Can Teachers “Lean in”? Family Responsibilities Discrimination: Why Some Public School Teachers Prefer Not to

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Abstract
This qualitative study uses grounded theory to explore family responsibilities discrimination (FRD) as it relates to school teacher discretion at work and at home, and career advancement within the context of leaning in. The results of the analysis of the data from semi-structured interviews and exit surveys provide preliminary evidence that teachers’ discretion is affected by their family responsibilities and perception of FRD, and that career advancement is directly and indirectly affected by FRD. Impediments to school teachers’ willingness and ability to lean in are identified as themes, and suggestions are offered to improve workplace rights for teachers with family responsibilities.

Keywords
caregiver discrimination, women, teachers, lean in

Sheryl Sandberg’s (2013) movement urging women to “Lean In” to their careers to defy stereotypes and bias against women in the workplace has become a household concept. Her words of wisdom for women, told mostly through anecdotal stories, offer advice regarding balancing work and family, such as having a “designated parent” to be responsible for the lion share of child rearing, that women should not skip having a career for having a family, and that it is important for women to feel comfortable communicating openly in their organizations, among other advice. Her work has been criticized for missing the mark in terms of overlooking various factors that are not necessarily within a woman’s control, that are problems inherent in a system that is biased toward men, as Susan Faludi (2013) warned. However, little empirical research has been presented to support arguments like Faludi’s. This exploratory case study of school teachers’ perceptions of balancing work and family, semi-structured interviews, and exit surveys were conducted in three New Jersey public schools. Several themes emerged from the data that provide evidence of impediments public school teachers face that deter them from leaning in, giving credence to skeptics like Faludi, who believe that telling women to lean in is simply not enough, if we do not confront systemic barriers.

Family responsibilities discrimination (FRD) is a budding legal issue in both the private and public sectors. FRD refers to discriminatory treatment against an employee due to his or her caregiving responsibilities (Martucci & Sinatra, 2008). “This concept has been purported to be the latest form of sex discrimination, because it disproportionately affects women and lower income workers” (Mullins, 2015, p. 1). FRD affects everyone, not just women, and is a significant issue worth attention in the public sector, especially given the recent White House Summit on Working Families in June 2014, aimed at creating a movement to get the workforce prepared to better accommodate families in the workplace (Holst, 2014). Litigation of FRD has increased in prevalence in the public and private sectors in the United States, with an increase of 400% over 10 years as of 2006 (Miller, Freeman, & Phan, 2008). Ninety-two percent of FRD cases are filed by women (Miller et al., 2008).

This study explores impediments to the career advancements of public school teachers, within the context of FRD. As one of the only studies regarding FRD in the field of public administration, it begins to fill gaps in the previous literature, helping to contribute to the foundation for FRD research in the field of public administration. It also recommends ways to create an atmosphere in which public sector teachers with family responsibilities would be better able to “lean in.”

Sandberg’s (2013) evocative “Lean in” concept is discussed amid her willingness to establish herself as a feminist

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who understands firsthand the challenges of balancing work and family, of being a mother and an executive who knows the odds are stacked against her, when you weigh the evidence of unequal pay for women, continued discrimination on the basis of sex, and the underwhelming amount of female leaders around the world and corporate America. She also specifies that her book is specifically carving out a space for educated women who have a better chance of making it big, the higher echelon of working women, if you will.

While she carefully discusses relevant statistics and facts regarding the unequal status of women, Sandberg’s noteworthy advice tells women that it is partially their fault that they have been left behind from leadership roles. She says that women are often less confident and less motivated than men to succeed in the workplace, for a multitude of reasons, that we undervalue our worth and have a difficult time accepting praise, and that we need to start realizing all of these realities that go along with our gender and that talking about it will help. She says if women could find better ways to seek out more meaningful mentorship, to share home responsibilities with their partners instead of trying to do it all single handedly, and dig deep for confidence from within, women will be better poised to climb the ladder to success. While her advice is in some ways insightful, it is this call to arms for women to look within to change the status quo that has been controversial. In this study, empirical evidence indicates potential caveats to her advice, when applied to public school teachers.

**Literature Review**

The legal field considers FRD to be the new gender discrimination. Williams and Bornstein (2008) remind us that FRD cases comprise 60% of gender discrimination cases. This is particularly concerning because, as Dickson (2008) found, perceived FRD is associated with lower organizational attachment, higher turnover intentions, lower job satisfaction, higher work/family conflict, and lower benefit use.

Williams and Pinto (2007) established that FRD occurs when there is an adverse action affecting employment terms and conditions based on biases regarding women with family caregiving responsibilities. Calvert (2009) called FRD the “new sex discrimination” and points out, “Whether understated or obvious, the effects of FRD can have devastating consequences for a woman’s career” (p. 35).

Still (2007) reviewed maternal wall cases or FRD cases from 1971 to 2004, in which men or women filed suits based on being discriminated against due to carrying out female roles of caregiving. Ninety-two percent of the cases were filed by women, and unlike other discrimination cases, these cases show a 50% rate of plaintiff winning. Although she suggests perhaps discrimination is increasing, she admits, “It is difficult to measure objectively how much discrimination occurs and how its measure has changed over time” (p. 34). Furthermore, she warns, Numerous “best practice” companies, which appear regularly on magazine lists of progressive places to work, have experienced FRD lawsuits, some repeatedly. With that in mind, the Center for WorkLife Law recommends companies rethink their work/family policies and programs so that they are regarded not as fringe benefits that can be withdrawn without consequences but as tools for managing future risk. (p. 35)

There is evidence to show that much of the caregiver bias is still directed toward women, especially mothers. Benard, Paik, and Correll (2008) reviewed studies that show the existence of cognitive bias toward mothers, uncovering a pattern in which “mothers are viewed as less competent and less committed than otherwise identical workers who are not mothers” (p. 1837).

Crowley (2013) studied qualitative interview data of mothers relating past employment experiences to perceived discrimination and identified three common ways women respond: ambivalence, endurance, and confrontation. She notes that none of these responses are capable of inducing organizational reform to correct the problem. If a solution has not yet come directly from caregivers, perhaps progress could be observed in the handling of FRD cases. Albiston, Dickson, Fishman, and Levy (2008) offer 10 lessons for lawyers in handling FRD cases. These include considering a broader argument than just pregnancy discrimination, applying the standards for hostile work environment, stray remarks will likely start to matter to the courts, it is important to be familiar with the stereotypes mothers face in the workplace, stereotypes can affect thinking aside from decisions, men face FRD too, appropriate expert social science testimony could be useful, there can exist a gap between policy and practice and so what actually happens in the workplace is what matters, and injunctive relief is important. However, this does not prevent FRD from happening but only deals with it after it occurs.

Scholars have offered suggestions for new legislation to help curb the occurrence of FRD. Farrell and Guertin (2008) discuss the importance of passing legislation to fight caregiver discrimination. Locke (2009) hails the New York City 2007 bill as one that should serve as a model for providing provisions to those with “caregiver status,” as opposed to just parents, and the requirement to provide caregivers with reasonable accommodations. Eifler (2012) explains proposed legislation in Iowa that could serve as a hybrid model to prohibit discrimination and promote reasonable accommodations to caregivers in the workplace; Eifler says doing only one, as opposed to both, is not enough to prevent FRD. Kulow (2012) reviews federal, state, and local regulations of caregivers and broadens the definition of family-friendly workplace as

one where primary caregiver parents who must work can do so in a way that does not consistently pose difficult economic choices between work and family obligations. Under a second possible formulation, a family-friendly workplace may be a
workplace that also does not professionally punish parents for choosing to limit their work hours to attend to their children. Finally, a third definition of “family-friendly workplace” may be one where parents who can financially afford to stay home with their children will nonetheless want to work since that work is not only tailored around their parenthood, but is also financially and intellectually rewarding. (pp. 103-104)

Kulow calls for legislation, so that the United States can rise to meet other countries who have better accommodations and protections for caregivers, but admits that legislation is not a quick or exclusive fix and that private corporations will also need to do their part.

de Alwis (2011) explores how the law can be used to reconfigure gender roles that arise from gender stereotyping:

In order to achieve gender equality in society, gender equality must be reproduced in the family. Therefore, a paradigm shift must occur in order to restructure the workplace and allow mothers as well as fathers the opportunity to perform and compete equally in the workplace. Both women and men should be able to advance in the public sphere and undertake traditional caregiving roles. Women have long entered the market, and men are increasingly playing an equal role in caregiving. Translating these realities into the language of feminist theory, this generational shift means that the time is ripe to challenge the masculine norms that frame market work. The provision of parental care is not only about equal opportunities in the workplace, but it is also about giving equal caregiving opportunities to both men and women. It is for the following reasons that in order to destabilize traditional gender roles, laws drafted to protect caregivers should be designed to give rights to all caregivers despite their sex. (p. 334)

Despite the existence of Equal Employment Opportunity Commission (EEOC) guidelines, their gravity and reach is insufficient. Brack (2013) suggests creating federal regulations to strengthen EEOC guidelines on FRD and encouraging states to pass legislation to protect against FRD. Unfortunately, as the EEOC guidelines are not upheld in court, these are just guidelines without much enforcement capacity. She suggests that one approach is for employers to take responsibility by creating systems that allow for efficiency and ability as opposed to just long hours, and finding creative ways to allow for employees to better schedule overtime in a voluntary way.

Similarly, Stanford (2009) recommends that organizations take some responsibility for curbing FRD, and says,

Employment decisions should be based on merit alone, on an individualized basis, and not based on preconceived notions regarding how a person belonging to a certain group should act in the workplace. No matter what a woman’s title or profession may be, she should have every opportunity to achieve and maintain the same success as the men around her to the best of her abilities. (p. 657)

Interestingly, Dickson (2008) found family-supportive organization perceptions and family-supportive supervisors mattered more with perceived FRD than the family-supportive benefits the organization offered. This makes sense, since just because an organization offers family-supportive benefits does not necessarily mean employees will participate in such benefits if they fear discrimination for doing so.

Perhaps solutions to end FRD will not come from simply organizations or legislation but a reconceptualization of the importance of caregiving to society. Roush (2009, p. 223) says, “What is needed is recognition and accommodation of domestic work and carework as indispensable parts of the real economy,” and that this can only be done by valuing caregiving as something essential to social and economic well-being not just women’s issue; that the line between work and family is really very much blurred as opposed to two separate entities. Such a cultural shift would be required before systemic shifts could happen. As Maxwell (2012) explains, “Discrimination against caregivers is an issue of gender equality,” and says that most work roles are structured in a way that ignores women’s roles as primary caregivers.

Method

Perhaps people with family responsibilities use discretion to manage the discrimination they perceive or expect to experience, and/or fear such discrimination at some future point in time. Michael Lipsky (1983) contends that teachers are street-level bureaucrats who use discretion on the front lines with the public while applying policy and simultaneously creating policy in their decisions and actions. Other street-level bureaucrats include police officers, lawyers, and doctors, and several studies have examined the discretion of street-level bureaucrats at work in the field of public administration (Boivin & Cordeau, 2011; Grant & Rowe, 2011; Lowe, 2011; Lum, 2011; Schlenenberg & Warren, 2009; Sousa, 2010; Tillyer & Klahm, 2011; Varano, Schafer, Cancino, & Swatt, 2009). This study attempts to understand how these workers with family responsibilities might need to use similar discretion as a survival strategy, when it comes to balancing work and family. For the purposes of this project, discretion in relation to FRD has been defined as making a decision or doing something differently based on having family responsibilities. Thus, the first research question is as follows:

Research Question 1: What is the nature of discretion people with family responsibilities use in the workplace/at home?

Proposition 1: The nature of discretion used by people with family responsibilities in the workplace and at home is complex. In other words, people with family responsibilities have more factors to take into consideration when making decisions, which can complicate decision-making processes both at home and at work.
As it is possible for FRD to exist in any given workplace, it is also important to explore the ways in which FRD might affect workplace dynamics. Hence, the second research question is as follows:

**Research Question 2:** How does FRD affect career advancement?

**Proposition 2:** FRD impedes career advancement, both directly and indirectly.

While confirmed instances of outright discrimination might have a negative effect on career advancement, it is also possible that perceptions of the unspoken potential threat or possibility of experiencing FRD could affect one’s performance, expectations, plans, and behavior at work, which could perhaps indirectly and/or directly affect career advancement.

Three public grammar schools in the state of New Jersey were purposefully selected as cases, and both qualitative and quantitative data were combined and integrated for a holistic approach (Creswell & Plano Clark, 2011). See Table 1 for descriptive statistics and Appendices A and B for Interview Protocol and Exit Survey. This study was exploratory (Creswell & Plano Clark, 2011). Ten semi-structured interviews at each school were conducted (30 interviews in total), and a storytelling element, or a variation of the Maynard-Mooney and Musheno (2003) method, was incorporated into the interview in which participants were prompted in advance to think of a story that would be told during the semi-structured interview. Recordings of each interview were transcribed; data were double-coded by hand, and major themes were extracted, applying a grounded theory approach (Strauss & Corbin, 1994). Quotes were also highlighted, and story excerpts were selected. The data were then linked to the propositions through a process of analysis, so that the findings would be directly informed by the data and more likely to be considered empirically valid (Berg, 2009). The transcription process shaped the themes and provided a preliminary organization rubric (Crabtree & Miller, 1999). A statistical data set was constructed in Excel based on the written exit survey data that were collected, and then downloaded into STATA software.

According to the World Bank report published in 2010, as of 2009, 86.71% of U.S. primary school teachers were women, which partially explains the sample of 100% women in this study. Gender composition of teachers in New Jersey as of 2009-2010 is 76% female, according to State Department of Education Statistics. Three public schools ranging from kindergarten through Grades 5 or 8 were chosen purposefully based on accessibility. Two were in a large urban district in northern New Jersey, and one was in a small central New Jersey suburb.

This sample is especially interesting because teaching is known to be a family-friendly occupation due to its condensed hours and more vacation time than most occupations enjoy, and New Jersey is one of the most family-friendly states, as it mandates paid family leave through its temporary disability funds. Thus, if teachers in New Jersey perceive themselves as being affected in some way by FRD, the effects of FRD may be even more pervasive and serious for other types of jobs and in other states that are less family friendly.

### Results

After careful qualitative analysis of the data, the following themes were identified:

#### Higher Education Roadblock

It became apparent that family responsibilities have prevented attainment of a master’s degree, which is a requirement for advancement in the school system. Many participants mentioned higher education as a barrier to career advancement, and one respondent recounted her personal story:

I was going for my masters and then of course I stopped and then all the children came along and my career advancement totally stopped because I stopped my education. So my education stopped, so just having my one degree when the children were young, going back to school at night wasn’t happening . . . And I wish I finished my education but I would never go back because they’re all in college and grad school now and there is zero money. Money’s gone! And I’m older now. I really don’t

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| Variable          | Observations | M  | SD  | Minimum | Maximum |
|-------------------|--------------|----|-----|---------|---------|
| Female            | 29           | 1  | 0   | 1       | 1       |
| Age               | 27           | 39.9| 11.3| 22      | 57      |
| Years in position | 28           | 9.8 | 7.1 | 0       | 22      |
| Education         | 29           | 4.9 | 0.9 | 4       | 6       |
| Family resp.      | 27           | 0.9 | 0.4 | 0       | 1       |
| Awareness         | 29           | 0.7 | 0.5 | 0       | 1       |
| FRD litigation    | 29           | 0.3 | 0.5 | 0       | 1       |
| FRD frequency     | 29           | 0.6 | 0.5 | 0       | 1       |
| Ability to sue    | 29           | 0.6 | 0.5 | 0       | 1       |

Note. FRD = family responsibilities discrimination.
care. I’m happy with my life, if I did go back and get my masters it certainly wouldn’t be an administrative degree. I don’t want that. I like my classroom. I have them under control . . .

Many of the respondents said that they would have gone for a master’s degree to advance their careers if it had not been for their family responsibilities:

I toy with the idea of going back to school but since I have the little ones at home, all this extra static, how could I even bring that work home and concentrate? So I think to further myself in my career by going back to school is too difficult at this time. I don’t think it affects my work here, I can manage the both but adding another something would definitely do me in [laughs].

Pressure to Volunteer for Extra Activities

It is apparent that family responsibilities interfere with volunteering for extracurricular activities or extra jobs that were not part of one’s contractual responsibilities, within the sample, and it is perceived that such participation was deemed by peers and administrators to be necessary to be held in high esteem as a dedicated employee and advance in their career, that “the more stuff that you have on your portfolio the better it looks.”

Individuals opting out for such volunteer work would be overlooked for opportunities for advancement and understood by not volunteering for extra activities they were counting themselves out of the running for future advancement opportunities:

I do notice people won’t ask you to participate because they think she has a baby she can’t. But it’s also the reverse, a lot of times when someone asks you to participate and you can’t do it, they give you an attitude and can’t understand that you can’t do it. There are people that don’t understand that and think you should drop everything to go to the board meeting. I truly believe that family comes first.

I think people who have young children here, I feel for them sometimes because if there’s a function and they can’t do it because of their family commitments, I feel like other people give them a hard time and they don’t really see the full picture, they don’t really know what goes in, it’s not as simple as these days having your mom or dad babysit, that’s not everyone’s situation anymore so I think people don’t really know someone’s situation. When they had kids . . . and it’s just different from how it was 20 years ago. So I feel for parents with younger kids, they feel the effects of the older teachers . . .

I try to balance both . . . I won’t do every single one of the activities the school is offering, so I pick and choose.

The Private Sector Advantage

Various participants believed the private sector offers more childcare accommodations overall, but otherwise saw the private sector as less favorable than the school system. They made it clear that the private sector might be more difficult for people with family responsibilities due to workday hours and harsher standards, but that the childcare accommodations such private companies offered offset such drawbacks and provided private sector workers with a unique advantage. One participant recalled her experience at a private firm when she was overlooked for a promotion:

When I was working in my job before this I worked in Manhattan and I was up for a promotion when I was engaged but when I got married I was passed over for the promotion and I was point blank told, now that you’re married, you’re just gonna have children an you’re not going to be able to devote the time, in NY in the financial district they actually told me that, and I went in because I was surprised and I worked in telecommunications, and was fairly high up at that point, and they said we’re gonna need to have someone in here, meanwhile the guy that, he was a man that they gave it to, he was getting married a month before me, and then they wanted me to train him and I said no. Every day they would send him in. So I wound up leaving that job for another job because it wasn’t even like they sugarcoated and they were like what are you going to do, and I said well I’m going to go to human resources, and they said well we’ll just say we didn’t say it.

Several participants mentioned wishing there could be more done for people who have their own children in the school system, either for before or after care or providing a district daycare at a reduced rate, the way certain private companies now offer such benefits:

Personally, I think more should be offered with young families, especially having daycare within the system. I think it would have been an asset for a lot of these young families. I didn’t have to go to work when my kids were young, and I don’t know how these young girls and men too, I don’t know how they do it. It’s always bringing a child to a facility or someone’s home.

Some family-friendly accommodations were mentioned, such as a sick day bank and the federal Family and Medical Leave Act; however, even with such improvements, the general consensus is that more could be done:

They set up a room so that moms could pump breast milk and I was so happy for that . . . so I think no they really make extraordinary efforts to make it easier for these girls . . . I think it’s the administration and I also think it’s the society has changed, a little bit, not enough but a little bit.

The Fallacy of the “Choice” and the Balancing Act

The overall view of the school system is that it is fair and neutral, on face value, toward people with family responsibilities—it is someone’s “choice” to opt out of career advancement due to family responsibilities. “You choose to
put family over career, but nobody will say you have to put career advancement on hold.” All participants except one said that they put family first over career advancement. In their eyes, the system requires that they make this choice. Many had become teachers to accommodate their families and strike a balance.

Here is what some other participants had to say regarding their “choices”:

I think that they allow you to do what you choose to do and I think that right now I’m making the choice to be in my kids’ life versus my school life. But there isn’t any kind of thing set up in the school system. It’s all your personal choice. I try to balance both.

Because I have a son, I’ve never looked to be an administrator but that’s my choice. If I wanted to I’m sure I could.

I don’t really have much my things are more like I make the choice. Superintendent came to our meeting last week and it’s like the biggest thing in the world, she goes once a month to every school, and I couldn’t be there it was more important for me to be home to tend to what I should tend to, I went home and left, and I figured I’d just take whatever was coming to me the next day. I was sick over it. So there are little things but over the last two years it adds up to a lot. At the beginning I used to be really nervous to say I can’t go, but now I’m prioritizing.

It’s a 12 month job, if you really want to be a good administrator it’s a full time commitment. You kind of have to put family second if you want to be a good administrator in this town.

I think every day you make decisions; I can’t do things on Thursday because I take care of my mom, I think that impacts a lot of what we can and can’t do . . .

I think the administration is amazing at allowing us to have time if we have family needs, but there really is no help, it’s totally your decision what path you’re going to go down. I don’t think family hinders unless I allow it to and I allow it to, so I’m making a personal choice . . . I haven’t . . . tons of friends even my daughter in law is a math teacher on maternity leave, and I think that they allow you to do what you choose to do and I think that right now I’m making the choice to be in my kids’ life vs. my school life. But there isn’t any kind of thing set up in the school system it’s all your personal choice.

I just think that a lot of it is personal, to the individual. When I finished school, my masters is halfway done, and then I got pregnant with my child, and it was just too crazy and I stopped. I told them when you go back to college I’m going back too and finishing. So I feel like I know it’s personal so I feel like I brought them in the world and I feel like it’s my job to make sure they get taken care of the best and school is second. But I love what I do, so I get to do both . . . Now that they’re in high school I can do so much more and I’m starting to get more and more involved in the school as my responsibilities with them get less and less.

I think it can affect it because you’re limited to what you can do after school, running programs or coaching, or being the moderator of a club. I don’t know that would directly affect advancement, but the more you could get involved in the school the better it would before you if they were looking to advance you but I don’t necessarily think that . . . . no . . . they’re very separate.

I think it depends on the individual so I chose after school to do a lot of tutoring but sometimes I’ll back off of other responsibilities because I have to weigh what I have to do with my children. It’s me choosing personally that my children will only be young for so long. Once I had my children, it’s primarily they come first. I just think that my family comes first right now, and I’ll even say to them, like for yearbook committee, or lots of times I’ll say my time will come because my kids will go to college and I’ll be back to signing up for all there is to sign up for. But there are times that I say to myself, I could be a better teacher if I didn’t have so much responsibility. So it is a balancing act and I always have to remind myself they’ll come a day when I wish they were home and I wish I could be with them so it is hard.

Respondents admit that nobody tells you that you have to choose between work and family, but that you know this choice is inherent in the nature of the balance, and that you must make the decision for yourself. In other words, one has a choice, but it is an either/or, one cannot choose both. The theme of constantly working and struggling to balance family responsibilities and work obligations was also prominent in the data.

The theme of the fallacy of the choice that you have the choice between putting career or family first is one indicator of a type of subtle discrimination that appears in the school system. People with family responsibilities opting out of career advancement are seen as one’s own personal responsibility or choice. This is one example how FRD can affect career advancement. This theme can be theoretically supported by Hackett and Betz’s (1981) theory that mostly due to socialization, women have lower expectations of efficacy in terms of behaviors in their careers, which causes them to self-limit their own career potential.

Work Affects Family

Consistent with previous research, age of children and number of children affected people’s ability to balance career and family. The younger the children or the more the children, the more difficult it was to balance, especially without external or spousal support. Participants who had more family responsibilities, such as caring for an elderly family member and children, tended to have a more difficult time balancing work and family. In some instances, participants found it particularly difficult given certain situations.

It was noted that work has negative effects on family life such as in some ways contributing to divorce, struggling
with less than ideal childcare situations, and missing special moments of their own children. One respondent encountered a life-threatening situation with her child when her situation at work interfered with the ability to be notified of her child’s emergency situation:

When my daughter was in 8th grade, she stayed home by herself sick, and I said if you have any problems call up grandma who’s not healthy, but I got to school that morning and she called twice. The first time she called the secretary didn’t even call me or put her through and my classroom was right next to the office. The second time the secretary came through . . . she couldn’t breathe. I ran out of school, ran. That stupid secretary. She was in the hospital for a week. Her throat was closing, if I had waited another second she would have been dead. And this stupid secretary couldn’t put her through.

Teachers also found it difficult to attend events for their own children due to restrictions on vacation time:

We are very limited because we only get a very limited amount of days, and the sick days are not supposed to be used if your child is sick, only if you are sick. So having only a couple of personal days throughout the year, I have to save mine for my daughters graduation this year, so if she has a school play or something going on in her class or a field trip, I will not be able to attend based on the fact that I have to be at my job. It stinks, where maybe another parent can go into work late if they’re in the business world, where I can’t because I work in the same system so I can’t see her school plays or go on her field trips because I have to save my personal days for graduation or a bigger event. As far as a school function where your child is in it, you miss it. You don’t get to see these things because something like that you would be taking advantage of your administrator and he or she could get in trouble also. If you let one person do it you have to let everybody do it, and I’m sure there are so many teachers who have kids in the school system.

Sometimes, family situations made it difficult to continue working, and in some cases, teachers considered leaving their jobs, such as the case of this respondent:

I had an incident where the caregiver got upset with my daughter because she said she didn’t have to go to the bathroom before the walk and then on the walk she said she had to go to the bathroom. The caregiver said, “Too bad for you, I’m not turning around,” and actually told me when I picked her up. It was snowing outside and my daughter had urinated through her snowsuit, and she kept on walking with the two other kids and made her stay that way the whole hour that they were out to teach her a lesson. But I removed her from that but then I was like okay now I need to take some time off and find another caregiver, and that was an incident where I almost stopped teaching because the guilt that she had to go through that and she had to, if I was home I would never ever do that, it would never have happened. I almost stopped the thing I love most, which is teaching, because I was so guilt-ridden that I sent her to this woman and what other incidents took place that I might not have even known about.

And that’s when my best friend stepped up and said I’m taking your kids and it all worked out and I went on to teach. So while she was caring for my kids I was caring for her kids at school because they were in my classroom. And it’s not the administrator’s problem. I came in and said I’m taking a week off, I have to find a caregiver for my child because I can’t do this unless I know she is okay . . . I know he was looking at me trying to be compassionate but I have a school to run and you have a class to teach, so he was wonderful but it was like it’s your problem because you need to be in the classroom and gotta be back, but I almost stopped.

Suggestions to Improve Workplace Rights

Based on the findings of this study, there are five suggestions that could potentially improve workplace rights for teachers contending with family responsibilities:

1. Teachers should request that employers provide them with opportunities for on-site education to obtain credits for their master’s degree that combine an online hybrid approach where some classes meet on site at their place of employment directly after or before school hours, and that other sessions and work can be done from home, working around their family schedules. Teachers who enroll in such programs should be excused from extracurricular volunteer activities, so that they can focus on finishing their graduate credits.

2. Teachers should organize work/family balance support groups to discuss their struggles with handling the balancing act and share advice on best practices facilitated by counselors provided by the school district.

3. Teachers should demand that the process of promotion be as transparent as possible, as far as expectations of volunteering for extra activities are concerned. Teachers should demand that they have sufficient time to work extra activities into their family’s schedules, and unless such activities are part of one’s contract, a teacher should not be penalized for promotion for not taking part in enough extra activities due to their family responsibilities.

4. Laws should be changed to protect teachers with family responsibilities. For example, the Family and Medical Leave Act should protect caregivers with paid leave, as opposed to unpaid leave, to afford caregivers the opportunity to take time off when needed without fear of pay penalty, so that they will have flexibility that may encourage them to stay employed. Title VII should also be reconstructed to add “caregiver” as a protected class, strictly prohibiting FRD. In this way, we will not have to rely on piecemeal legislation and regulations intended for sex discrimination, so as to
not confuse or confound the issue of caregiver discrimination. Making caregiver a protected class would mean more protections for all caregivers not just women. Furthermore, local districts and school administrations should be required by local or state laws to show that someone has not been promoted over someone else, based on their having family responsibilities. The burden should be on the administrators to prove this and divulge how they make promotion decisions on a case-by-case basis. In cases where it can be shown that a promotion decision was made by discriminating based on caregiver status, the administrator’s employment should be terminated. Protections at every level would be a huge step in the right direction for protecting caregivers, whether teachers or other employees. Following Eifler’s (2012) recommendation that laws should prohibit discrimination and require reasonable accommodations would be ideal, so that teachers and other employees with caregiving needs would not feel the need to choose between family and work obligations as much as they currently do.

5. States should legally require all school administrators and staff to undergo a FRD sensitization course that would educate them about how to encourage family-friendly work environments and avoid potential risk involving FRD.

**Future Research**

Several questions remain unexplored such as how does teacher accountability for test scores influence the perceptions of FRD? What is the role of unions in the relationship between FRD and career advancement? How do perceptions of public versus private sector mediate the relationship between FRD and career advancement? How does the sex/power dichotomy in the school system affect FRD, for example, the fact that most administrators are men managing mostly female teachers? How does discretion related to FRD differ from traditional bureaucratic discretion? What are the effects of this particular discretion on employees, organizations, and citizens served? Future studies should continue to explore these questions to contribute to our understanding of FRD and work/family balance.

**Conclusion**

The results of this analysis show that the nature of discretion used by people with family responsibilities in the workplace and at home is complex, which is consistent with Proposition 1. Likewise, the data show that FRD impedes career advancement, both directly and indirectly, for example, when teachers perceive that they will be overlooked for promotions because they opt out of extra activities or decide not to pursue a master’s degree due to family obligations, counting themselves out of the potential applicant pool for supervisory positions. These findings are consistent with Proposition 2. The effects of family responsibilities extend beyond outright instances of discrimination, and filter deep into perceptions and expectations which influence behavior and expectations, and affect decision making and career advancement.

The themes emerging from the data serve as impediments to the public school teacher’s ability and desire to lean in, which suggests that the next step is to identify ways in which women in all roles, not just public school teachers, might feel like they are not motivated to or able to lean in. Once such roadblocks are identified, they could potentially be eliminated.

The results of this study are only generalizable to theory, as opposed to larger population because of the small sample size and case study design. It should also be noted that this study was not designed to be a traditional case study to describe the entire site or organization in depth. Limitations of self-perceptions apply to this study, and the sample was 100% female and included only one non-White participant. The potential for selection bias regarding site selection due to accessibility considerations was present, and the findings are specific to public school teachers and similarly situated professional staff.

The solution for curbing FRD for teachers must be a multi-faceted approach that includes changes/additions to current federal legislation to designate caregivers as a protected class under Title VII and extend the Family Medical Leave Act to ensure paid leave. Teachers must demand certain accommodations for their caregiver status supported by their unions, local legislation must impose standards on administration that requires them to protect caregivers who teach, and a societal culture shift must develop so that teachers are more aware of their rights as caregivers, and the caregiver/teacher model could become the default model teacher who leans in, as opposed to the type of teacher who must opt out of promotion opportunities. This cultural shift will not happen easily or quickly across all professions within the country, but will require a slow and steady adjustment from the predominant historical American values of capitalism and individualism toward values often found in other countries such as Canada and the United Kingdom, which have more favorable policies toward caregivers and cultures that support other socially aware policies such as university access to health care. Once these changes are made, teachers and other employees might be more willing and able to lean in.

While Sandberg’s (2013) “Lean In” concept is well intentioned and useful for encouraging certain positive behaviors and self-esteem for women workers, the results of this study show that we must be cautious in assuming that all women perceive leaning in as a viable and preferable option, or that this will fix problems women have historically faced in the workplace, without also taking a cold, hard look at the surrounding systems and cultures and being prepared to make necessary adjustments to the system. For example, Sandberg
discusses the importance of mentorship and how women should seek out mentors based on individual instances or questions they have. When many public school principals are men and most public school teachers are women, this inherently creates an unequal power structure where women will have a more difficult time finding other women to mentor them who are in leadership roles within their school system.

Furthermore, many of the teachers who did not pursue master’s degrees did not fail to do so because they were not bright, educated professionals who were confident of their abilities, but because they did not want to pursue that degree while working and managing their family responsibilities due to time constraints, cost, and lack of childcare options. Just because a woman is confident and/or driven does not mean that she is also available and supported enough to share family responsibilities to excel in the workplace. Likewise, when you do not provide teachers with the flexibility they need to care for their families, it is possible that they will inevitably start to care less about their jobs, and when the collateral damage will turn up in the education or lack thereof in our future generations, time is of the essence in correcting this potentially detrimental issue. Sandberg is right to say women need to take some responsibility for their own success, but to what extent is a difficult stipulation to set when you weigh her prescription against the findings of this study, and see that systemic barriers could be quite pervasive and restrictive when it comes to the case of managing school teachers with family responsibilities in New Jersey.

Appendix A

Interview Protocol

Thank you for volunteering to participate in this study.

I am conducting research to learn about FRD and career advancement. All information you provide during this interview will be kept confidential. The findings of this study will be used for academic purposes but will not link any information with individual participants in the study, although I will identify the agency. The purpose of this research project is to gain insight into your thoughts and opinions about the effects of FRD on career advancement.

Do you have any questions for me before we begin?

Basic Information

1. Can you tell me about your current position at the agency?
2. How long have you been at the agency?
3. Do you enjoy your current job?

Questions Linked to Propositions

4. Do you currently have family responsibilities? What is the nature of these responsibilities?
5. Do you think having family responsibilities hinders career advancement in your agency? Why or why not?
6. What does your agency do to help/hinder the work/family-balancing act?

Storytelling

Now if you don’t mind, could you please recall the stories you thought about in preparation for our meeting, including as much detail as possible?

(ask follow-up questions to clarify unclear points or comments . . .) In your opinion, was discrimination a part of any of the stories you relayed to me today?

Is there anything else you would like to add before we conclude our meeting? Thank you very much for your time!

Appendix B

Exit Survey

ID Number ______________
Gender: ____ M _____ F
Age: _______

The following questions ask about your knowledge of family responsibilities discrimination (FRD) and your current job. This survey should take about 10 min.

1. Were you aware of the concept of “family responsibilities discrimination” before participating in this study? Yes______ No_______
2. To your knowledge, is FRD litigation on the rise? Yes______ No_______
3. Do you think FRD occurs often? Yes_____ No______
4. As far as you know, can you sue your supervisor or employer on the basis of FRD? Yes______ No_______

Current job title: _________________________
How long have you had this title? ____________
What is your racial or ethnic background?
_____ African American (not Hispanic)
_____ American Indian
_____ Asian or Pacific Islander
_____ Latino/Hispanic (regardless of race)
_____ White (not Hispanic)
_____ Other

Highest level of education completed
_____ GED
_____ High school
_____ Associates
_____ Bachelors
_____ Graduate work
_____ Master’s degree or terminal degree

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