185 (Charles Graham McClintock ed., 1972).

113. *See generally* Philip E. Tetlock, *Accountability and Complexity of Thought*, 45 J. PERSONALITY & SOC. PSYCH. 74 (1983).

114. *See generally* Arie W. Kruglanski & Talli Freund, *The Freezing and Unfreezing of Lay-Inferences: Effects on Impressional Primacy, Ethnic Stereotyping, and Numerical Anchoring*, 19 J. EXPERIMENTAL SOC. PSYCHOLOGY 448 (1983); Randall A. Gordon, Richard M. Rozelle & James C. Baxter, *The Effect of Applicant Age, Job Level, and Accountability on the Evaluation of Job Applicants*, 41 ORGANIZATIONAL BEHAVIOR & HUMAN DECISION PROCESSES 20 (1988).