

Book Review

Joan C. Williams and Rachel Dempsey, *What Works for Women at Work: Four Patterns Working Women Need to Know*, New York: New York University Press, 2014, pp. 365, \$24.95.

Reviewed by Naomi Cahn and June Carbone

The Equal Pay Act and Title VII are 50 years old. Over those years, women have made enormous strides in gaining access to higher education and the workplace. The overall wage gap between men and women has narrowed substantially.¹ The sexual revolution and access to the pill and abortion give women the means to control their own reproduction.² Women are more likely than men to graduate from college, and equal numbers of men and women are in graduate school, including law schools.³

Yet—the gender gap has remained steady for the past decade, and it widens with age and the number of children.⁴ In reviewing the causes of gender-based differences in compensation, an American Association of University Women report commented that “[t]he U.S. economy is characterized by ‘masculine’ values of competition and individual achievement.”⁵ Perhaps more strikingly, these differences have grown at the top of the economy even as they have narrowed at the bottom. In 1990, the wage gap did not vary greatly by education and to the extent it did, highly educated women earned a higher percentage of male income than less educated women. By 2008, the relationship between education and the wage gap changed direction, with the least educated women

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1. AM. ASS'N OF UNIV. WOMEN, THE SIMPLE TRUTH ABOUT THE GENDER PAY GAP 1, 3 (2014) [hereinafter AAUW], available at http://www.aauw.org/files/2015/02/The-Simple-Truth_Spring-2015.pdf.
2. Claudia Goldin & Lawrence F. Katz, *The Power of the Pill: Oral Contraceptives and Women's Career and Marriage Decisions*, 110 J. POL. ECON. 730, 731 (2002).
3. See, e.g., HANNA ROSIN, THE END OF MEN (2013).
4. See AAUW, *supra* note 1; *Catalyst Quick Take: Women's Earnings and Income*, CATALYST (Apr. 8, 2015), <http://www.catalyst.org/knowledge/womens-earnings-and-income>.
5. JUDY GOLDBERG DEY & CATHERINE HILL, BEHIND THE PAY GAP 2, 7 (2007), available at <http://www.aauw.org/files/2013/02/Behind-the-Pay-Gap.pdf>.

earning a much higher percentage of male income than the most educated.⁶ The gender gap in wages has grown most notably at the 90th percentile and above, where the gap between men and women cannot be explained by controlling for education, job experience, or the type of employment. Indeed, looking just at white college graduates with fifteen years of experience, the gap at the 90th percentile becomes even more extreme, with women “losing substantial ground.”⁷

What can women do about those masculine values—and the persistence of relatively subtle gender bias—in the workplace? Joan Williams and Rachel Dempsey have some answers—and the law has relatively little to do with it (267-69).⁸ In *What Works for Women at Work*, they identify four behavioral patterns in the workplace that undercut women’s success, using humorous anecdotes and examples to describe each. They explain that women are subject to different sets of rules and higher standards than men, and that these different expectations constitute pervasive gender bias. Undoubtedly, they would have found Microsoft CEO Satya Nadella’s October 2014 claim that it is not “good karma” for women to ask for a raise⁹ as typical of the types of behaviors that stop more women from rising to the top. Nadella assumed that the women who merit raises would receive them in the end; Williams and Dempsey show that the double-edged swords women face in getting deserved raises keep them from asking—and that their failure to do so contributes to the growing gender disparities that the most successful women face.¹⁰

But, they argue, these discriminatory patterns can be managed. Accordingly, they suggest action plans that are designed to provide pragmatic strategies for women to get ahead. In the last five chapters of the book, they explore additional issues, including the particular dilemmas of black women, beginning with Michelle Obama; provide advice on when to leave an unsupportive workplace; provide “The Science of Savvy in 20 Lessons”; and then offer a final few pages on the need for larger societal change.

6. *Median Annual Income, by Level of Education, 1990-2009*, INFOPLEASE, <http://www.infoplease.com/ipa/Ao883617.html#ixzz1JFxpOxL9> (last visited Mar. 12, 2013).
7. Francine D. Blau & Lawrence M. Kahn, *The U.S. Gender Pay Gap in the 1990s: Slowing Convergence*, 60(1) INDUS. & LAB. REL. REV. 45, 62 (2006).
8. The authors point out the importance of working through issues within the workplace before seeking legal solutions.
9. See Mike Snider & Elizabeth Weise, *Clamor Continues Over Microsoft CEO's Women's Pay Comments*, USA TODAY (Oct. 10, 2014, 1:05 PM), <http://www.usatoday.com/story/tech/2014/10/10/microsoft-ceo-nadella-comments-social-media/17031569/>; Claire Cain Miller, *Why Microsoft's Nadella is Wrong About Women and Raises*, N.Y. TIMES (Oct. 10, 2014), http://www.nytimes.com/2014/10/11/upshot/why-microsofts-nadella-is-wrong-about-women-and-raises.html?_r=0&abt=0002&abg=0.
10. See, e.g., LINDA BABCOCK AND SARA LASCHEVER, ASK FOR IT: HOW WOMEN CAN USE THE POWER OF NEGOTIATION TO GET WHAT THEY REALLY WANT 4 (2008) (men are four times more likely than women to ask for a raise).

The research underlying the book draws on a mountain of studies that document the different workplace patterns men and women face. To supplement the academic studies, Williams interviewed one hundred twenty-seven very successful and racially diverse women, and met more intensively with twenty women, whom she labels “The New Girls Network.” (xxii-xxiii). The advice is concrete and useful in challenging gender bias against women in the workplace. And the book is fun to read: Many women will recognize their own experiences explicitly described and will see the utility of the strategies in their own lives. Moreover, by identifying some of the most egregious means by which women are held back in the workplace, the book is also useful for employers seeking to equalize the playing field.

There is much to be said in favor of the methods advocated by Williams and Dempsey, and this review articulates those arguments in the first section. Yet, as explored in the second section of the review, the book’s solutions are, by their own terms, limited. Indeed, Williams has noted in past writing that not only do male norms in the workplace need to be challenged on their own terms,¹¹ but also women’s lives and opportunities differ substantially based on class.¹² The authors forthrightly acknowledge that the strategies advocated in the book are more suited to women in a comparatively high socioeconomic class. More fundamentally, they are strategies that do not undermine the current inequality in our economic system and the privilege of professional women who, for all the difficulties this book documents, still enjoy greater opportunities, higher incomes and often more flexible workplaces than their pink-collar sisters.

The Book

At the beginning, the book identifies and labels four behavioral patterns that undermine the success of working women and that serve as the framework for the rest of the book: “Prove it Again,” “The Tightrope,” “The Maternal Wall,” and “The Tug of War.” Devoting several chapters to each pattern, the authors interweave stories from their interviews and academic research to show the existence of the patterns and strategies for dealing with them.

“Prove it Again” notes the problem that, to be perceived as equally competent as men, women have to prove they are more competent first. Men are judged by their potential, with their mistakes written off as needed experience. Women are judged by their accomplishments, with mistakes attributed to their limitations. “Tug of War” describes rivalry between women. Women don’t always support one another in the workplace, and may distance themselves

11. Joan C. Williams, *RESHAPING THE WORK-FAMILY DEBATE: WHY MEN AND CLASS MATTER* 6 (2010) [hereinafter *RESHAPING*]; Joan C. Williams, *Correct Diagnosis; Wrong Cure: A Response to Professor Suk*, 110 COLUM. L. REV. SIDEBAR 24, 25 (2010).
12. E.g., Joan C. Williams & Heather Boushey, *The Three Faces of Work-Family Conflict the Poor, the Professionals, and the Missing Middle* (Jan. 25, 2010), <http://www.americanprogress.org/issues/labor/report/2010/01/25/7194/the-three-faces-of-work-family-conflict/>.

from other women. As an example, they use Marisa Mayer's statement, "I'm not a girl at Google, I'm a geek at Google." (187-88).

"The Tightrope" refers to a dilemma the authors succinctly summarize as "Either a Bitch or a Doormat" (64-65): that is, it is a problem to act too feminine or too masculine. If they are too feminine, then women are dismissed as not strong enough for leadership (the "doormat"); if they are too masculine, then they are labeled too aggressive (the "bitch"). They note that women's speech patterns are typically more deferential than men's, and traditionally feminine postures are not seen as signaling power. The double bind is that women who act too masculine are also penalized; they are seen as too intimidating, off-putting or unpleasant.

"The Maternal Wall," a term that Williams coined in earlier work, describes the forces that push mothers to remain home rather than in the workplace and the biases that mothers experience in the workforce. The book explores some of the barriers to working mothers, including the lack of paid family leave and assumptions, based on familial responsibilities, of a woman's lack of competence. In fact, one sidebar addresses the pioneering work that Williams has done in bringing family attention and a public policy response to family responsibilities discrimination (141); she has masterminded an effort to extend legal protection to mothers and fathers who experience adverse work experiences because of those responsibilities. The book also shows that the maternal wall affects women without a spouse, women without children, and men who adopt "too feminine" roles.

Not all women experience each of these biases, of course, but even Tug of War, the least frequent, was identified by more than half of their sample. Women of color were even more likely to report each pattern than were white women (xxiv).

These patterns are so pervasive that women have internalized them. The decision to leave the workplace for children is, indeed, a "personal" one (280), but it is one that twice as many female executives make as their male counterparts (279). Williams and Dempsey emphasize that many of the women who initially report choosing to "opt out" of the workforce to care for their children in fact left only after a series of experiences convinced them that the only choices were to be a working "nobody" or a stay-at-home "nobody" (130).

But the authors have a plan to overcome these patterns, complete with detailed strategies designed to counter these four nefarious forms of office politics. The authors' action plans offer concrete actions, with stories of how New Girls have made these changes in their own lives. So, the Maternal Wall Action Plan has eight different strategies to handle the pressure to be omnipresent as a mother for children and as an employee in the workplace. Those strategies range from making clear what you can—and can't—do at work to giving yourself credit for what you are able to do (154-59). Their advice is evidence-based; they note, for example, that taking more flexible work arrangements did not necessarily lead to lower salaries, but cutting back

on “face time” did (142). While *The Tightrope Action Plan* also has eight principles, the authors explain that the core of their advice is “balance,” as exemplified by strategies such as “Stand Your Ground, with Softeners” (94).

They conclude that professional women have a lot to learn and many strategies to master if they are to succeed in challenging work environments. The focus on professional women makes lots of sense. Indeed, as the gender wage gap has decreased more generally, it has increased for this group of women, and the glass ceiling is real. In 2011, sixteen white women, two women of color, and four hundred eighty-two men were the CEOs of Fortune 500 firms (4). This is the arena where women have lost the most ground.

As the authors acknowledge, structural barriers as well as entrenched cultural attitudes help explain these disparities. And they are careful not to blame women themselves for not succeeding, instead noting the pervasiveness of gender bias. They urge women to take control of the situation the best they can, to be politically savvy than the men around them. Consequently, their solutions are focused on what the individual can do for herself. They offer advice to women who want to lean in¹³ but need more guidance on how to do so.

Because the book is targeted to give precisely such advice to professional women, it’s hard to fault the book for not doing more than its own self-set goals. But even professional women might find it difficult to follow some of the recommended strategies. For example, they note that “traditional gender roles are hard to shake.” (166). The solution—marry the right person and start talking about who will take parental leave early. (166-67). Well, that worked for Sheryl Sandberg, but many women will find it more difficult to begin those conversations; most of us cannot compete with Sheryl Sandberg in aggressiveness and many women are paired with men who either can’t or won’t listen. Moreover, even if the women do find men willing to take paternity leave, the women will have to deal with the fact the men are even more likely than women to be penalized for doing so. (148-51). Williams and Dempsey recommend checking out future employers to find out if both men and women take leave, but it works only for the lucky few able to tease out such information and then choose among competing offers. We suspect that if family-friendly workplaces were common enough to encourage such sleuthing, Williams and Dempsey’s book would be unnecessary.

The women who are able to follow these strategies will succeed in performing “gender judo”¹⁴ on the barriers they face as women. But might this then create an even more unequal world?¹⁵ Succeeding in the current economic

13. SHERYL SANDBERG, *LEAN IN: WOMEN, WORK, AND THE WILL TO LEAD* (2013).

14. Joan C. Williams, *Women, Work, and the Art of Gender Judo*, WASH. POST (Jan. 24, 2014), http://www.washingtonpost.com/opinions/women-work-and-the-art-of-gender-judo/2014/01/24/29e209b2-82b2-11e3-8099-9181471f7aaf_story.html.

15. See ALISON WOLF, *THE XX FACTOR: HOW THE RISE OF WORKING WOMEN HAS CREATED A FAR LESS EQUAL WORLD* (2013).

system does nothing to change that system, which is structured around what Williams has labeled “the ideal worker” and what has increasingly become a “winner takes all” tournament where the rewards for the top few on Wall Street or in the executive ranks dramatically outpace those of the professionals down the hallway. Only the ideal worker who can work unlimited hours and display unconditional devotion to the office can remain in the race for the top prizes. It might instead help all men, women, and their children to restructure the workplace for professionals. Indeed, gender differences tend to be less in those professions built around something other than an ideal-worker model.¹⁶ Yet, the disproportionate rewards of the past quarter-century have gone to the financial sector and the executive ranks most likely to prize stereotypical masculine values.¹⁷

The stakes for this restructuring could not be higher. As those at the top invest even more in their children, the payoffs are not only in terms of test scores or college completion rates but also athletic participation, participation in religious and/or civic organizations, community involvement—and marriage rates.

These are issues that Williams has explored beautifully and comprehensively in past work,¹⁸ and Williams and Dempsey do briefly mention them in *What Works* (e.g., 10). The authors are certainly conscious that they are providing tools that will not dismantle the structure. Indeed, toward the end of the book, they note that a friend suggested an alternative title: “Dealing with the Crap While Waiting for Change” (300). Yet there is, perhaps, a bit too much of how to “deal with the crap” while more could have been said about how to bring about change. On the other hand, that would have been a different project that might not have provided as much concrete advice to help women overcome gender barriers in the workplace.

So, will reading the book help you get ahead at work if you are a professional woman? Yes, it probably will. And that’s the point. But the book has the potential to have an even broader impact as individual women challenge the gender bias they experience on the job—or it might not, as individual women focus on what will help them get ahead. Gender bias is deeply entrenched in American society.

16. *E.g.*, Claudia Goldin, *A Grand Gender Convergence: Its Last Chapter*, 104(4) AM. ECON. REV. 1091 (2014); HANNA ROSIN, THE END OF MEN AND THE RISE OF WOMEN 113 (2013) (“Pharm Girls”).

17. *See, e.g.*, Marianne Bertrand, Claudia Goldin and Lawrence F. Katz, *Dynamics of the Gender Gap for Young Professionals in the Financial and Corporate Sectors* 2 AM. ECON. J. 228 (2010).

18. RESHAPING, *supra* note 11 ; JOAN C. WILLIAMS, UNBENDING GENDER: WHY FAMILY AND WORK CONFLICT AND WHAT TO DO ABOUT IT (2000); Williams and Boushey, *supra* note 12; Joan C. Williams, *One Sick Child Away from Being Fired: When Opting Out is not an Option*, UC HASTINGS COLLEGE OF LAW WORK LIFE LAW 3 (2006), <http://www.worklifelaw.org/pubs/onesickchild.pdf>.