



Gender Discrimination in the American Workplace

Mianning Yang^(✉)

School of Social Ecology, University of California, Irvine 92697, USA
mianniny@uci.edu

Abstract. Discrimination toward females in the male-dominated industry still exists, and the same problem also occurs in the female-dominated industry. In the computer industry or high-tech companies, females are discriminated against only because many people still think males are smarter. Similarly, male nurses are discriminated against because of the secular belief that males should do higher paid or manual work. Although females in male-dominated industries, or when they are promoted to leadership, will to promote in a higher position, male nurses have more promotion opportunities than female nurses. For maternity leave, the federal unpaid maternity leave policy is not friendly to pregnant females, but many highly competitive technology companies provide paid maternity leave and extend maternity leave for females. However, this positive policy does not appear in other female-dominated industries, such as the education industry.

Keywords: Gender discrimination · Stereotyping · Maternity leave

1 Introduction

With the advancement of social economy and culture in recent years, more and more females have shone on the professional stage, and the power of working females has progressively been recognized. However, a variety of issues still exist in the advancement of female careers, which are influenced by a variety of circumstances. Gender discrimination in the workplace has recently become a hot topic due to the broadcasting of a number of film and television works on the subject. Although the concept of gender equality has become a mainstream trend, many companies still do not implement gender equality policies. It can be seen from the issue of unpaid maternity leave that even the government is potentially discriminating against females. We can also think about the phenomenon, that is, the gender discrimination received by males in the workplace. Many male occupations are still nailed to the stigma, such as obstetricians and gynecologists or male nurses, who are often banned from treatment by patients or their families, despite their excellent medical skills.

In the following article, I will introduce the discrimination suffered by male and females in the workplace dominated by each other and their promotion problems, the maternity leave policy, and some special situations in which the company is superior to the policy.

2 Discrimination Against Oppose Gender-Dominated Industries

It is well known that some industries are led by males, such as it industry or engineer industry. On the contrary, the staff in the education industry or nursing industry are mainly composed of females. Therefore, males or females working in opposite gender-dominated fields may have the implicit requirements that they need to integrate into a new collective and a different working environment.

2.1 Discrimination Against Females in IT Industry and Reasons Under It

Females do not usually leave their workplace in the technology industry for family reasons. It's not because they don't like such work - on the contrary, they enjoy it and often switch to other areas where they can continue to use their technical skills. Working conditions, a lack of prospects for promotion to key creative positions, and the perception that your professional growth is being stifled, as well as your boss's disruptive behaviors, are the top reasons why females quit.

Hostility in industry culture is such an open secret that tweets or articles complaining about sexism often begin by acknowledging that it is an old topic [1].

It's counterintuitive that the technology industry is so hostile to females. Silicon Valley is populated by people who believe in progressivism and have received ultra-high education. They often talk about how to make the world a better place, which is also a young field. There is almost no history of graduate schools for "bread earning males" such as the legal or medical circles, which have long rejected females. However, the study found that in a culture that promotes meritocracy, managers actually "prefer males when the performance of male and female employees is the same" [2]. In a series of three experiments, the researchers provided participants with personal profiles of male and female employees with similar performance and asked them to evaluate and pay bonuses. The researchers found that telling participants that the company valued performance-based evaluation only increased their likelihood of giving males more bonuses.

This bias will be particularly common in Silicon Valley because of another basic tenet there, which refers to technological success that depends almost entirely on innate talent. No one would think of lawyers, accountants, or even brain surgeons like this; Although some people are more capable than others, it is recognized that law school is where you study law. Under this circumstance, preparing for and passing a CPA is the way to become a certified public accountant. Also, surgeons are trained, not born. In contrast, computer science and some fields including physics, mathematics, and philosophy advocate "talent" and cultivate the concept that "potential comes from nature." The report concludes that the unfriendliness to females in these fields stems from a stubborn assumption that genius is a male trait.

It is encouraging that more and more technology companies have realized the problem of discrimination against females and designed solutions. Recently, a new solution has emerged. Since the process of changing people's implicit prejudice is chaotic and complicated, if you can't simply eliminate people's prejudice, you can also design a set of institutional changes so that prejudice can't be implemented. For example, recruiters implement the essence of anti-prejudice training into the process of recruitment and promotion. One suggestive way to prevent bias in recruitment is for recruiters to write down

a set of defined skill requirements in advance, ask each applicant the same question, and then compare the answer with the gauge, rather than simply summarize it afterward, to eliminate the impact of subjective assumptions [3].

2.2 Male Nurse Suffers Prejudice

The nursing industry has become an industry dominated by females. With more and more breakthroughs, some males break gender barriers and choose females-dominated careers such as teachers, which brings diversity to a single workplace.

Since males have incomparable advantages in females dominated industries, such as physical strength, male nurses are still not recognized by everyone, and they have to bear a lot of prejudice. Nursing workers are almost all females. These industries are virtually labeled as “female occupations”. In the traditional concept, a male should stand tall and earn money to support their family. When males engage in these occupations, they will inevitably be labeled as “worthless” or even “sissy.” When stigma exists in the role of male nursing workers, it is difficult to have a sense of identity with their profession. Sometimes patients or their families don’t want a male nurse - just because he’s a male. Many patients make assumptions about their sexual behavior or believe they only want to “see females naked,” according to male nurses questioned by Minority Nurse [4]. Some patients even ask for a change of nurses just for the reason that they refuse male nurses. Some look at their gender and assume they are a doctor. Or suppose they fail to become a doctor.

Carl A. Brown, the director of patient care services at BrightStar care in Sun City, California, indicated he had experienced stereotypes as a male nurse [4]. Some of his patients told him they didn’t want him to be their nurse and is called gay [4]. Sometimes patients’ families told him that they didn’t want him to take care of their loved ones, and sometimes religious factors were involved [4].

However, Carl believed that being a nurse - especially a male nurse - needs a strong appearance to make these comments rebound. At the same time, they also need to have a soft spot in their heart for patients who hold prejudice and take action to prove that their prejudice is wrong [4].

3 Promotion Variances in Oppose Gender Dominated Industries

Take an example of a female from a male-dominated industry. Nathalie is a multinational consumer goods company’s manager in the marketing department, which employs mostly males. At the same time, she is also a competitor for the chairman of the board. Her boss suggested that she improve her popularity locally. He told her that a good company network was not enough for her to get the new role; She must also actively participate in activities and associations in her region. Recently, she paired with a senior mentor through a companywide project, but just after she completed the lengthy preliminary work assigned to her, she received an invitation to participate in an executive training program specifically for high potential, requiring her to fill in more self-assessment and career planning documents. Nathalie said she had worked for 12 years and still didn’t get the position she deserved [5].

The study found that most females will never become top management because females are less likely to be promoted to middle management positions. Hence, there are fewer females among potential candidates. This difference is particularly evident for females of color, who face the most severe barriers to advancement, and their number has fallen even more sharply in senior positions. Individual differences also reveal that females explain success to external circumstances, even though success will continue to have concerns about themselves, whereas males explain success to their talents and talents. Male analysis failure is blamed to a lack of research, while female analysis failure is attributed to themselves.

Although the recognition of gender diversity in public enterprises has never been so strong, this commitment has not penetrated higher-level promotion, and to make real change, employers need to make gender diversity a top priority for businesses [6].

Male nurses will indeed receive some external discrimination, which is contrary to the promotion difficulties that females suffer in male-dominated industries. It is out of expectation that male nurses can be easily promoted [7].

More than half of nurses and midwives believe that males are more favored for promotion than females, according to a report investigating gender-related nursing barriers worldwide. The report found that 52% of nurses and midwives said that the preferential treatment of male promotion was a major obstacle for females to obtain leadership positions [8].

At the same time, male nurses earn more than their female counterparts. Male registered nurses earn an average of \$5000 more per year than female registered nurses. The possible reasons are those male nurses are more likely to work overtime than female nurses [8]. They are more likely to work in inpatient hospitals, and the salary of inpatient hospitals is higher than that of outpatients. Male nurses are more likely to negotiate their salaries and their work requires more on-call and highly differentiated shifts.

4 Difficulties in Employment for Pregnant Females in United States

Among the developed countries in the world, the United States is the only country without paid maternity leave system at the federal level. In the United States, there is no paid maternity leave for mothers. Only mothers take unpaid maternity leave for 12 weeks, and so do fathers. There are also some restrictions, such as having to be employed by a specific employer for 12 months with at least 1250 h in between.

Paid maternity leave is particularly important for many females, especially during the epidemic. However, pregnant females in the United States not only need to return to work quickly within 12 weeks but also need to experience 12 weeks of no source of income. Fortunately, the American maternal health insurance system is relatively perfect, which provides reasonable health protection for pregnant females.

4.1 Setting of Maternity Leave

According to the Sundbye & Hegewisch's article, the family, and Medical Leave Act (FMLA) has passed in 1993, indicates that both male and female employees have entitled to 12 weeks of unpaid leave before and after the birth of their children the reason that

they work in a company with at least 50 employees and satisfy the minimum tenure and working hours requirements [9]. Employers can make the decision on if they continue to receive wages during maternity. Further, the author shows that a quarter of American females return to work within two weeks after giving birth because they cannot lose their wages or jobs, which is the reason why the vast majority of American workers do not have paid holidays to care for newborns. It can be seen that the United States lags behind most countries in providing paid leave to workers. Han et al.'s journal shows that 700 new mothers die, get pregnant, and give birth in the United States every year. Especially for females of color, the United States is one of the most dangerous developed countries. Once the mother and baby leave the hospital, the life-threatening risk is not over. Paid maternity leave is designed to help reduce these risks by ensuring that females receive longer care after childbirth because of the high incidence of potentially fatal postpartum health problems.

At the same time, some companies have special maternity leave regulations. Due to the competition for talents, some American companies voluntarily provide paid maternity leave to compete for talents, but this is only beneficial to female white-collar workers with higher income to a large extent, based Paid Family Leave Increases Mothers' Labor Market Attachment. For example, some of America's top technology companies, and large financial and consulting companies may provide paid leave for female employees for more than 12 weeks.

Nevertheless, more than 80% of American employees cannot enjoy any form of paid maternity leave, as indicated by Parental Leave Policies and Parents' Employment and Leave-Taking. Only 9% of the lowest income group have paid maternity leave. In contrast, in the top 25% of the population, the proportion is 30% [10]. In industries with lower wages, paid maternity leave policy is rarely provided especially in organizations like public schools or non-profit organizations [11].

4.2 Medical Insurance

Based on Workplace Accommodations for Pregnant Employees, in the United States, medical insurance for pregnant females is guaranteed. Medicaid is a welfare plan for the poor, but it has become the largest maternal health care plan in the United States, covering nearly half of newborns. At present, a new mother can enjoy medical assistance within 60 days after delivery [11].

Medicaid maternity insurance is better than ever because of changes to the Affordable Care Act. All current updated health plans, including those under Medicaid, a state Medicaid program, provide 10 basic health benefits that everyone needs to live a healthy life. One of the benefits is maternal and neonatal care. Now, expectant mothers don't have to worry about whether they have insurance for routine hospitalization, examination, or other pregnancy-related medical services [11].

4.3 Maternity Leave Regulations in Different Industries Including Education and Technology Industries

Teachers in the United States are eligible for the Family and Medical Leave Act, which is 12 weeks of unpaid leave within 12 months to care for newborn or newly adopted

children. Since there are no federal paid family sick leave laws, paid maternity leave varies from state to state, and teacher leave is usually not included in these laws.

The United States, unlike other developed countries, does not require paid parental leave. The K-12 education sector is no exception, according to the data, even though it is dominated by females of childbearing age. Teachers can take paid parental leave in only a few states, including Washington and New Jersey, as well as the District of Columbia. It is also available in some school districts.

But in most cases, teachers have to piece together sick leave to give their newborns some paid leave, and then supplement it with unpaid leave. This is another reason for frustration among educators in a profession increasingly criticized for low wages, many of whom say they must return to the classroom before they are ready.

In the United States, technology companies are the leading industry in parental leave, which means that females can enjoy holidays. For example, online retailer Etsy has become the latest technology company to offer an extremely generous parental leave policy. Starting in April, the company's new mothers and fathers will be able to take 26 weeks of paid leave. Previously, the company provided 12 weeks of maternity leave or 5 weeks of paternity leave for its U.S. employees. Netflix also announced that new mothers and fathers in its team can take free leave in the first year of their child's birth.

One possible explanation is that as millennial workers begin to have children, it only extends the luxury of technology employee benefits to parents, but there are many other potential reasons [11]. On the one hand, this is a way for companies to compete for talents. On the other hand, as technology companies become international entities, they must catch up with the policies of other countries. The United States is the only OECD country that does not require paid maternity leave. Therefore, for U.S. companies recruiting overseas skilled workers for overseas offices, providing paid leave to their workers in other countries is not only a legal issue but also to match these policies of their U.S. workers.

5 Conclusion

The reason females who work in tech companies are discriminated against is because many people believe that genius is a male trait. It is encouraging that more and more technology companies are recognizing the problem of discrimination against females and designing solutions. Male nurses are often labeled sissies, and sometimes patients or their families don't want a male nurse just because he's a male. Therefore, male nurses need to have a stronger heart and use their practical actions to prove their professional ability. Surprisingly, male nurses are more likely to be promoted than female nurses, even though they are in a female-dominated industry, whereas females in technology companies are much more difficult to be promoted than males. In the United States, mothers do not have paid maternity leave. Only the mother takes 12 weeks of unpaid maternity leave, as does the father. At the same time, some companies have special maternity leave regulations. Due to the competition for talent, some U.S. companies voluntarily offer paid maternity leave to compete for talent, but this largely benefits only higher-paid female white-collar workers, and at the same time, in the females-dominated education industry, they can only obey the federal maternity leave policy, which leaves

them with no time to care for the new-borns. Therefore, the issue of maternity leave for females in the United States is a female rights issue that policymakers need to improve.

References

1. A, Panteli., J, Stack., & H, Ramsay. (1999). Gender and Professional Ethics in the IT Industry. *Journal of Business Ethics*, 22(1), 51–61. <http://www.jstor.org/stable/25074189>
2. F. W., Twine. (2018). Technology's Invisible Women: Black Geek Girls in Silicon Valley and the Failure of Diversity Initiatives. *International Journal of Critical Diversity Studies*, 1(1), 58–79. <https://doi.org/10.13169/intecritdivestud.1.1.0058>
3. B, Claudia Buchmann, & M, Anne. (2016). Motherhood and the Wages of Women in Professional Occupations. *RSF: The Russell Sage Foundation Journal of the Social Sciences*, 2(4), 128–150. <https://doi.org/10.7758/rsf.2016.2.4.05>
4. M, Wojciechowski. (2022). Male Nurses Confronting Stereotypes and Discrimination: Part 1, The Issues - Minority Nurse. Retrieved 11 May 2022, from <https://minoritynurse.com/male-nurses-confronting-stereotypes-and-discrimination-part-1-the-issues/>
5. J. T., Addison & O. D., Ozturk, & S, Wang. (2014). The Role of Gender in Promotion and Pay over a Career. *Journal of Human Capital*, 8(3), 280–317. <https://doi.org/10.1086/677942>
6. J. T., Dean & S, Jayachandran. (2019). Changing Family Attitudes to Promote Females Employment. *AEA Papers and Proceedings*, 109, 138–142. <https://www.jstor.org/stable/26723929>
7. C. L., Williams (1992). The Glass Escalator: Hidden Advantages for Men in the “Females” Professions. *Social Problems*, 39(3), 253–267. <https://doi.org/10.2307/3096961>
8. P, Minemyer. (2022). Male nurses with ‘less qualifications’ are being promoted over women. Retrieved 11 May 2022, from <https://nursingnotes.co.uk/news/male-nurses-with-less-qualifications-are-being-promoted-over-women/>
9. A, Sundbye. & A, Hegewisch. (2011). Maternity, Paternity, and Adoption Leave in the United States. Institute for Women’s Policy Research. <http://www.jstor.org/stable/resrep36059>
10. W. J., Han & C, Ruhm & J, Waldfogel. (2009). Parental Leave Policies and Parents’ Employment and Leave-Taking. *Journal of Policy Analysis and Management*, 28(1), 29–54. <http://www.jstor.org/stable/29738985>
11. Institute for Women’s Policy Research. (2020). Paid Family Leave Increases Mothers’ Labor Market Attachment. Institute for Women’s Policy Research. <http://www.jstor.org/stable/resrep34477>

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter’s Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter’s Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

