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THE RELATIONSHIP BETWEEN ORGANIZATIONAL STRUCTURE
AND PROCEDURAL FAIRNESS PERCEPTIONS: THE POSITIONING
OF THE EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE
FUNCTION IN ORGANIZATIONS

by

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ABSTRACT OF THE DISSERTATION

THE RELATIONSHIP BETWEEN ORGANIZATIONAL STRUCTURE AND PROCEDURAL FAIRNESS PERCEPTIONS: THE POSITIONING OF THE EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE FUNCTION IN ORGANIZATIONS

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This study examines the effects of organizational structure on perceptions of procedural fairness; replicating and extending the findings of Schminke, Ambrose, and Cropanzano (2000). This analysis uses their dimensions of organizational structure: *centralization* (participation in decision making and hierarchy of authority), *size*, and *formalization* to assess whether the placement of the Equal Employment Opportunity (EEO) compliance function influences employees' perceptions of fairness. I predict that organizational placement will influence employee perceptions of procedural fairness.

The following questions were explored in this study: 1) Does the EEO reporting structure within organizations affect employees' perceptions of procedural fairness? 2) Does organizational structure influence employees' perceptions of procedural fairness? 3) Does the EEO reporting structure within organizations affect the procedural fairness perceptions of EEO personnel? 4) Does organizational structure influence the procedural fairness perceptions of EEO personnel?

Employees in New Jersey governmental departments, agencies, and state entities were surveyed to provide the data for this analysis. Seventeen (17) State of New Jersey departments and agencies were identified for participation in this study. Of the 17 organizations that were contacted, 5 were unable to participate, 12 expressed an interest/willingness to participate, and 7 organizations actually completed surveys for a participation rate of 41%. The total number of completed surveys from EEO employees and employees within their respective organizations was 108. There were 25 respondents who were employed by their organization's EEO unit or office, and 83 respondents were not employed in their organization's EEO unit or office.

Utilizing a one-factor model, Likert-type items were used to examine employee perceptions of procedural fairness. Based on consistent correlations between procedural justice and distributive justice in the organizational justice research, the use of procedural fairness was the sole justice measure. I used Colquitt's (2001) and Tyler and Schuller's (1990) procedural justice measures for two respondent groups 1) EEO employees, and 2) organization employees. I hypothesize that the closer or more direct the EEO compliance function is positioned to the organization's CEO the more positive the employees' perceptions of fairness. The data indicate that both the EEO personnel and

organization employees perceive higher levels of procedural fairness when the EEO office is placed higher in the hierarchy. Further, the results indicate that organizational structure reflected by the dimensions of centralization, size, and formalization influences fairness perceptions for EEO personnel and organization employees.

Dedication

Everybody can be great because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You only need a heart full of grace. A soul generated by love.

~Rev. Dr. Martin L. King, Jr.~

I dedicate this modest work to all those in varying spheres of influence, vocation, discipline, and life who actively work to promote and sustain access and opportunities for others.

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I would like to thank my mother and inspiration, Genetta Mae Brookins (Williams) for shaping my core values and being the catalyst for most of my earthly achievements.

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A final note of *thanks* to my colleagues in the New Jersey equal employment opportunity and affirmative action (EEO/AA) community, the greater civil/human rights communities for their tireless efforts and support; and my friend and colleague *in the struggle*, Brother John.

Table of Contents

	<i>Page</i>
Abstract	ii
Dedication and Acknowledgments	v
Table of Contents	vii
Listing of Tables and Figures	ix
Chapter I Introduction Statement of the Problem Significance of the Study Key Terms	1
Chapter II Literature Review Organizational Structure Procedural Justice EEO Compliance Summary	9
Chapter III Methods Research Questions and Hypotheses Measures Participants Procedure	29
Chapter IV Findings Sample Descriptive Analysis Reliability Measures Means and Standard Deviations Multiple Regression Analysis	39

Chapter V	Conclusions and Implications Limitations Directions for Future Research	90
Appendices		97
References		120
Vita		128

Lists of Tables

<i>Table Number</i>	<i>Table Name</i>	<i>Page</i>
Table 1	Vertical Organizational Hierarchy	10
Table 2	Profile of Organizations Participating in the Study	41
Table 2-1	EEO Employees – Age Category	41
Table 2-2	EEO Employees – Gender/Sex	42
Table 2-3	EEO Employees – Ethnicity/Race	42
Table 2-4	Organization Employees – Age Category	43
Table 2-5	Organization Employees – Gender/Sex	44
Table 2-6	Organization Employees – Ethnicity/Race	44
Table 2-7	EEO Employees – Contact with EEO (Compliance Matter)	46
Table 2-8	Organization Employees – Contact with EEO (Compliance Matter)	47
Table 2-9	EEO Employees – Awareness of EEO Function	49
Table 2-10	Organization Employees – Awareness of EEO Function	50
Table 2-11	EEO Employees – Comfort with EEO Handling Concern	52
Table 2-12	Organization Employees – Comfort with EEO Handling Concern	53
Table 2-13	EEO Employees – Knowing Where EEO Reports	55
Table 2-14	Organization Employees – Knowing Where EEO Reports	56
Table 2-15	EEO Employees – Where You Think EEO Reports	57
Table 2-16	Organization Employees – Where You Think EEO Reports	59

Table 2-17	EEO Employees – Department Most Comfortable with Handling EEO Concern	61
Table 2-18	Organization Employees – Department Most Comfortable with Handling EEO Concern	62
Table 2-19	EEO Employees – Department Least Comfortable with Handling EEO Concern	64
Table 2-20	Organization Employees – Department Least Comfortable with Handling EEO Concern	66
Table 3-1	EEO Employees – Cronbach’s Alpha for Scales	68
Table 3-2	Organization Employees – Cronbach’s Alpha for Scales	69
Table 3-3	EEO Employees – Means and SD for Centralization-Participation in Decision Making	70
Table 3-4	Organization Employees – Means and SD for Centralization-Participation in Decision Making	70
Table 3-5	EEO Employees – Means and SD for Centralization-Hierarchy of Authority	71
Table 3-6	Organization Employees – Means and SD for Centralization-Hierarchy of Authority	72
Table 3-7	EEO Employees – Means and SD for Formalization	73
Table 3-8	Organization Employees – Means and SD for Formalization	73
Table 3-9	EEO Employees – Means and SD for Procedural Fairness (Organization)	74
Table 3-10	Organization Employees – Means and SD for Procedural Fairness (Organization)	75
Table 3-11	EEO Employees – Means and SD for Procedural Fairness (Supervisor)	76
Table 3-12	Organization Employees – Means and SD for Procedural Fairness (Supervisor)	76

Table 4-1	EEO Employees – OLS Regression Analysis for Closeness of EEO Report to CEO (<i>H1</i>)	78
Table 4-2	Organization Employees – OLS Regression Analysis for Closeness of EEO Report to CEO (<i>H2</i>)	79
Table 4-3	EEO Employees – OLS Regression Analysis for Centralization-Participation in Decision Making (<i>H3</i>)	80
Table 4-4	Organization Employees – OLS Regression Analysis for Centralization-Participation in Decision Making (<i>H4</i>)	81
Table 4-5	EEO Employees – OLS Regression Analysis for Centralization-Hierarchy of Authority (<i>H5</i>)	82
Table 4-6	Organization Employees – OLS Regression Analysis for Centralization-Hierarchy of Authority (<i>H6</i>)	83
Table 4-7	EEO Employees – OLS Regression Analysis for Organization Size (<i>H7</i>)	84
Table 4-8	Organization Employees – OLS Regression Analysis for Organization Size (<i>H8</i>)	85
Table 4-9	EEO Employees – OLS Regression Analysis for Formalization (<i>H9</i>)	86
Table 4-10	Organization Employees – OLS Regression Analysis for Formalization (<i>H10</i>)	87

List of Figures

<i>Figure Number</i>	<i>Figure Name</i>	<i>Page</i>
Figure 1	Proposed Relationship of EEO Reporting Structure, and Perceptions of Procedural Fairness of Employees in the Organization	31
Figure 2	New Jersey Workforce Profile (2008) – Minority Employees	39
Figure 3	New Jersey Workforce Profile (2008) – Gender	40
Figure 4	EEO Employees – Contact with EEO (Compliance Matter)	47
Figure 5	Organization Employees – Contact with EEO (Compliance Matter)	48
Figure 6	EEO Employees – Awareness of EEO Function	49
Figure 7	Organization Employees – Awareness of EEO Function	51
Figure 8	EEO Employees – Comfort with EEO Handling Concern	52
Figure 9	Organization Employees – Comfort with EEO Handling Concern	54
Figure 10	EEO Employees – Knowing Where EEO Reports	55
Figure 11	Organization Employees – Knowing Where EEO Reports	56
Figure 12	EEO Employees – Where You Think EEO Reports	58
Figure 13	Organization Employees – Where You Think EEO Reports	60
Figure 14	EEO Employees – Department Most Comfortable with Handling EEO Concern	61
Figure 15	Organization Employees – Department Most Comfortable with Handling EEO Concern	63
Figure 16	EEO Employees – Department Least Comfortable with Handling EEO Concern	65

Figure 17	Organization Employees – Department Least Comfortable with Handling EEO Concern	67
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Chapter I

Introduction

Understanding how and why perceptions of justice and fairness are formed in the workplace may represent critical elements for understanding organizational behavior. These constructs both inform, and influence employees' attitudes and behaviors. In facilitating and nurturing a productive work climate, an understanding of factors influencing employees' perceptions of fairness may be very beneficial to organizational managers and leaders. Fairness frameworks in the literature incorporate perspectives on equity and justice; this research embodies a voluminous body of work represented by organizational justice theory. Organizational justice theories may be used to examine a multitude of questions in organizational settings. **Procedural justice** is a primary construct from the organizational justice literature which pertains to the process for decision-making, including due process; **distributive justice**, incorporates the fairness of decision outcomes; and **interactional justice** is related to the manner in which decision-making processes are conducted (Greenberg 1987a). According to Colquitt, Conlon, Wesson, Porter, and Ng (2001) "justice in organizational settings can be described as focusing on the antecedents and consequences of two types of subjective perceptions: (a) the fairness of outcome distributions or allocations and (b) the fairness of the procedures used to determine outcome distributions or allocations" (p. 425). Although there are studies examining the impacts of structural factors on perceptions of procedural

justice, this research is limited compared to studies examining the relationship of individual level factors like citizenship behaviors (Organ & Moorman, 1993; Moorman, 1991); job satisfaction (Folger & Konovsky, 1989); and tenure and promotion decisions (Ambrose & Cropanzano, 2003). This study proposes an examination of the influence of organizational structure as reflected by the reporting relationship of the Equal Employment Opportunity (EEO) compliance function within organizations on employees' perceptions of procedural fairness. The terms procedural fairness and procedural justice are used interchangeably for this study.

Authority and control within traditional, hierarchically arranged bureaucratic organizations is assigned to a chief operating officer or chief executive officer (CEO). These types of organizational hierarchies are typically top-down, centralized, and rigidly structured. The EEO function is embedded in the organization's hierarchy and decision-making processes. It is this function, and its reporting relationship within the organization which offers a critical lens to study the relationship of organizational structure on employees' perceptions of fairness. In examining effective methods to resolve employee grievances and complaints, processes to address these matters may yield valuable insights for organizational theory and best practices for organizations. An organization's decision to place the EEO function outside of a direct reporting relationship of the CEO may do so at the expense of employees' perceptions of fairness,

organizational justice, and due process. The issue of 'where' the EEO function should be positioned in the organization is an important one. Moreover, there is a dearth of research in this area, and the question of EEO placement in organizations is a recurring one on the state and federal public employment landscapes. In New Jersey, for organizations mandated to comply with Executive Order # 106 (see Appendix A), according to a 2005 survey administered by the New Jersey Department of Personnel to the state's EEO personnel, 47% of EEO Officers reported to their organization's appointing authority (CEO). According to information from federal and state (New Jersey) surveys, nearly half of the organizations represented do not comply or adopt the guidelines issued for EEO reporting within their organizations. Guidance issued by regulatory authorities designates a direct reporting relationship of the EEO function to the agency head. The United States Equal Employment Opportunity Commission (EEOC) states that the EEO function, "*cannot be placed under the supervision of the agency's Director of Personnel or other officials responsible for executing and advising on personnel actions* (italics added for emphasis);" and to avoid conflicts with other administrative areas, the appearance of conflict, and neutrality (free from interference or influence from other administrative units and managers); the EEO Director must be positioned in the organization where the greatest degree of autonomy may be ensured (EEOC MD-110, 2006).

Statement of the Problem

There is substantial literature in the area of organizational justice. According to Nowakowski and Conlon (2005), organizational justice has grown up in the psychological literature over the past 40 years,” and “distributive justice was the first fairness construct studied by social psychologists” (p. 5). There have been extensive studies of organizational justice and its antecedents through laboratory studies; however, research involving examinations in organizational settings has been more limited. Further, a review of the literature did not identify examinations of organizational justice theory directly pertaining to the EEO compliance function. Thus, organizational justice theory provides a fertile area of research for examining EEO compliance practices in the workplace.

Fairness and justice should be integral components of organizational processes, and may represent important determinants of employee behaviors, attitudes, and even organizational legitimacy (Haraway, 2002). Leventhal (1980) presented an expanded conception of procedural justice and identified constructs that were associated with fairness. Leventhal indicated that procedures were fair if they were comprised of the six following criteria (see Appendix B for expanded definitions of these criteria):

- 1) **Consistency**, following consistent procedures;
- 2) **Without self-interest** (bias suppression);
- 3) **Accuracy**, the decision is based on accurate information;
- 4) **Correctability**, opportunities to correct the decision;
- 5) **Representativeness**, all concerned parties are represented; and
- 6) **Ethicality**, process follows moral and ethical standards.

The processes that seek to resolve/address complaints, disputes, and grievances represent a fundamental aspect of an organization's personnel policies, practices, and procedures. As EEO compliance involves addressing disputes and grievances, care must be taken in aligning this function with the organization's human resources, personnel, or employee relations functions. Slaikeu and Hasson (1998) offered best practices for organizations providing "internal mechanisms" to support effective conflict resolution. They reported that regarding the role of an organization's human resources or employee relations representative as a neutral intervener (mediator), that HR departments "typically can not provide the kind of neutrality or confidentiality" in addressing these concerns (p. 54-55).

The inherent benefit for designating the EEO reporting function directly to the CEO provides direct access to, and distribution of information concerning problems or issues within the organization to the CEO. In reporting relationships where the EEO function has an indirect report, i.e., through other managers or administrative offices, information to the CEO may be filtered, softened, or otherwise manipulated. This study will examine the relationship between organizational structure and procedural fairness. The following questions will be explored in this study:

- 1) Does the EEO reporting structure within organizations affect employees' perceptions of procedural fairness?

- 2) Does organizational structure influence employees' perceptions of procedural fairness?
- 3) Does the EEO reporting structure within organizations affect the procedural fairness perceptions of EEO personnel?
- 4) Does organizational structure influence the procedural fairness perceptions of EEO personnel?

A survey was used to answer these questions. Data from employees of New Jersey state departments, agencies, state colleges and universities was collected. Assessments from employees with respect to their organizations may yield insights into the influences of organizational structure on perceptions of procedural fairness. This study replicated and extended the findings of Schminke et al. (2000) using dimensions of organization structure which will include *centralization*—participation in decision making and hierarchy of authority, *size*, and *formalization*.

Significance of the Study

Examinations of employees' workplace attitudes and perceptions provide an important resource for understanding organizational behavior and the dynamics of organizational systems. As an administrative function of the organization assigned to ensuring and implementing fair employment practices, examining the organizational positioning of the EEO compliance function provides a valuable contribution to research in organizational theory.

Employees, who encounter problems or grievances with other employees, supervisory personnel and managers within their organizations, may perceive

that their concerns will be handled with greater fairness depending on the placement of the EEO function compliance function within the organization's hierarchy. Haraway (2002) noted that resolution processes for grievances and disputes between employees and managers within the organization impact perceptions of justice in the workplace, and even organizational legitimacy. Haraway "contends that workplace justice and organization success are closely tied to the legitimate actions of first-line supervisors and human resource managements' abilities to design institutions capable of fulfilling their social responsibilities in self-preserving ways" (p. 329). If the legal, human resources, personnel, and other administrative divisions within the organization are primarily instruments of, and for management, a conflict of interest would exist in positioning the EEO function within any of these administrative areas.

Decisions made by managers and supervisors may be viewed more favorably by employees if these decisions are perceived to be 'fair'. In addition, even if the outcome of decision processes are not favorable, if employees believe that processes in which decisions were determined were fair, then further grievance actions and/or appeals by affected employees may be mitigated. Processes within the workplace that provide due process and processes that are perceived to be fair may be very important in influencing employees' perceptions of fairness (Taylor, Tracy, Renard, Harrison, & Carroll, 1995).

Key Terms

Chief Executive Officer (CEO) – chief organizational or governing official assigned the final authorization for personnel and employment decisions for the organization or agency, i.e., President, Commissioner, Agency Head, Appointing Authority, etc.

Distributive Justice (DJ) – refers to the outcome of the decision-making process (Greenberg, 1987a).

Equal Employment Opportunity (EEO) – equal employment opportunity programs (which sometimes encompasses affirmative action), practices, standards; including complaints of discrimination, sexual harassment in violation of federal and state laws and statutes. Governmental titles for employees overseeing these functions may include, EEO Director, EEO Officer, EEO Director, EEO Manager, AA Director, AA Officer, etc.

Interactional Justice (IJ) – refers to the manner in which decisions are processed (Nowakowski & Conlon, 2005).

Organizational Justice (OJ) – a range of theoretical perspectives examining decision-making processes and outcomes (Colquitt et al., 2001).

Organizational Structure (OS) – ordered bureaucratic or organizational systems, usually hierarchically arranged (Downs, 1965).

Procedural Justice (PJ) – refers to the process in which decisions are made (Thibaut & Walker, 1975; Alexander & Ruderman, 1987).

CHAPTER II

LITERATURE REVIEW

This chapter includes a summary of organizational justice literature and a review of the relevant concepts and theoretical perspectives germane to this study. Background information on the equal employment opportunity (EEO) function as it pertains to the workplace has been provided. Explanations of the construct variables 1) organizational structure represented by the dimensions of *centralization* – participation in decision making and hierarchy of authority, *size*, and *formalization*; and 2) procedural justice are provided.

Organizational Structure

Organizational structure became an important consideration during the industrial revolution. Max Weber and Frederick Taylor identified structure as a way to increase the efficiency of the workplace. Taylor (1912) developed scientific management principles to both organize work and to increase the productivity of workers. Weber's (1922) essay on *Bureaucracy*, offered a standard and structure for bureaucratic systems, incorporating "modern officialdom and its functions, and the position of the official" (p. 37). Both Taylor and Weber's view delineated a system at looking at the most efficient structures for carrying out tasks, represented by a "top-down" approach to administration. This structural focus faded into the background when the human relations movement began to dominate the profession, but lately it has reemerged as the bureaucratic structure itself has come under fire for being slow, cumbersome,

and inhospitable to innovation (Hammer & Champy, 1993). Despite critiques, the efficiency of modern bureaucratic structures is evident. The cornerstone of these systems is their centralized authority arranged on a hierarchical basis (Litwak, 1961). An example of a hierarchically arranged organizational structure is illustrated in Table 1 provided below. Even though bureaucratic structures are frequently criticized, the authority of managerial hierarchy provides organizational accountability, and according to Jaques (1990) “is and will remain the *only* way to structure unified working systems ... with employees” (p. 129).

TABLE 1

Vertical Organizational Hierarchy (“Top-Down”)

CHIEF EXECUTIVE OFFICER (CEO)*



UPPER MANAGERS (e.g. Vice Presidents)



MIDDLE MANAGERS (e.g. Directors)



OTHER SUPERVISORY PERSONNEL



NON-SUPERVISORY OR NON-MANAGERIAL PERSONNEL

*It is common for an advisory board or a board of directors to be included in these structures.

Hierarchical organizations are also referred to as “mechanistic” with characteristics embodying “rigid, tight, and traditional bureaucracies” where “power is centralized” and “communications follow rigid hierarchical channels” (Ambrose & Schminke, 2003, p. 295). These organizations exert considerable

operational control and influence, and authority starts at the top. Bateman & Snell (1999) in their discussion of the characteristics of vertical structures note the legitimate right of authority in decision-making and delegation of these organizational types. The impacts of hierarchical control, authority, and influence in organizational decision-making have been established in earlier research (Blankenship & Miles, 1968; Pugh, Hickson, Hinings, & Turner, 1968; and Hage & Aiken, 1967). In the study by Blankenship and Miles, the researchers found that "hierarchical position was ... the most important determinant of the decision behavior [managers reported] for the decisions studied" (p. 106). The organization's CEO even if accountable within the organizational hierarchy to a board of directors or other governing body establishes the direction of the organization and serves as its premier institutional leader. As such, accountability for the entire organization may be vested in the CEO. The organization's directives, goals, and objectives are fundamental responsibilities of the CEO as the individual occupying the top position in the hierarchy. Moreover, it is up to the organization's members to fulfill the directives of the institutional leadership (Ouchi, 1978).

Employees may feel more confident that their concerns are given the utmost consideration when these concerns are brought to the attention of the organization's top leader. This may lead to an enhanced feeling or perception of having *voice* by the employee(s). Voice pertains to an opportunity or

opportunities to express concerns or feelings. Hirschman's (1970) definition of voice has been frequently referenced in the procedural justice literature. According to Hirschman, voice is "any attempt at all to change, rather than escape from, an objectionable state of affairs" (p. 30). Hirschman also notes that "the organization's members express their dissatisfaction directly to management or to some authority to which management is subordinate or through general protest addressed to anyone who cares to listen" (p. 4). Following Hirschman's logic, direct reporting of the EEO function to the organization's CEO may be a best practice for organizations. Employees may feel that their concern or complaint is being processed under the direction of the organization's highest administrative authority. Employees may feel that under an EEO reporting relationship to the CEO, they have direct, unfettered access to the CEO; providing a greater opportunity for information to be shared from their (employees') viewpoint. In reporting relationships where there is a more indirect or distant reporting relationship with the CEO, information and concerns by employees may be filtered or perceived to be filtered during the processing of these matters. Also, the alignment of the EEO unit to the CEO facilitates the importance of the EEO unit's power position in the organization. The power/authority of the EEO unit and/or the perception of the power/authority of the EEO unit may influence employees' perceptions. Ford and Johnson (1998) provide the following on perceptions of power and subordinates, "power

estimation is a crucial component ... power calculations shape tactical decisions by helping subordinates choose among options available to them ... power assessments may result in influence without actual use of power; for example, a subordinate may simply acquiesce to a supervisor's demands on the basis of an estimate of that party's power, or an anticipated response to use of power ..." (p. 16).

Prior studies have found relationships between size, centralization, and authority in organizations (Bacharach & Aiken, 1976; Blankenship & Miles, 1968; and Hage & Aiken, 1967). Blankenship and Miles (1968) found that in relation to organizational size, perceived managerial influence was greater for "managers at the top level in larger organizations" than in medium and smaller organizations (p. 116). In Hage and Aiken's study, the researchers used the measure of hierarchy of authority "since work decisions are related to the chain of command as represented in an organization chart" (p. 78). There have been a few studies that have considered the relationship of formalization as a measure in investigating the dimensions of organizational structure (Ouchi, 1978; Bacharach & Aiken, 1976; Pugh et al., 1968; and Hage & Aiken, 1967). Pugh et al. (1968) defined formalization as "the extent to which rules, procedures, instructions, and communications are written" (p. 75). Hage and Aiken (1967) found a "strong association between rule observation and hierarchy of authority" (p. 88).

Ouchi (1978) stated that “in hierarchical organizations, policies and objectives are typically set or at least ratified by occupants of higher-level positions and are then communicated to lower participants who are charged with the responsibility to carry out the necessary actions” (p. 173).

Studies have also examined the influence of organizational structure on organizational effectiveness, i.e., research on hierarchical structure (Bhargava & Sinha, 1992) and quality management practices (Chalykoff, Sharma, & Williams, 1995). Spreitzer (1996) found that a social structural factor like unit size was associated with managerial empowerment¹; and those larger units “rather than being viewed as bureaucratic ... provide more meaning to individuals” (p. 495). Ambrose and Schminke (2003) studied organizational structure and organizational justice by examining the relationship between procedural justice and perceived organizational support in organizations. Perceived organizational support involves an employee’s global beliefs about the organization. It describes whether employees feel that the organization “values their contributions and cares about their well-being” (Eisenberger, Huntington, Hutchinson, & Sowa, 1986, p. 500). Ambrose and Schminke found that the relationship of procedural justice and perceived organizational support was stronger in mechanistic organizations.

¹ Spreitzer (1995) defines empowerment as “motivational construct manifested in four cognitions: meaning, competence, self-determination, and impact. Together, these four cognitions reflect an active, rather than a passive, orientation to a work role” (1444).

Hernandez-Marrero and Flint (2005) replicated the findings of Schminke et al. (2000) utilizing Spreitzer's (1996) measures to examine the effect of social structural variables on perceptions of procedural justice. Using a Spanish-speaking sample of "health care managers from all health service organizations of the Canarian Health Service (CHS)" located in Spain (p. 62). Hernandez-Marrero and Flint found that social structural variables had a significant relationship with perceptions of procedural justice. The current study will contribute to research examining the importance of organizational structure as a variable in explaining organizational justice.

The study of fairness perceptions within the context of organizational structure is important for managerial leaders and administrators. Examining fairness and justice within organizational settings may provide an enhanced understanding of the factors explaining employee motivation, satisfaction, trust, and commitment. Bowen, Gilliland, and Folger (1999) stated that there were "three themes" of fairness in the "corporate world." These themes involved 1) fairness to employees in decisions involving selection, performance appraisal, and rewards; 2) fairness to customers in both service delivery and service recovery; and 3) fairness to employees leading to the fair treatment of customers (p. 7). Folger (1986) found that when employees' perception of procedural fairness was high, justification for outcomes increased which lessened the relationship of negativity of the outcome and resentment by the employee.

Organizational structure may mediate employees' perceptions of justice in their workplace. Schminke et al. (2000) stated that their study was "motivated by a gap in the existing literature on organizational fairness: the link between perceptions of fairness and the structural characteristics of the organization in which those judgments are made" (p. 299). This study extended and contributed to this research.

Procedural Justice

Procedural justice refers to the way that organizational decision-making is conducted. Greenberg (1987b) notes that "[w]ith increasing awareness of the importance of procedural justice in organizations and preliminary demonstrations of adverse reactions to procedural justice violations comes the need to know how reactions to outcome distributions and the procedures from which they are derived are related. The primary question of interest is how the fairness of the procedures used influences the perceived fairness of the resulting outcomes" (p. 55-56). Thibaut and Walker (1975) introduced procedural justice to the organizational justice literature; and prior to their work, Colquitt et al. (2001) stated that, "the study of justice was primarily concerned with distributive justice" (p. 426). Thibaut and Walker examined procedural justice using a legal framework that defined procedural justice utilizing social-psychological methods. Distributive justice refers to the outcomes of the decision-making process, and includes perceptions of fairness in compensation, selection processes, benefits

received, performance appraisals, sanctions, etc. In research on the interaction between procedural justice and distributive justice, more procedural justice accounted for more variance in management evaluations, job satisfaction; and more variance in perceived conflict (Alexander & Ruderman, 1987). Procedural justice had a greater influence on organizational commitment and trust in supervisor than distributive justice (Folger & Konovsky, 1989). Greenberg (1987b) found that “subjects saw high pay levels as fair regardless of procedures but saw low pay levels as fair only when fair procedures were used” (p. 59). Similarly, Cropanzano and Folger (1989) found that “resentment was highest when subjects perceived that unfair procedures prevented them from receiving high rewards for task performance” (p. 297). McFarlin and Sweeney (1992) conducted research to determine if the laboratory studies by Greenberg (1987b) and Cropanzano and Folger (1989) could be generalized to organizational settings. McFarlin and Sweeney reported that procedural justice may be a predictor of organizational commitment and trust in supervisor. On the other hand, distributive justice may be an important predictor of “personnel outcomes, like satisfaction with pay level” (p. 627). The importance of procedural and distributive justice in the workplace extends beyond the outcomes resulting from decision processes. Cropanzano and Randall (1993) advise that for individuals (employees), “outcomes are not the only relevant issue ... the way one is treated is equally important. Experience suggests that the favorability of a single

outcome is less crucial when the underlying allocation process is fair” (p. 9).

Loi, Hang-yue, and Foley (2006) found that employee perceptions of organizational justice contributed to positive employee attitudes about the organization.

It is important to note that distinctions and interactions between procedural justice and distributive justice have been well documented. Greenberg (1990b) chronicling research in organizational justice noted attempts to distinguish between conceptualizations of procedural justice and distributive justice in their relationships to various outcomes. A large amount of the research in the first two decades of organizational justice’s inception has employed a two-factor model in exploring a variety of relationships and interactions. Folger and Konvosky (1989) using a two-factor model examined the impact of personnel decisions on procedural justice focusing on individuals’ reactions to pay raise decisions in their model. In another study, McFarlin and Sweeney (1992) found that distributive justice was a predictor of personal outcomes (pay and job satisfaction) and procedural justice predicted organizational outcomes (organizational commitment and subordinate evaluation of supervisor) more. Colquitt et al. (2001) in their twenty-five year meta-analytic review of organizational research noted that although a number of studies have examined the effects of both procedural justice and distributive justice, there were very high correlations between these two constructs.

Two key aspects of procedural justice involves *process control*, the opportunity to present information to the decision-maker (Lind & Tyler, 1988; and Thibaut & Walker, 1975); and *voice*, the opportunity to express views. Thibaut and Walker's work was seminal in the development of procedural justice theory. In their text, the authors state "When an objective standard is available, any cognitive conflict that exists is reduced; the disputants know that a true solution is forthcoming. Without a standard, there is no assurance that truth can prevail" (p. 15). In exploring process measures, there are several key conceptual and theoretical frameworks which impact employee attitudes and motivation. These conceptualizations provide explanations for the formation of perceptions of procedural fairness and fairness judgments.

Procedural Justice and the Formation of Fairness Judgments

It has been widely noted by researchers that justice judgments are greatly influenced by procedures (Van den Bos, Vermunt, & Wilke, 1997; and Lind & Tyler, 1988). Van den Bos et al. stated that the *fair process effect* is "one of the most striking contributions of the work on social justice, and one of the most frequently replicated findings in social psychology" (p. 1034). Employees may have a positive view of the workplace when they perceive it as fair. These views of the workplace may lead to other positive behaviors like loyalty and organizational commitment (Lind & Tyler, 1988). Specifically, fair procedures may contribute to what has been described by Greenberg and Folger (1983) as

“fair process effect.” Folger (1986) found that “the perception of high procedural fairness makes the outcomes more justifiable, thereby reducing the relationship between outcome negativity and individuals’ resentment” (p. 318-319). Another important conceptualization is *fairness heuristic theory* which pertains to the view people have related to authority. Fairness heuristic theory proposes that there are times when people cede authority to others and ceding this authority may provide an opportunity for exploitation. Tyler and Lind (1992) refer to the fairness heuristic as a psychological shortcut used by people to determine if they should reject or accept directives or decisions of those in authority. Cropanzano, Byrne, Bobocel, and Rupp (2001) reported that fairness heuristic theory “not only provides us with additional sources of evidence used by individuals to form fairness judgments, but it also explains why several previous studies have concluded that evaluations of procedures are more relevant than evaluations of outcomes in making overall fairness judgments” (p. 169). *Referent cognitions theory* (RCT) was later modified and termed *fairness theory* and is represented by the work of various researchers (Folger, 1986; Folger & Martin, 1986; Folger, Rosenfield, Rheaume, & Martin, 1983a; and Folger, Rosenfield, & Robinson, 1983b). Folger et al. (1983b) hypothesized that subjects’ discontent could be manipulated using situations where there was a “poor chance of obtaining a desired outcome,” constituting a “low-likelihood manipulation” (p. 268). In high-referent manipulation subjects were aware of an alternative procedure that was

not being used, but experienced a desirable outcome. Folger and his colleagues determined that resentment and anger about procedures are influenced by low and high-referent conditions. Cropanzano and Folger (1989) stated that referent cognitions theory “predicts resentment of unfair treatment when unjustified procedures yield poor outcomes” (p. 294). Cropanzano et al. (2001) reported that:

“RCT maintains that an unfair judgment will result from a situation where an individual believes a more favorable outcome *would* have resulted from an alternative procedure that *should* have been used. Thus, the referent in this model refers to the awareness of procedural alternatives that would lead to a more favorable outcome.

Folger and his colleagues determined that a high referent (i.e., an individual aware that alternative procedures lead to better outcomes) is more likely to engender injustice than a low referent (i.e., an individual not aware of alternative procedures that could result in a better outcome)” (p. 167).

The concepts listed above influence how people form justice judgments and are determinants of their reactions to the fairness of outcomes and perceptions of procedural justice.

EEO Compliance

The specific examination of the EEO compliance function within the context of organizational structure may provide an important context for understanding the relationship between organizational structure and procedural fairness. EEO is generally seen as a mechanism for promoting equity and fairness; and its core principles are inextricably linked to organizational justice

principles (equity and fairness). Research on organizational-level variables that influence perceptions of fairness is limited. Specific research involving EEO processes within organizations is even more limited. Where there is research available, the focus of research involving EEO processes focuses on hiring and recruitment related issues. For example, Konrad and Linnehan (1995) conducted a study on formalized human resources management (HRM) structures and how they promoted EEO in a hiring context. HRM structures in this study pertained to “rules, programs, positions, and procedures influencing personnel decision making in an organization” (p. 788). It was found that formalized HRM structures improved the hiring status of EEO candidates. Konrad and Linnehan also reported that “... top managers’ attitudes were found to be significant predictors of effective EEO/AA efforts. Top management support of those efforts helped to foster the development of organizations’ identity-conscious structures, which in turn were associated with improvement in the employment status of protected groups” (p. 809). EEO/AA efforts within organizations to increase the presence of underrepresented and diverse groups and individuals within these organizations are critical to having a representative workforce. Riccucci and Saidel (1997) noted that in particular, “women and people of color are not well represented in top policy making positions in state governments across the country” (p. 423). Research on the efficacy, importance, and salience of EEO/AA programs and efforts to increase representativeness

has been available for over thirty years. Nachmias and Rosenbloom (1973) examined representative bureaucracy “by suggesting a new way of measuring integration” (p. 590). This early research represented a precursor to later discussions of EEO/AA initiatives, policy, and programs directed at increasing representation in organizations and provided “widespread utility with regard to equal employment opportunity” (Ibid, p. 596). EEO/AA efforts to foster and increase representativeness have continued to come under intense legal scrutiny and fierce social and political opposition. These initiatives are seen as polarizing and divisive (Rosenbloom, 1981). A review of EEO processes within a compliance context, and within the context of the EEO hierarchical positioning within organizations may yield important findings. Further, the nature of EEO/AA compliance encompasses all employees and individuals, since all individuals by definition are represented by a protected category.²

Historically, the civil rights legislation of the 1960’s cleared the way and served as an impetus for equality and access to the American workplace for underrepresented groups; particularly members of racial minority groups and women. Discrimination in employment and many other areas of life was rampant in the United States for certain groups of people. The enactment of the Civil Rights Act of 1964 and other laws promulgated during this period was in response to turbulent social and political forces of the time. These legal pronouncements have had a profound impact on the advancement of equity and

² See Appendices C and D for descriptions of the protected categories.

fairness within the employment sector and other areas like public accommodations. These mandates have provided increased access to opportunities for members of our society who had been deliberately and systematically excluded. Within the area of employment, the impact of equal opportunity legislation and its enforcement is an area of critical importance for organizations and their leaders. New Jersey's anti-discrimination law prohibits discrimination and harassment based on the following protected class categories: race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability (see Appendix C for a listing of federal and state anti-discrimination laws).

The specter of prohibited discrimination and harassment within the workplace has persisted despite a series of landmark equal opportunity and civil rights legislative actions. A review of the United States Equal Employment Opportunity Commission's (EEOC) charge statistics for the fiscal years 1995 through 2005 revealed that the agency processed 884,565 charge filings "claiming multiple types of discrimination" based on the following: Race, Sex, National Origin, Religion, Retaliation (Title VII only), Age, Disability, and the Equal Pay Act. During this same period, monetary benefits reported in the

EEOC's litigation statistics amounted to **nearly one (1) billion dollars** at 956.6 million dollars (EEOC 2006). The costs associated with EEOC discrimination and harassment filings are staggering, and EEOC's financial recovery continues to escalate. In reviewing FY 2006 EEOC data, the agency recovered "a total of approximately \$274 million in monetary relief for charging parties: \$44 million through litigation and \$230 million through administrative enforcement, including mediation" (EEOC 2006).

Understanding the factors influencing employee satisfaction, motivation, and productivity are critical for fostering and ensuring a viable workforce. Previous research has revealed that when people feel they are treated unfairly, they may engage in a number of negative behaviors that impact both individual-level and organizational-level outcomes. These negative outcomes may have a pronounced effect on an organization's productivity and effectiveness. Some examples of behaviors identified in earlier research included: legal-claiming/filing a law suit (Wallace, Edwards, Mondore, & Finch, 2008); stress (Zohar, 1995); intention to quit/turnover (Dailey & Kirk, 1992); and theft (Greenberg, 1990a). These issues are particularly important for public administrators as we meet the challenges and expectations of maintaining our workforce and its changing demographics while providing effective services to our stakeholders. The sphere of public employment represents a significant proportion of the nation's workforce. According to Rumberger (1983) "U.S. census data from 1960 to 1980

show(ed) that the public sector ... employ(ed) one-sixth of the labor force and ... generated a quarter of all new jobs” over that period (p. 1). A review of public employment data from 2007 census information shows the number of full-time and part-time employees at 19,385,969.³

The administrative and financial costs of addressing EEO compliance complaints from regulatory and enforcement agencies like EEOC and responding to resultant litigation may be mitigated in organizations that are perceived to be just and fair. Additionally, employees’ positive fairness perceptions may lead to other beneficial workplace behaviors as stated earlier.

Summary

In addition to the substantial financial costs associated with addressing charges of discrimination and harassment, the costs to an organization’s image and reputation may surpass the financial costs. Specific to public sector entities, recovery from negative publicity and negative perceptions may be more difficult to overcome. These non-financial costs may include a decline in the organization’s perceived legitimacy.

As indicated earlier, procedural justice pertains to the way or manner in which decisions are made. When people feel they have an opportunity to influence the outcome of decisions by having voice and/or process control, their perception of fairness in the decision-making process is increased (Lind & Tyler,

³ From the 2007 Census of Government Employment, 2007 Public Employment Data, State and Local Governments, Revised January 2009.

1988; and Thibaut & Walker, 1975). Like Schminke et al. (2000) this study examined the relationship between organizational structure and perceptions of procedural fairness. There were two differences in the current study compared to the study conducted by Schminke et al. The first difference was that organizational structure and perceptions of procedural fairness were studied within the context of the EEO function and its reporting relationship to the organization's CEO. The second difference is that procedural justice was the only measure, while Schminke et al. examined both procedural justice and interactional justice. Schminke et al.'s dimensions of organization structure using formalization and size were adapted for this study. Schminke et al.'s centralization measure incorporated two aspects, 1) "participation in decision making (in the organization)" and 2) "hierarchy of authority" (involving relationship to supervisor in decision making) were used in this study. The results of Schminke et al.'s study found that formalization was not related to perceptions of procedural fairness; but found "strong support for the effect of centralization ... participation and authority hierarchy were significantly related to perceptions of procedural justice" (p. 299). The current study drew upon the groundwork established in the Schminke et al.'s (2000) study, and was extended by the incorporation of additional measures. Consistent with other research, Likert-type items were developed (Cropanzano et al., 2001).

The current study's replication of Schminke et al. offers the opportunity to further add to justice research in organizational settings by examining the specific context of the EEO compliance function and its reporting relationship within organizations. The study of procedural justice as a sole fairness measure may mitigate what Schminke, Cropanzano, and Rupp (2002) referred to as the "[o]ne perennial threat to construct validity is common method variance, a potential contributor to the relatively high correlations that exist between our measures of justice. Such correlations between our dependent measures create a degree of redundancy in interpreting our results that bear note" (p. 901).

Schminke et al. has established a basis of research for examining the important question of the relationship of organization structure on organizational fairness. Further, the use of replication for this study may contribute to what La Sorte (1972) purports as "the verification of theoretical generalizations" (p. 223) for organizational justice research; and may offer something that produces "new directions in method, data, and theory" (p. 225).

Chapter III

Methods

This study examined the effects of organizational structure on perceptions of procedural fairness. As mentioned in earlier chapters, the study attempted to see if the organizational placement of the EEO compliance function within organizations influenced perceptions of organizational justice. I predicted that organizational structure impacted employee perceptions of procedural fairness in the workplace. This chapter will first elaborate the model that was tested and operationalizes the measures for the independent variables representing organizational structure which included the following three dimensions: 1) centralization—participation in decision making and hierarchy of authority, 2) size, and 3) formalization; and the dependent variable procedural justice.

Research Questions and Hypotheses

This investigation replicated Schminke et al.'s (2000) research examining the relationship between organizational structure and organizational justice, but focused on the placement of the EEO function within the organization. In Schminke et al.'s (2000) study, Likert-type items were used to examine procedural and interactional fairness measures that were adapted from a Tyler and Schuller (1990) study. I believe that if the EEO compliance function is positioned within a direct or close reporting line to the organization's CEO then employees' perceptions of fairness will be increased. I predicted that organizational structure, which includes the three dimensions of centralization—

participation in decision making and hierarchy of authority, size, and formalization would have a relationship to both EEO employees' and organizational employees' perceptions of procedural fairness.

HYPOTHESES

Hypothesis 1: The closer the reporting structure of the EEO compliance function to the organization's CEO, the greater the EEO personnel's perception of procedural fairness.

Hypothesis 2: The closer the reporting structure of the EEO compliance function to the organization's CEO, the more likely employees working in that organization will have increased perceptions of procedural fairness.

Hypothesis 3: Higher levels of participation in decision making (lower centralization) will be associated with higher levels of procedural fairness perceptions for EEO personnel.

Hypothesis 4: Higher levels of participation in decision making (lower centralization) will be associated with higher levels of procedural fairness perceptions for employees in the organization.

Hypothesis 5: Lower levels of authority hierarchy (lower centralization) will be associated with higher levels of procedural fairness perceptions for EEO personnel.

Hypothesis 6: Lower levels of authority hierarchy (lower centralization) will be associated with higher levels of procedural fairness perceptions for employees in the organization.

Hypothesis 7: Greater organizational size will be associated with lower levels of procedural fairness perceptions for EEO personnel.

Hypothesis 8: Greater organizational size will be associated with lower levels of procedural fairness perceptions for employees in the organization.

Hypothesis 9: Higher levels of formalization will be associated with higher levels of procedural fairness perceptions for EEO personnel.

Hypothesis 10: Higher levels of formalization will be associated with higher levels of procedural fairness perceptions for employees in the organization.

Control Variables

Some basic demographic variables may also be important to understanding the hypothesized relationships. These variables are *Gender*, *Length of Employment*, and *Race/Ethnicity*. The gender variable will be measured by employee designations of male or female. The length of employment variable will be determined by the number of years and employee has worked at their current organization. The racial/ethnic background will be measured by employees' identification of a minority category. Minority employees are represented by the following racial/ethnic categories: Asian, Black/African American, Hispanic/Latino. The 'Other' category *may* be used by respondents who identify themselves in more than one racial/ethnic category.

Figure 1 presented below represents the conceptual model for the current study.

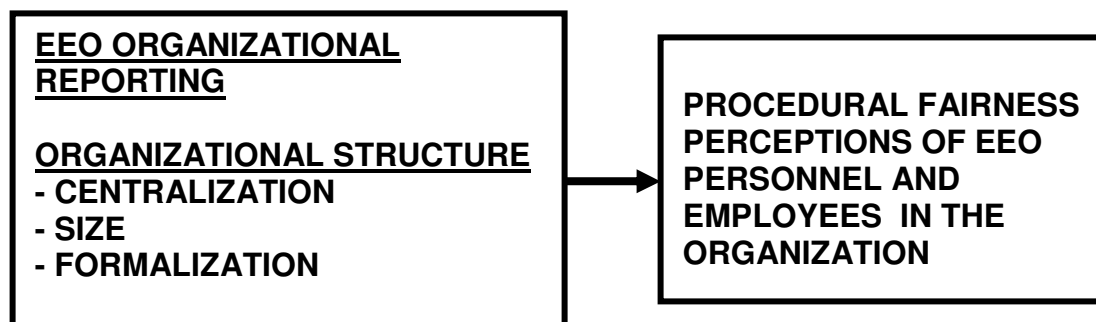


Figure 1: Proposed relationship of EEO reporting structure, organizational structure, and perceptions of procedural fairness of employees in the organization.

MEASURES

Organizational Structure

Organizational structure in this study consisted of the following dimensions, 1) centralization – participation in decision making and hierarchy of authority, 2) size, and 3) formalization. In the Schminke et al. (2000) study, “centralization refers to the concentration of power or authority in an organization;” they used two subcomponents of centralization which included participation in decision making and hierarchy of authority identified by Hage and Aiken (1967) and provide the following:

Participation in decision making refers to the relative concentration of decision-making power with regard to policy making. It addresses how involved individuals are in issues such as hiring, promotion, and setting departmental policies. The second subcomponent of centralization, hierarchy of authority, refers to the relative concentration of decision-making power with regard to performing tasks. It focuses on the autonomy an individual has in performing his or her job. Low levels of participation in decision making and high levels of hierarchy of authority each reflect a centralized structure. (p. 296)

The dimensions of organizational structure for the current study are assigned in a similar manner as measured by Schminke et al. Like Schminke et al., *centralization* was assessed using participation in decision-making and hierarchy of authority incorporating nine questions evaluated by a Likert-type scale. Organization *size* has been observed to influence workplace attitudes (Spreitzer, 1996); it was assessed by the number of full-time employees within

the organization. Like Schminke et al. *formalization* was assessed; this measure involved the extent to which the organization has written rules, policies, directives, procedures, manuals, etc.; and how this information is communicated or made available throughout the organization. Three formalization measures were adapted from Pugh et al. (1968). The scale items incorporated in Pugh et al.'s formalization construct included written policies, written operating instructions available to direct worker, manual of procedures or standing orders, etc. (p. 101). The measures for this study were structured to examine the extent of the dissemination, awareness, and training available on the EEO policy and procedures for organizations using a Likert-type scale.

Centralization—Participation in Decision Making and Hierarchy of Authority

Centralization - participation in decision making includes four items (CE1-CE4) and will be assessed on a Likert-type frequency scale (1=Never to 5=Always). Centralization – hierarchy of authority includes five items (CE5-CE9) and will be assessed by participants' responses to 5 items using a seven-point Likert-type agreement scale (1 = Strongly Disagree to 7 = Strongly Agree):

- CE1.** How frequently do you participate in decisions on the adoption of new programs?
- CE2.** How frequently do you participate in decisions on the adoption of new policies?
- CE3.** How frequently do you participate in decisions to hire new staff?
- CE4.** How frequently do you participate in decisions on the promotions of professional staff?
- CE5.** There can be little action here until a supervisor approves a decision
- CE6.** A person who wants to make her or his own decisions would be quickly discouraged

- CE7.** Even small matters have to be referred to someone higher up for a final answer
- CE8.** I have to ask my boss before I do almost anything
- CE9.** Any decision I make has to have my boss's approval

Size

Size will be measured by the number of full-time employees in the organization. The measure of size in this study is identical to the use by Schminke et al. (2000). Consistent with other research analyses on size in organizations, a log transformation will be performed on the number of employees to reduce skewness within the distribution (Schminke et al. 2000; and Kimberly, 1976).

Formalization

The measure for *formalization* – following Pugh et al. (1968) and Schminke et al. (2000) involves the extent to which rules, procedures, instructions, etc. are written down. The rules and written procedures for this study were identified by the organization's EEO policy and procedures. This measure was assessed by participants' responses to 3 items (F1-F3) using a seven-point Likert-type agreement scale with items assessing awareness of the organization's EEO policies and procedures (1 = Strongly Disagree to 7 = Strongly Agree):

- F1.** EEO policies and procedures are regularly disseminated throughout my organization
- F2.** Employees are generally aware of EEO policies and procedures
- F3.** Training is available for employees on the organization's EEO policies and procedures

Procedural Fairness

Colquitt (2001) tested a “one-factor view of justice,” which was used “as a baseline for comparing the two-, three-, and four-factor models” (p. 387).

Colquitt’s procedural justice scales incorporated the seminal work of Thibaut and Walker (1975) and Leventhal (1980)⁴. The work of Thibaut and Walker on procedural justice was based on courtroom observations “where the fairness of the verdict and the process that led to the verdict are often independent.” The scholars advanced the criteria of process control, ability to voice views and arguments during a procedure and decision control, ability to influence outcome (p. 388).

Three questions adapted from Tyler and Schuller (1990) to assess employees’ procedural fairness perceptions of supervisors in their organizations were also used. Unlike Schminke et al. (2000) procedural justice was the only justice measure assessed. Based on consistent correlations between procedural justice and distributive justice throughout organizational justice research, the use of procedural fairness was the sole justice measure, and was assessed using Colquitt’s (2001) and Tyler and Schuller’s (1990) procedural justice measures for two respondent groups 1) EEO Employees, and 2) Organization Employees.

Questions measuring perceptions of procedural justice were adapted from the Colquitt (2001) scale. Six items (PJ1-PJ6) measured perceptions of respondents related to procedures used by their organizations and were

⁴ See Appendix B for detailed information on Leventhal et al.’s (1980) fairness criteria.

presented on a 7-point Likert-type agreement scale (1 = Strongly Disagree to 7 = Strongly Agree):

The following items refer to the procedures used in your organization to make decisions.

- PJ1** Have you been able to express your views and feelings during those procedures?
- PJ2** Have those procedures been applied consistently?
- PJ3** Have those procedures been free of bias?
- PJ4** Have those procedures been based on accurate information?
- PJ5** Have you been able to appeal the (outcome) arrived at by those procedures?
- PJ6** Have those procedures upheld ethical and moral standards?

The following questions measuring procedural justice were adapted from Tyler and Schuller (1990). These items measured respondent's perceptions about their supervisors. Three items (PJ7-PJ9) were be presented on a Likert-type frequency scale (1=Never to 5= Always):

The following items refer to your supervisor's actions related to respondent.

- PJ7** How much of an opportunity were you given to describe your problem before any decisions were made about how to handle it?
- PJ8** How much influence did you have over the decisions made by your supervisor?
- PJ9** How much consideration was given to your views when decisions were made about how to handle your problem?

This section discussed the operationalization of the variables used to measure employees' perceptions of procedural fairness. The next section will outline the survey implementation process.

Participants

Surveys were distributed to State of New Jersey employees representative of agencies and departments that fall within the jurisdiction of the former New Jersey Department of Personnel.⁵ These organizations include representation from the consumer, educational, facilities, and social services sectors. A review of published organizational charts was used to determine where the EEO function reported within the hierarchy of the organizations participating in the study. Although participants are asked to self-report the reporting relationship of their organization's EEO compliance function, information available from governmental sources was used to confirm this information. More importantly, respondents may misidentify the reporting relationship of the EEO function. In this case, employees' *perceptions* of fairness in their organizations will contribute to the findings even if respondents are not aware or erroneously assign the reporting relationship of the EEO function.

Procedure

Purposive sampling was used to identify the EEO contacts and their organizations. The EEO contacts served as contacts for their organizations, disseminating survey information to 20 to 30 participants from their respective organizations. Each organization's contact person was encouraged to identify survey participants representative of various job titles and positions from their organization.

⁵ The N.J. Department of Personnel was abolished and replaced by the N.J. Civil Service Commission on June 30, 2008.

Distribution of all survey information was conducted via electronic communication. The survey was maintained by an external web server, and anonymity was maintained for all responses. The introductory page of the survey web site included instructions and advised participants of the anonymity of their responses. The survey included a section for demographic information (gender, age, years of employment, etc.) including questions assessing components of organizational structure (i.e., centralization and formalization) and procedural fairness perceptions. Measures for size and hierarchical reporting structure were derived from documents available through the public record, i.e., organizational charts, New Jersey Department of Personnel documents. The employee survey instrument is provided in Appendix E. Following the initial email notice with the study's survey link, periodic follow-up notifications were sent to prospective respondents who did not complete the survey. The IRB Exemption for this research protocol is provided in Appendix F.

Summary

In this chapter, I illustrated my model, operationalized measures, and developed hypotheses to test the relationship between organizational structure and perceptions of procedural justice. The methodology and procedures for the study were also reviewed.

Chapter IV

Findings

Sample

As stated in the procedure, employees and organizations were identified for participation in the study representative of various New Jersey governmental agencies, state colleges, and universities. Although the sample used in this study was small, several features of its demographic composition were representative of New Jersey's state agency workforce, i.e., ethnicity/racial background, gender, and length of service. A review of the New Jersey workforce profile (2008) shows that the workforce is comprised of 42.1% minority employees, Figure 2; 56% female and 44% male, Figure 3; and over 50% work in official/administrator and professional job categories. The average age of the employees is 45, and the average length of service is 13 years.

Figure 2

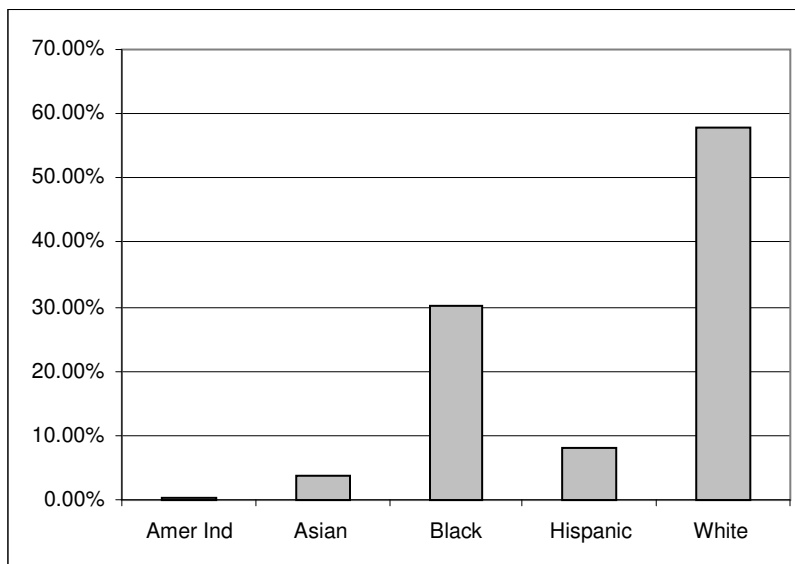
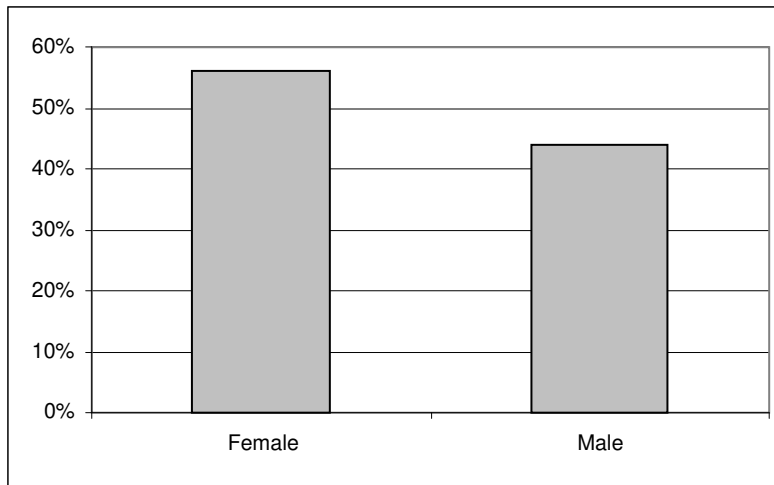


Figure 3



Seventeen (17) State of New Jersey departments and agencies were identified for participation in this study. Of the 17 organizations that were contacted, 5 were unable to participate, 12 expressed an interest/willingness to participate, and 7 organizations actually completed surveys for a participation rate of 41%. The total number of completed surveys from EEO employees and employees within their respective organizations was 108. There were 25 respondents who were employed by their organization's EEO unit or office, and 83 respondents were not employed in their organization's EEO unit or office.

The following is a profile of the organizations participating in the study, 4 organizations had a direct EEO reporting relationship to the agency head (CEO) and 3 had an indirect EEO reporting relationship; the average employee diversity of all the organizations is 29.7%; and the size range for all participating organizations varied from 100 – 500, 1000 – 1500, 1500 – 2000, 3000 – 3500, and 3500 – 4000, Table 2.

Table 2

Profile of Organizations Participating in the Study

<i>Organization</i>	<i>Report Level</i>	<i>Employee Diversity</i>	<i>Size</i>
Organization 1	Indirect Report	32%	100 – 500
Organization 2	Indirect Report	17%	3000 – 3500
Organization 3	Direct Report	36%	1500 – 2000
Organization 4	Direct Report	32%	3500 – 4000
Organization 5	Direct Report	12%	1000 – 1500
Organization 6	Indirect Report	36%	1000 – 1500
Organization 7	Direct Report	43%	1000 – 1500

Descriptive Analysis

The EEO Employees' age categories were: 4% between the age of 25-30, 28% between the age of 31-45, 56% between the age of 46-55, and 12% were age 56 and above (Table 2-1).

TABLE 2-1: EEO Employees, N = 25

		Age Category			
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1 25 - 30	1	4.0	4.0	4.0
	2 31 - 35	3	12.0	12.0	16.0
	3 36 - 40	2	8.0	8.0	24.0
	4 41 - 45	2	8.0	8.0	32.0
	5 46 - 50	5	20.0	20.0	52.0
	6 51 - 55	9	36.0	36.0	88.0
	7 56 - 60	2	8.0	8.0	96.0
	9 over 65	1	4.0	4.0	100.0
	Total	25	100.0	100.0	

The gender/sex of the EEO Employees was 68% female and 32% male (Table 2-2).

TABLE 2-2: EEO Employees, N = 25

		Gender/Sex			
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1 Female	17	68.0	68.0	68.0
	2 Male	8	32.0	32.0	100.0
	Total	25	100.0	100.0	

The ethnic/racial background of the EEO Employees was 52% Black/African American, 40% Caucasian/White, and 8% Hispanic/Latino (Table 2-3).

TABLE 2-3: EEO Employees, N = 25

		Ethnicity/Race			
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2 Black/AA	13	52.0	52.0	52.0
	3 Cauc/White	10	40.0	40.0	92.0
	4 Hispanic/Latino	2	8.0	8.0	100.0
	Total	25	100.0	100.0	

Other descriptive data indicated that 76% of EEO Employees listed official/administrator and professional as their job categories with the other 24% of job categories incorporating technician, clerical, service, and paraprofessional

titles; and 76% of the EEO Employees reported an educational attainment level beyond high school, 20% Associate's degree, 16% Bachelor's degree, 12% Law degree, and 28% Master's or other advanced degree. The average length of employment for the EEO Employees in their organization was 15.36 years.

The Organization Employees' age categories were: 2.4% between the age of 25-30, 27.7 between the age of 31-45, 39.8 between the age of 46-55, and 30.1 were age 56 and above (Table 2-4).

TABLE 2-4: Organization Employees, N = 83

		Age Category			
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1 25 - 30	2	2.4	2.4	2.4
	2 31 - 35	4	4.8	4.8	7.2
	3 36 - 40	6	7.2	7.2	14.5
	4 41 - 45	13	15.7	15.7	30.1
	5 46 - 50	15	18.1	18.1	48.2
	6 51 - 55	18	21.7	21.7	69.9
	7 56 - 60	20	24.1	24.1	94.0
	8 61 - 65	4	4.8	4.8	98.8
	9 over 65	1	1.2	1.2	100.0
Total		83	100.0	100.0	

The gender/sex of the Organization Employees was 62.7% female and 37.3% male (Table 2-5).

TABLE 2-5: Organization Employees, N = 83

Gender/Sex					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1 Female	52	62.7	62.7	62.7
	2 Male	31	37.3	37.3	100.0
	Total	83	100.0	100.0	

The ethnic/racial background of the Organization Employees was 4.8% Asian, 33.7% Black/African American, 50.6% Caucasian/White, 6% Hispanic/Latino, and 4.8% Other (Table 2-6).

TABLE 2-6: Organization Employees, N = 83

Ethnicity/Race					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1 Asian	4	4.8	4.8	4.8
	2 Black/AA	28	33.7	33.7	38.6
	3 Cauc/White	42	50.6	50.6	89.2
	4 Hisp/Latino	5	6.0	6.0	95.2
	5 Other	4	4.8	4.8	100.0
	Total	83	100.0	100.0	

Other descriptive data indicated that 84% of Organization Employees listed their job category as official/administrator and professional with the other 16% of job categories incorporating clerical and paraprofessional titles; and

86.7% reported an educational attainment level beyond high school, 8.4% Associate's degree, 22.9% Bachelor's degree, 2.4% Law degree, and 53.0% Master's or other advanced degree. The average length of employment for Organization Employees in their organization was 15.06 years.

Respondents were asked questions (Q2-Q8) to assess their interactions with the EEO unit within their organization concerning an EEO matter, their awareness of the purpose and job functions of EEO in their organizations, whether they were comfortable with their EEO unit or other offices within the organization handling their concerns, and whether they knew the reporting relationship of the EEO unit in their organization.

It is important to note that respondents 'self-reported' whether they *knew* the reporting relationship of their EEO unit in their organization, as well as *where (to whom)* they thought the EEO unit reported in their organizations. Based on a review of the 'actual' reporting data for the participating organizations, this data revealed that 11 of the EEO respondents (44%) misreported or were wrong in their designation of the reporting relationship of their EEO unit within their organization. The data revealed that 26 of the Organization Employee respondents (31.3%) misreported or were wrong in their designation of the reporting relationship of their EEO unit within their organization.

The data also revealed that 12% of EEO Employees responded they either did not know or were not sure where the EEO unit reported in their

organization; however, when asked to identify *where* they thought the EEO unit reported, only 4% responded that they were “Not Sure.” For the Organization Employees, 15.6% responded they either did not know or were not sure where the EEO unit reported in their organization; and, when asked to identify *where* they thought the EEO unit reported, only 6% responded that they were “Not Sure.” These responses reveal some of the inconsistencies of self-reported information, but despite these discrepancies, the respondents’ information on their perceptions are critical to this study.

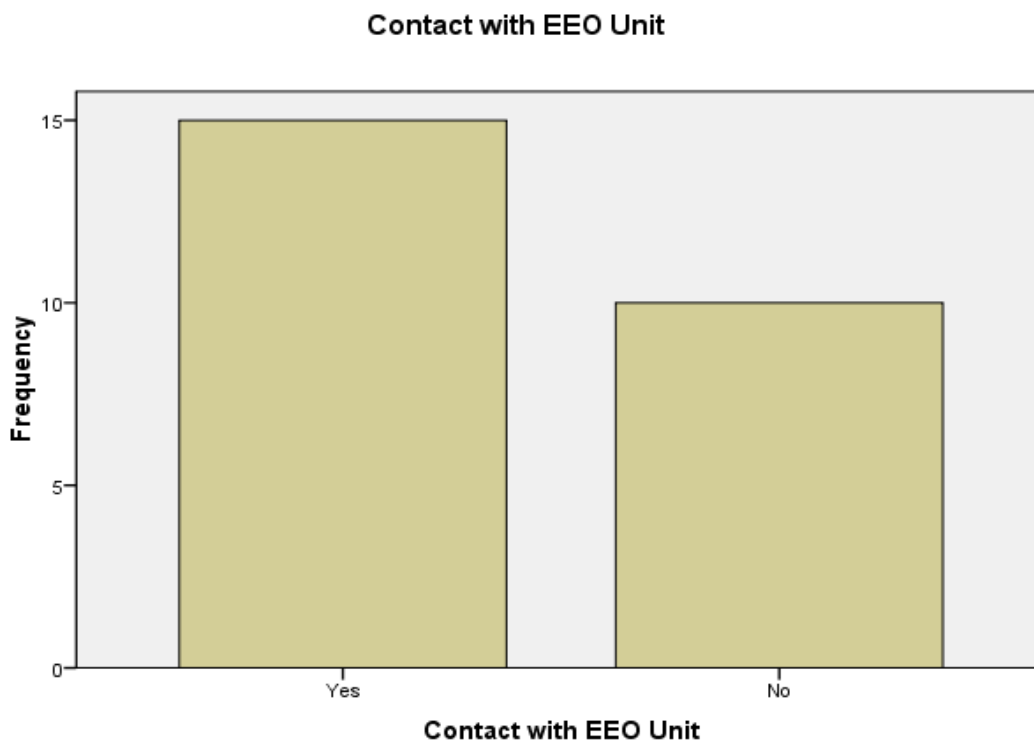
Question 2 (Q2): Have you ever had direct contact with your organization’s EEO unit or office concerning an EEO matter?

Sixty percent of EEO Employees reported having direct contact with their organization’s EEO unit regarding an EEO matter (policy compliance or other concern); Table 2-7, Figure 4.

TABLE 2-7: EEO Employees, N = 25

Q2 - Contact with EEO Unit					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	15	60.0	60.0	60.0
	No	10	40.0	40.0	100.0
	Total	25	100.0	100.0	

Figure 4

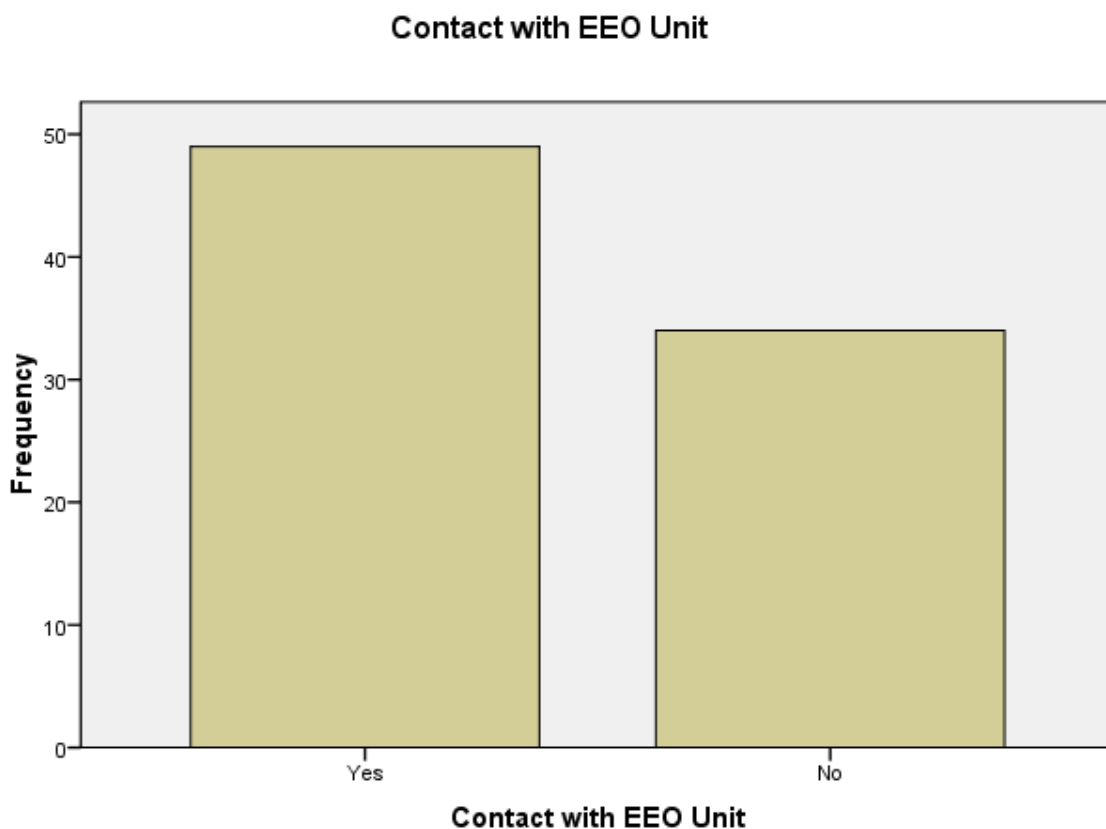


Fifty-nine percent of Organization Employees reported having direct contact with their organization's EEO unit regarding an EEO matter (policy compliance or other concern); Table 2-8, Figure 5.

TABLE 2-8: Organization Employees, N = 83

Q2 - Contact with EEO Unit					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	49	59.0	59.0	59.0
	No	34	41.0	41.0	100.0
	Total	83	100.0	100.0	

Figure 5



Question 3 (Q3): Are you generally aware of the purpose and job functions of your organization's EEO unit or office?

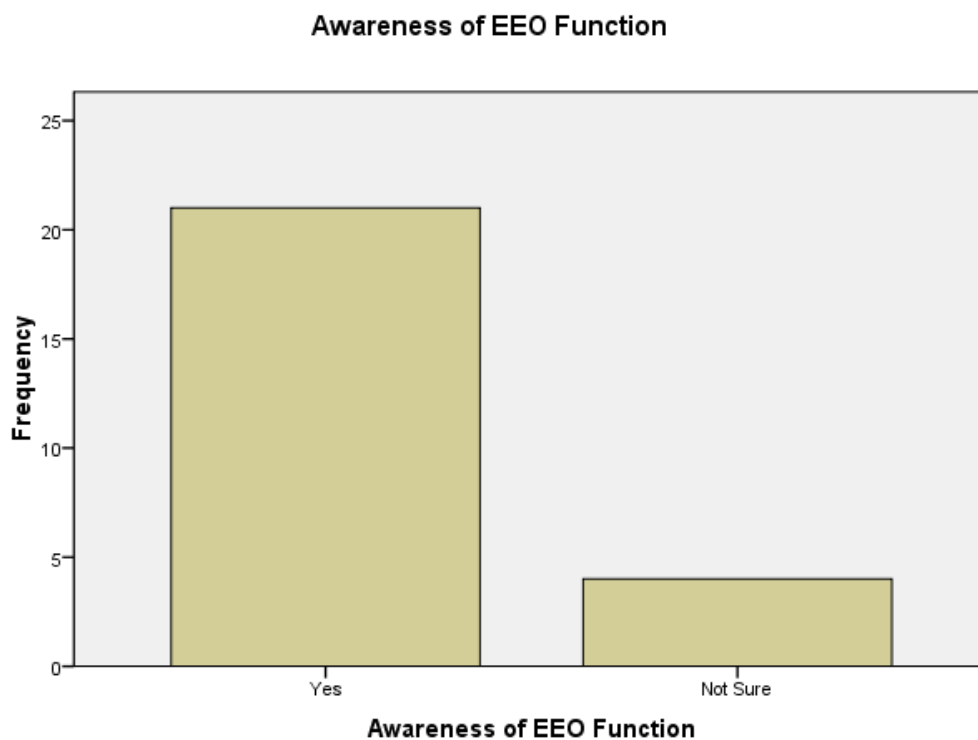
Eighty-four percent of EEO Employees reported having general awareness of the purpose and job function of their organization's EEO unit, Table 2-9, Figure 6 and 16% reported being 'not sure'.

TABLE 2-9: EEO Employees, N = 25

Q3 - Awareness of EEO Function

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	21	84.0	84.0	84.0
	Not Sure	4	16.0	16.0	100.0
	Total	25	100.0	100.0	

Figure 6

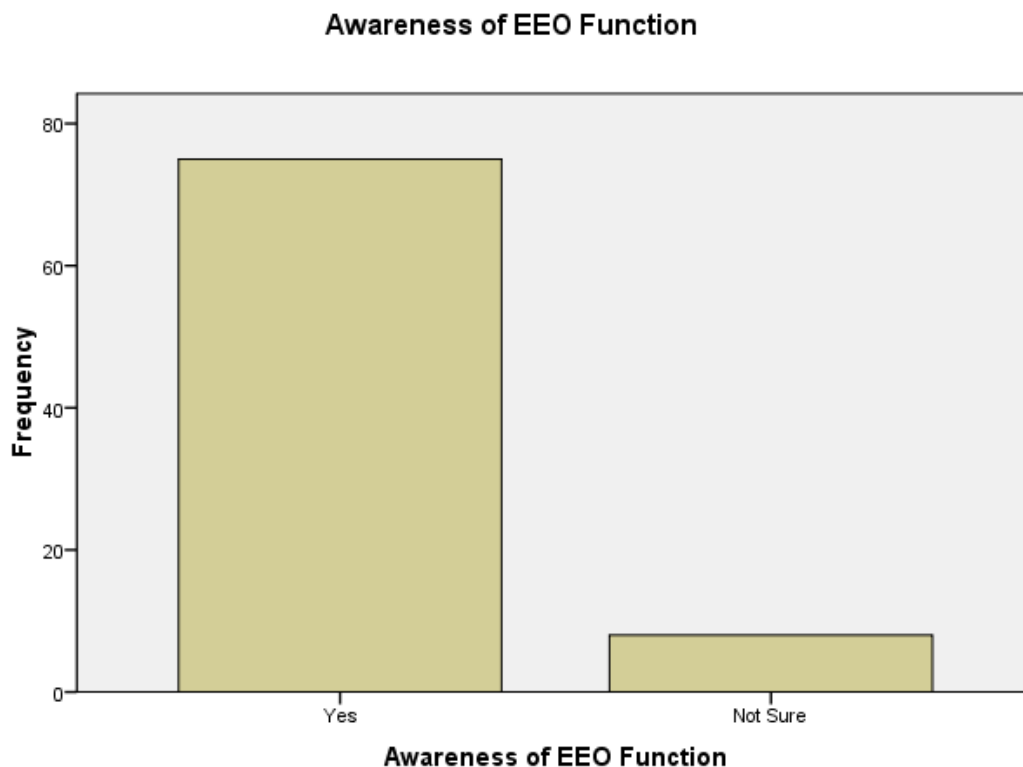


Ninety point four percent of Organization Employees reported having general awareness of the purpose and job function of their organization's EEO unit, Table 2-10, Figure 7 and 9.6% reported being 'not sure'.

TABLE 2-10: Organization Employees, N = 83

Q3 - Awareness of EEO Function					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	75	90.4	90.4	90.4
	Not Sure	8	9.6	9.6	100.0
	Total	83	100.0	100.0	

Figure 7



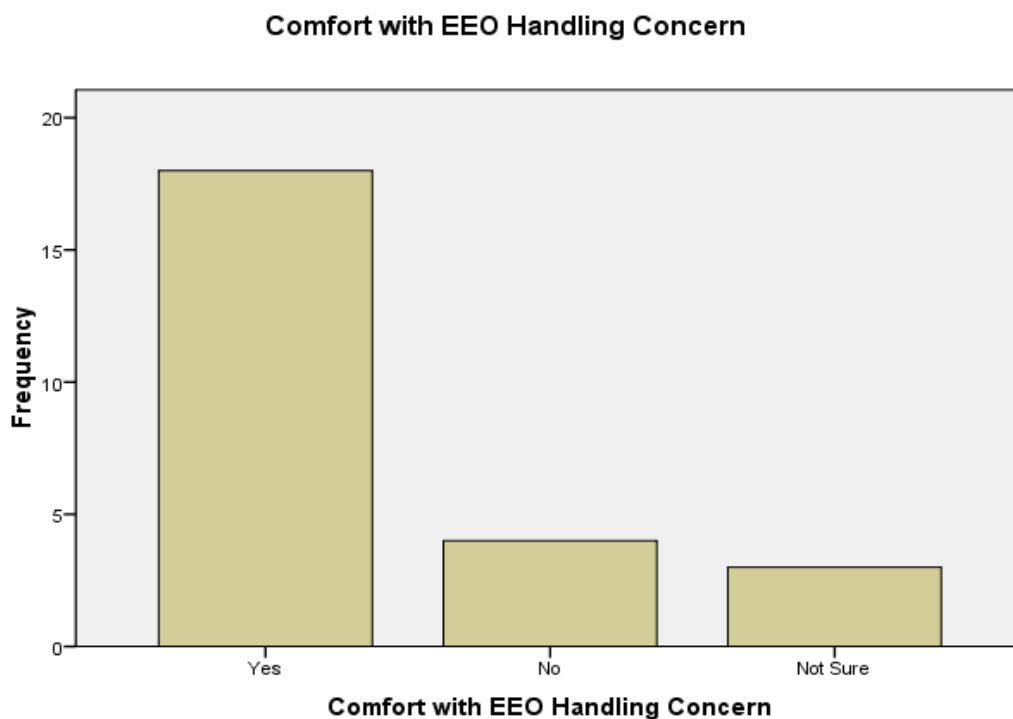
Question 4 (Q4): If you have a concern which falls under the jurisdiction of your organization's EEO unit or office would you feel comfortable with that office handling this matter?

Seventy-two percent of EEO Employees reported being comfortable with having their organization's EEO unit handling their EEO concern, 12% reported being 'not sure', and 16% reported 'no', Table 2-11, Figure 8.

TABLE 2-11: EEO Employees, N = 25

Q4 - Comfort with EEO Handling Concern					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	18	72.0	72.0	72.0
	No	4	16.0	16.0	88.0
	Not Sure	3	12.0	12.0	100.0
	Total	25	100.0	100.0	

Figure 8

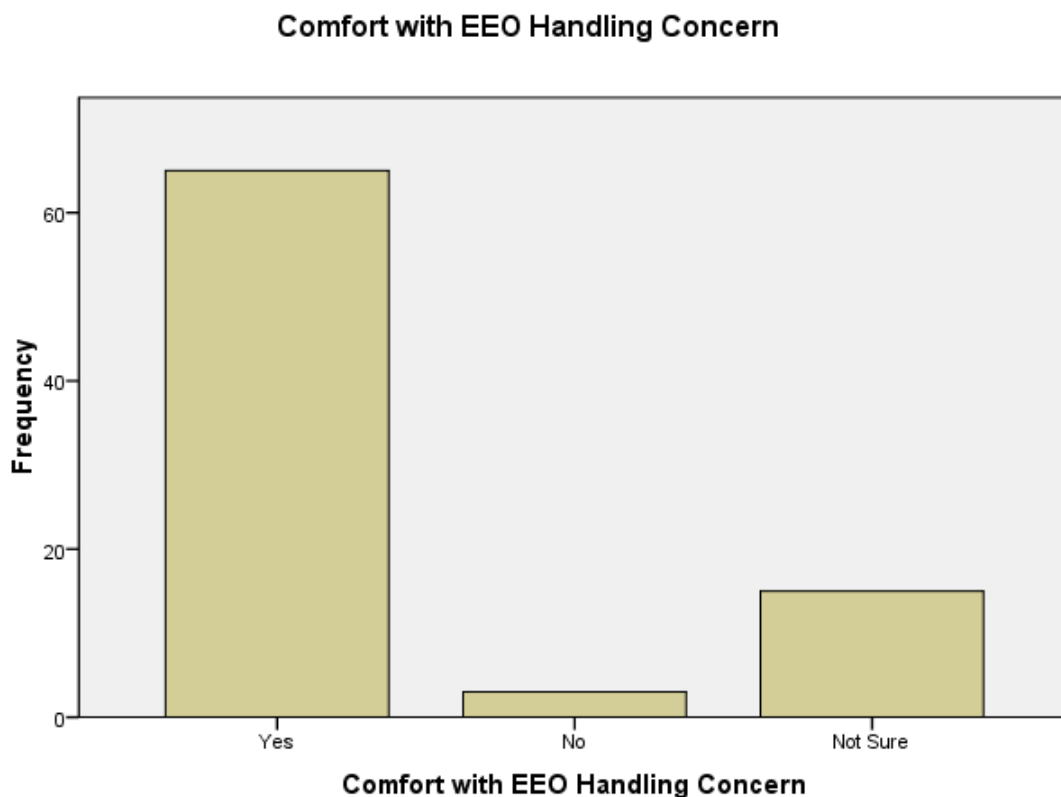


Seventy-eight point three percent of Organization Employees reported being comfortable with having their organization's EEO unit handling their EEO concern and 18.1% reported being 'not sure', and 3.6 reported 'no', Table 2-12, Figure 9.

TABLE 2-12: Organization Employees, N = 83

Q4 - Comfort with EEO Handling Concern					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	65	78.3	78.3	78.3
	No	3	3.6	3.6	81.9
	Not Sure	15	18.1	18.1	100.0
	Total	83	100.0	100.0	

Figure 9



Question 5 (Q5): Do you know where the EEO unit or office in your organization reports? For example, does it report to your organization's Commissioner, President, Agency Head, Human Resources Office, etc.?

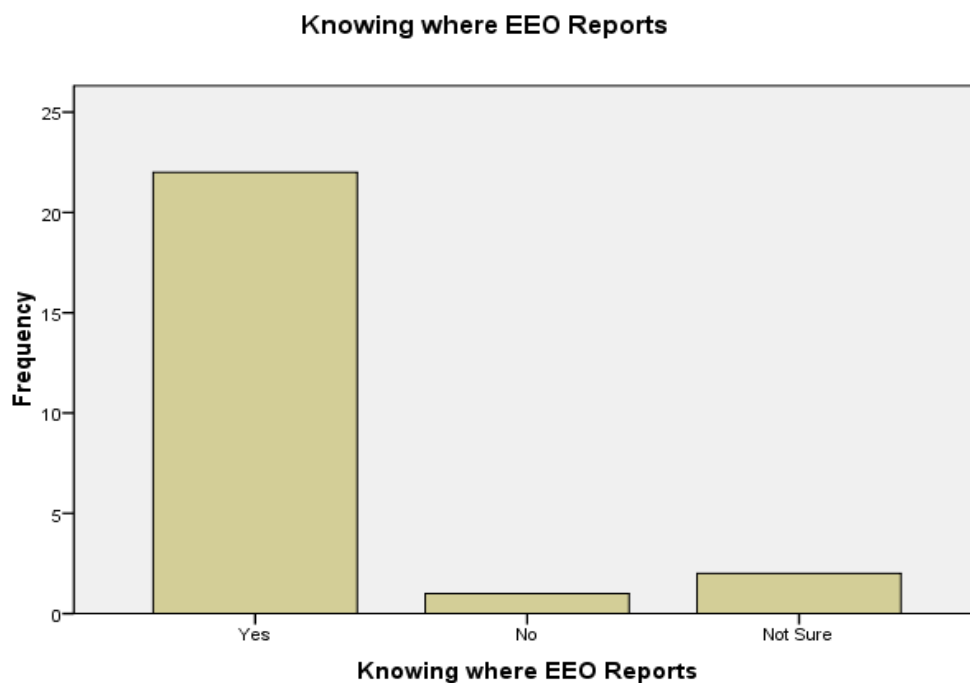
Eighty-eight percent of EEO Employees reported knowing where their organization's EEO unit reported within their organization, 8% reported being 'not sure', and 4% reported 'no', Table 2-13, Figure 10.

TABLE 2-13: EEO Employees, N = 25

Q5 - Knowing Where EEO Reports in Organization

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	22	88.0	88.0	88.0
	No	1	4.0	4.0	92.0
	Not Sure	2	8.0	8.0	100.0
	Total	25	100.0	100.0	

Figure 10



Eighty-four point three percent of Organization Employees reported knowing where their organization's EEO unit reported within their organization, 10.8% reported being 'not sure', and 4.8% reported 'no', Table 2-14, Figure 11.

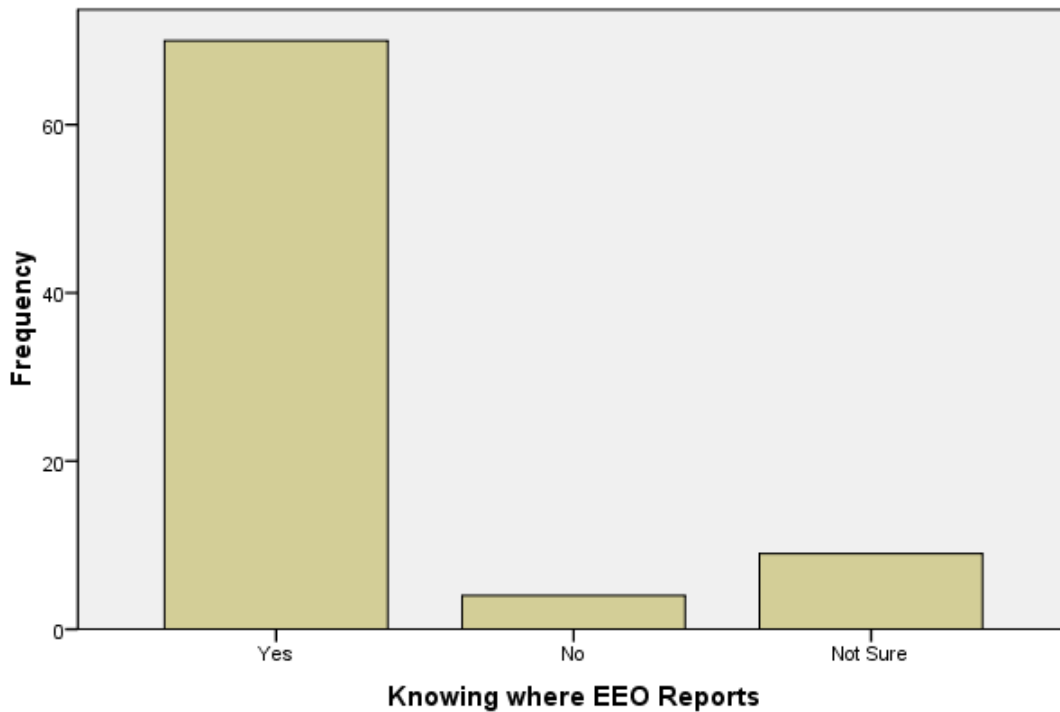
TABLE 2-14: Organization Employees, N = 83

Q5 - Knowing where EEO Reports

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	70	84.3	84.3	84.3
	No	4	4.8	4.8	89.2
	Not Sure	9	10.8	10.8	100.0
	Total	83	100.0	100.0	

Figure 11

Knowing where EEO Reports



Question 6 (Q6): Please indicate below where the EEO Office (unit) in your organization reports:

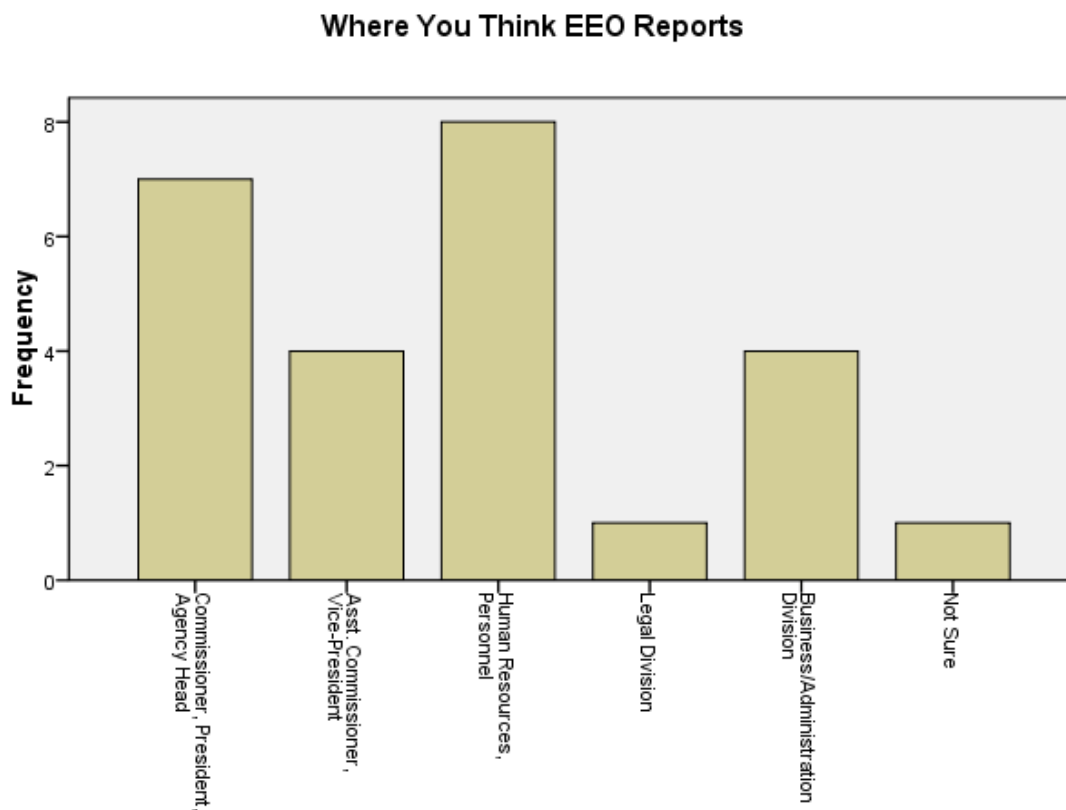
EEO Employees reported the following on where they thought the EEO unit in their organization reported: 28% Commissioner, President, Agency Head; 16% Assistant Commissioner, Vice-President; 32% Human Resources, Personnel; 4% Legal Division; 16% Business/Administration Division; and 4% reported 'not sure', Table 2-15, Figure 12.

TABLE 2-15: EEO Employees, N = 25

Q6 - Where You Think EEO Reports in Organization

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Commissioner, President, Agency Head	7	28.0	28.0	28.0
	Asst. Commissioner, Vice-President	4	16.0	16.0	44.0
	Human Resources, Personnel	8	32.0	32.0	76.0
	Legal Division	1	4.0	4.0	80.0
	Business/Administration Division	4	16.0	16.0	96.0
	Not Sure	1	4.0	4.0	100.0
	Total	25	100.0	100.0	

Figure 12



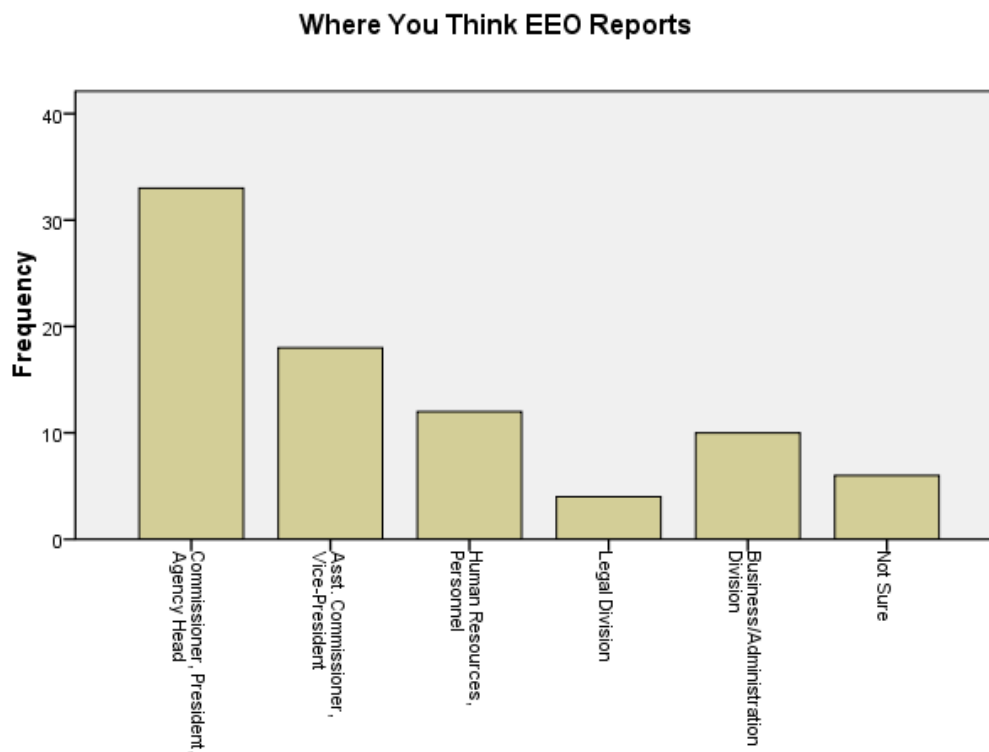
Organization Employees reported the following on where they thought the EEO unit in their organization reported: 39.8% Commissioner, President, Agency Head; 21.7% Assistant Commissioner, Vice-President; 14.5% Human Resources, Personnel; 4.8% Legal Division; 12% Business/Administration Division; and 7.2% reported 'not sure', Table 2-16, Figure 13.

TABLE 2-16: Organization Employees, N = 83

Q6 - Where You Think EEO Reports

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Commissioner, President, Agency Head	33	39.8	39.8	39.8
Asst. Commissioner, Vice- President	18	21.7	21.7	61.4
Human Resources, Personnel	12	14.5	14.5	75.9
Legal Division	4	4.8	4.8	80.7
Business/Administration Division	10	12.0	12.0	92.8
Not Sure	6	7.2	7.2	100.0
Total	83	100.0	100.0	

Figure 13



Question 7 (Q7): If you had an EEO concern, which of the following administrative offices in your organization would you feel most comfortable with reporting this matter?

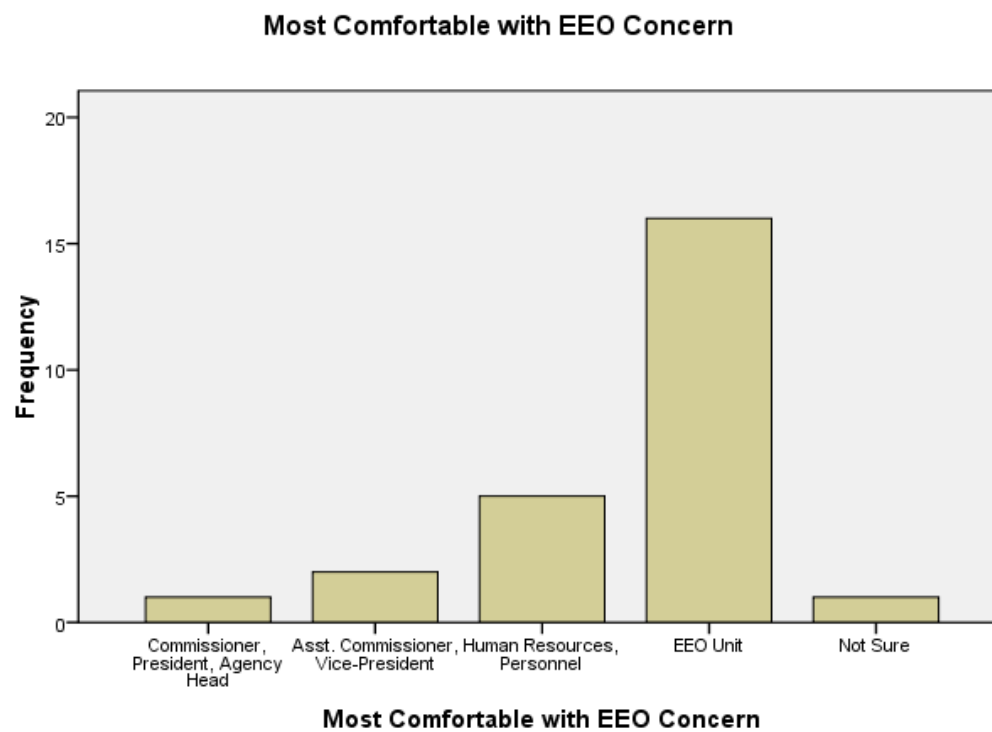
EEO Employees reported the following about the administrative offices that they were most comfortable with reporting their EEO concern: 4% Commissioner, President, Agency Head; 8% Assistant Commissioner, Vice-President; 20% Human Resources, Personnel; 64% EEO Unit; and 4% reported 'not sure', Table 2-17, Figure 14.

TABLE 2-17: EEO Employees, N = 25

Q7 - Department (Unit) Most Comfortable with Handling EEO Concern

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Commissioner, President, Agency Head	1	4.0	4.0	4.0
Asst. Commissioner, Vice-President	2	8.0	8.0	12.0
Human Resources, Personnel	5	20.0	20.0	32.0
EEO Unit	16	64.0	64.0	96.0
Not Sure	1	4.0	4.0	100.0
Total	25	100.0	100.0	

Figure 14



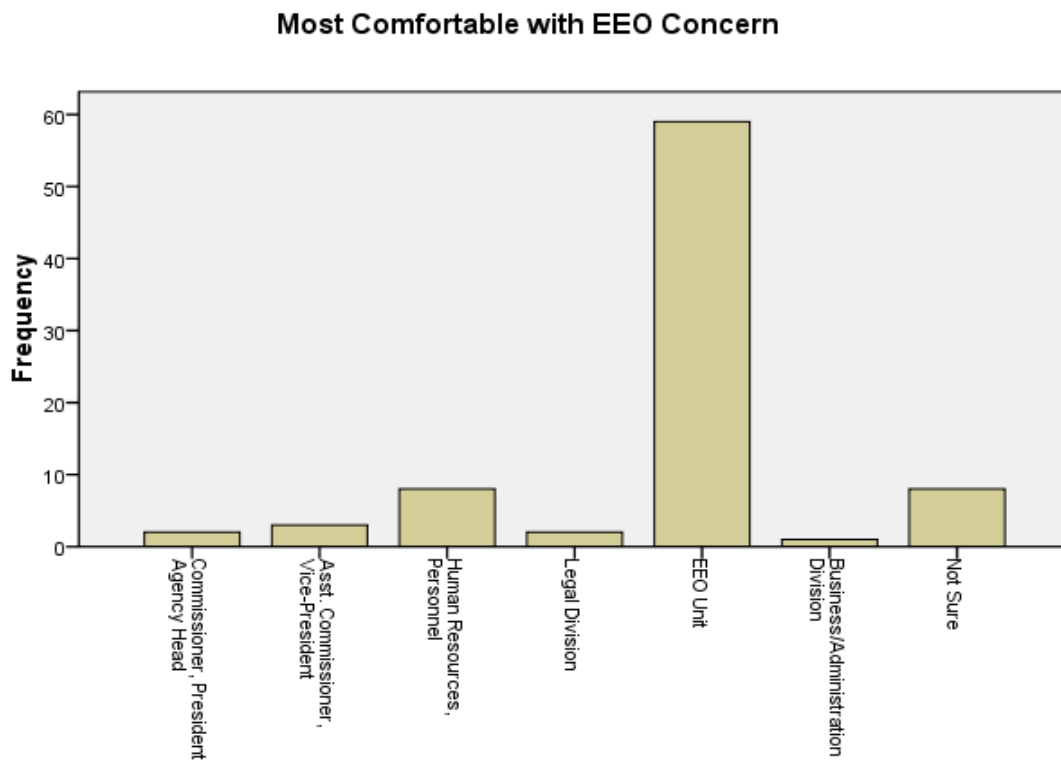
Organization Employees reported the following about the administrative offices that they were most comfortable with reporting their EEO concern: 2.4% Commissioner, President, Agency Head; 3.6% Assistant Commissioner, Vice-President; 9.6% Human Resources, Personnel; 71.1% EEO Unit; 1.2% Business/Administration Division; and 9.6% reported 'not sure', Table 2-18, Figure 15.

TABLE 2-18: Organization Employees, N = 83

Q7 - Most Comfortable with EEO Concern

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Commissioner, President, Agency Head	2	2.4	2.4	2.4
Asst. Commissioner, Vice-President	3	3.6	3.6	6.0
Human Resources, Personnel	8	9.6	9.6	15.7
Legal Division	2	2.4	2.4	18.1
EEO Unit	59	71.1	71.1	89.2
Business/Administration Division	1	1.2	1.2	90.4
Not Sure	8	9.6	9.6	100.0
Total	83	100.0	100.0	

Figure 15



Question 8 (Q8): If you had an EEO concern, which of the following administrative offices in your organization would you feel least comfortable with reporting this matter?

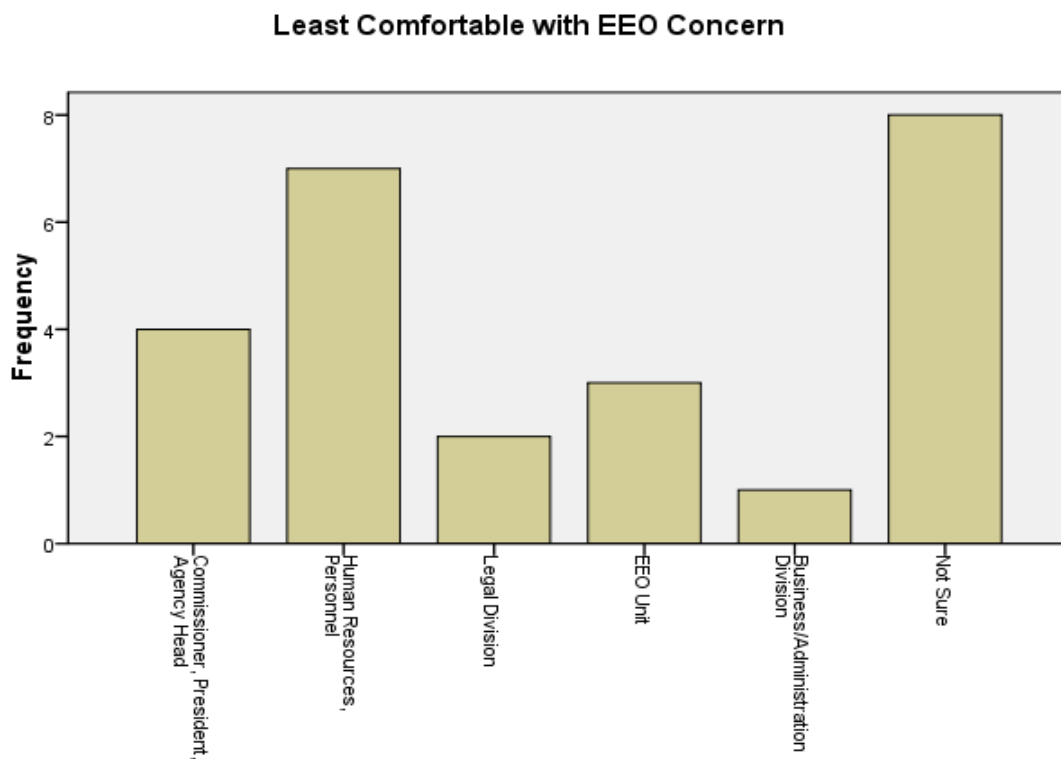
EEO Employees reported the following about the administrative offices that they were least comfortable with reporting their EEO concern: 16% Commissioner, President, Agency Head; 28% Assistant Commissioner, Vice-President; 20% Human Resources, Personnel; 8% Legal Division; 12% EEO Unit; 4% Business/Administration Division; and 32% reported 'not sure', Table 2-19, Figure 16.

TABLE 2-19: EEO Employees, N = 25

Q8 - Department (Unit) Least Comfortable with Handling EEO Concern

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Commissioner, President, Agency Head	4	16.0	16.0	16.0
Human Resources, Personnel	7	28.0	28.0	44.0
Legal Division	2	8.0	8.0	52.0
EEO Unit	3	12.0	12.0	64.0
Business/Administration Division	1	4.0	4.0	68.0
Not Sure	8	32.0	32.0	100.0
Total	25	100.0	100.0	

Figure 16



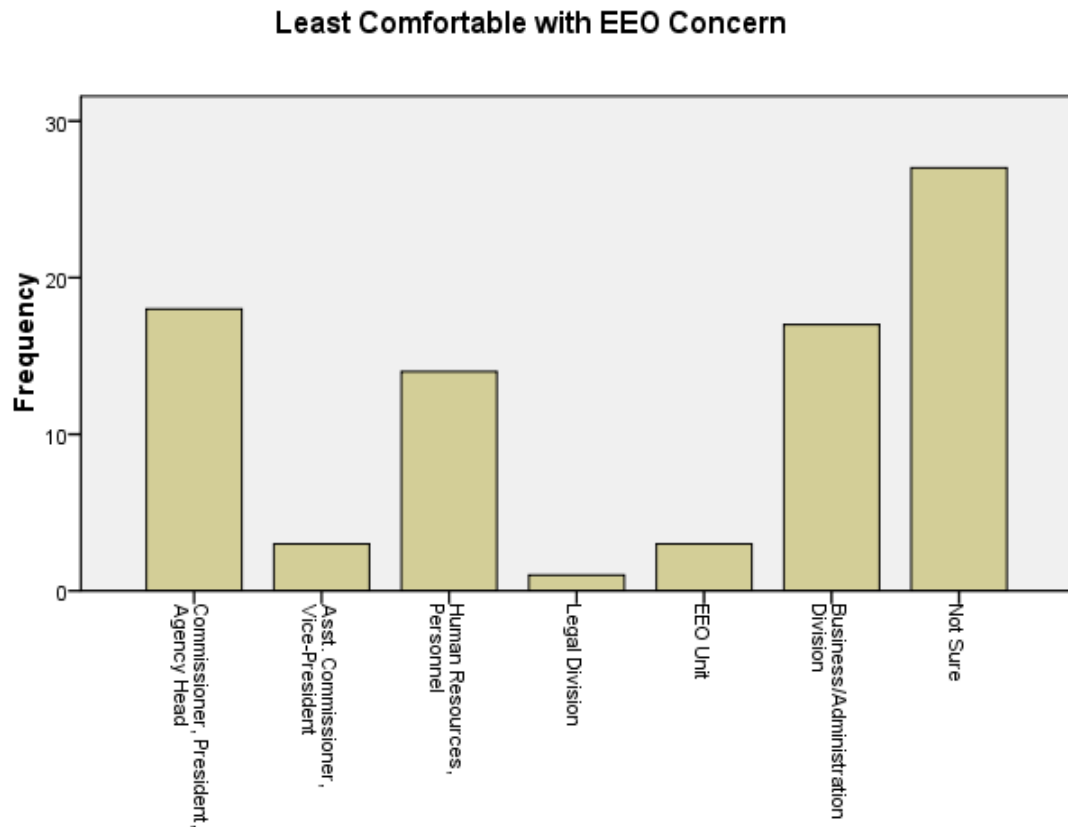
Organization Employees reported the following about the administrative offices that they were least comfortable with reporting their EEO concern: 21.7% Commissioner, President, Agency Head; 3.6% Assistant Commissioner, Vice-President; 16.9% Human Resources, Personnel; 1.2% Legal Division; 3.6% EEO Unit; 20.5% Business/ Administration Division; and 32.5% reported 'not sure', Table 2-20, Figure 17.

TABLE 2-20: Organization Employees, N = 83

Q8 - Least Comfortable with EEO Concern

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Commissioner, President, Agency Head	18	21.7	21.7	21.7
Asst. Commissioner, Vice- President	3	3.6	3.6	25.3
Human Resources, Personnel	14	16.9	16.9	42.2
Legal Division	1	1.2	1.2	43.4
EEO Unit	3	3.6	3.6	47.0
Business/Administration Division	17	20.5	20.5	67.5
Not Sure	27	32.5	32.5	100.0
Total	83	100.0	100.0	

Figure 17



Reliability Measures

Cronbach's alpha was used to assess the reliability of scales utilized in the survey instrument. "Despite some limitations Cronbach's coefficient alpha remains the most widely used measure of scale reliability (Peterson 1994, 381)." Generally, higher alpha ranges between 0 and 1 represent a higher degree of internal consistency (Streiner 2003). The coefficient alphas for EEO Employees, N = 25 are provided in Table 3-1. The scales with coefficients are as follows: Centralization-Participation in Decision Making, .890; Centralization-Hierarchy of

Authority, .868; Formalization, .903; Procedural Fairness-Organization, .920; and Procedural Fairness-Supervisor, .816. Each scale indicates a very good value for these scales as research tools. The coefficient alphas for Organization Employees, N = 83 are provided in Table 3-2. The scales with coefficients are as follows: Centralization-Participation in Decision Making, .838; Centralization-Hierarchy of Authority, .808; Formalization, .743; Procedural Fairness-Organization, .920; and Procedural Fairness-Supervisor, .883. Each scale indicates a very good value for these scales as research tools.

Table 3-1: EEO Employees, N = 25
Cronbach's Alpha for Scales Utilized in the Study

Scale	Number of Items	Cronbach's Alpha
Centralization-Participation in Decision Making	4	.890
Centralization-Hierarchy of Authority	5	.868
Formalization	3	.903
Procedural Fairness – Organization	6	.920
Procedural Fairness – Supervisor	3	.816

Table 3-2: Organization Employees, N = 83
Cronbach's Alpha for Scales Utilized in the Study

Scale	Number of Items	Cronbach's Alpha
Centralization-Participation in Decision Making	4	.838
Centralization-Hierarchy of Authority	5	.808
Formalization	3	.743
Procedural Fairness – Organization	6	.920
Procedural Fairness – Supervisor	3	.883

Means and Standard Deviations for Scales

Tables 3-3 and 3-4 show four Likert-type scale items with means and standard deviations for respondents. The following 5-point scale was used: 1=Never, 2=Sometimes, 3=Regularly, 4=Very Often, and 5=Always. These mean scores represent support for the research question that organizational structure has a relationship to perceptions of procedural fairness. The scores reveal that both EEO Employees and Organization Employees have some level of participation in decision making within their organizations. Participation in decision making increases perceptions of procedural fairness.

Table 3-3: N = 25, EEO Employees

Centralization-Participation in Decision Making					
	N	Minimum	Maximum	Mean	Std. Deviation
Q9 - Participation in Decisions of Programs	25	1	5	2.00	1.041
Q10 - Participation in Decisions of Policies	25	1	5	1.96	1.060
Q11 - Participation in Hiring Decisions	25	1	5	2.20	1.190
Q12 - Participation in Promotions Decisions	25	1	5	1.84	1.179
Valid N (listwise)	25				

Table 3-4: N = 83, Organization Employees

Centralization-Participation in Decision Making					
	N	Minimum	Maximum	Mean	Std. Deviation
Q9 - Participation in Decisions of Programs	83	1	5	1.98	.950
Q10 - Participation in Decisions of Policies	83	1	5	2.12	1.041
Q11 - Participation in Hiring Decisions	83	1	5	2.27	1.072
Q12 - Participation in Promotions Decisions	83	1	5	2.01	1.099
Valid N (listwise)	83				

Tables 3-5 and 3-6 show four Likert-type scale items with means and standard deviations for respondents. The following 7-point scale was used:
1=Strongly Disagree, 2= Moderately Disagree, 3= Slightly Disagree, 4=Neither

Agree nor Disagree (Neutral), 5=Slightly Agree, 6=Moderately Agree, and 7=Strongly Agree. These mean scores represent support for the research question that organizational structure has a relationship to perceptions of procedural fairness. The scores reveal that both EEO Employees and Organization Employees responded that there is less or lower centralization related to the hierarchy of authority within their organizations. Lower centralization increases perceptions of procedural fairness.

Table 3-5: N = 25, EEO Employees

Centralization-Hierarchy of Authority					
	N	Minimum	Maximum	Mean	Std. Deviation
Q13 - Supervisor Approves Decisions	25	1	7	4.64	2.447
Q14 - Own Decisions Discouraged	25	1	7	3.64	1.912
Q15 - Small Matters Referred Higher Up	25	1	7	3.44	2.274
Q16 - Ask Boss Before Doing Anything	25	1	7	3.60	2.550
Q17 - Decisions Need Boss's Approval	25	1	7	3.52	2.584
Valid N (listwise)	25				

Table 3-6: N = 83, Organization Employees

Centralization-Hierarchy of Authority					
	N	Minimum	Maximum	Mean	Std. Deviation
Q13 - Supervisor Approves Decisions	83	1	7	4.99	1.916
Q14 - Own Decisions Discouraged	83	1	7	4.13	1.930
Q15 - Small Matters Referred Higher Up	83	1	7	3.78	2.164
Q16 - Ask Boss Before Doing Anything	83	1	7	2.66	1.927
Q17 - Decisions Need Boss's Approval	83	1	7	2.93	2.100
Valid N (listwise)	83				

Tables 3-7 and 3-8 show four Likert-type scale items with means and standard deviations for respondents. The following 7-point scale was used: 1=Strongly Disagree, 2= Moderately Disagree, 3= Slightly Disagree, 4=Neither Agree nor Disagree (Neutral), 5=Slightly Agree, 6=Moderately Agree, and 7=Strongly Agree. These mean scores represent support for the research question that organizational structure has a relationship to perceptions of procedural fairness. The scores reveal that both EEO Employees and Organization Employees supported the formalization measures which were related to their organization's EEO policies and procedures. Higher formalization increases perceptions of procedural fairness.

Table 3-7: N = 25, EEO Employees

Formalization					
	N	Minimum	Maximum	Mean	Std. Deviation
Q18 - EEO Policies and Procedures Disseminated	25	1	7	4.88	1.965
Q19 - Awareness of EEO Policies and Procedures	25	2	7	5.00	1.683
Q20 - Training on EEO Policies and Procedures	25	1	7	5.60	1.581
Valid N (listwise)	25				

Table 3-8: N = 83, Organization Employees

Formalization					
	N	Minimum	Maximum	Mean	Std. Deviation
Q18 - EEO Policies and Procedures Disseminated	83	1	7	5.06	1.850
Q19 - Awareness of EEO Policies and Procedures	83	1	7	4.59	1.788
Q20 - Training on EEO Policies and Procedures	83	1	7	5.19	1.777
Valid N (listwise)	83				

Tables 3-9 and 3-10 show four Likert-type scale items with means and standard deviations for respondents. The following 7-point scale was used: 1=Strongly Disagree, 2= Moderately Disagree, 3= Slightly Disagree, 4=Neither Agree nor Disagree (Neutral), 5=Slightly Agree, 6=Moderately Agree, and 7=Strongly Agree. These mean scores represent support for the research question that organizational structure has a relationship to perceptions of

procedural fairness. The scores reveal that both EEO Employees and Organization Employees responses showed support for the procedural fairness constructs on items referring to the procedures used in the organization to make decisions. Fairness in procedures used in the organization increases perceptions of procedural fairness.

Table 3-9: N = 25, EEO Employees

Procedural Fairness (Organization)					
	N	Minimum	Maximum	Mean	Std. Deviation
Q21 - Express Views During Procedures	25	1	7	4.28	1.969
Q22 - Procedures Applied Consistently	25	1	7	4.36	1.890
Q23 - Procedures Free of Bias	25	1	7	4.52	1.939
Q24 - Procedures Based on Accurate Information	25	1	7	4.88	1.641
Q25 - Able to Appeal (Outcome)	25	1	7	4.44	1.635
Q26 - Procedures Ethical and Moral	25	1	7	4.88	1.764
Valid N (listwise)	25				

Table 3-10: N = 83, Organization Employees

Procedural Fairness (Organization)					
	N	Minimum	Maximum	Mean	Std. Deviation
Q21 - Express Views During Procedures	83	1	7	4.88	1.824
Q22 - Procedures Applied Consistently	83	1	7	4.54	1.734
Q23 - Procedures Free of Bias	83	1	7	4.55	1.850
Q24 - Procedures Based on Accurate Information	83	1	7	4.70	1.606
Q25 - Able to Appeal (Outcome)	83	1	7	4.25	1.472
Q26 - Procedures Ethical and Moral	83	1	7	5.02	1.577
Valid N (listwise)	83				

Tables 3-11 and 3-12 show four Likert-type scale items with means and standard deviations for respondents. The following 5-point scale was used: 1=Never, 2=Little, 3=Somewhat, 4=Much, and 5=A Great Deal. These mean scores represent support for the research question that organizational structure has a relationship to perceptions of procedural fairness. The scores reveal that both EEO Employees and Organization Employees responses showed support for the procedural fairness constructs on items referring to having input on supervisor's actions within their organization. Employees' input on supervisor's actions affecting employees increases perceptions of procedural fairness.

Table 3-11: N = 25, EEO Employees

Procedural Fairness (Supervisor)					
	N	Minimum	Maximum	Mean	Std. Deviation
Q27 - Opportunity to Describe Problem	25	1	5	3.40	1.041
Q28 - Influence on Decisions	25	1	5	3.24	1.052
Q29 - Consideration of Views	25	2	5	3.32	1.030
Valid N (listwise)	25				

Table 3-12: N = 83, Organization Employees

Procedural Fairness (Supervisor)					
	N	Minimum	Maximum	Mean	Std. Deviation
Q27 - Opportunity to Describe Problem	83	1	5	3.51	1.152
Q28 - Influence on Decisions	83	1	5	2.98	1.024
Q29 - Consideration of Views	83	1	5	3.19	1.076
Valid N (listwise)	83				

Multiple Regression Analysis

Multiple regression analysis was performed using ordinary least squares (OLS). In each case the control variables gender, experience, and diversity (racial/ethnic background) were used with the dependent and independent variables. As is recommended, the constant term was included in all cases.

Hypothesis 1 predicted that the closer the EEO compliance function reporting level to the CEO, the greater the EEO personnel's perception of

procedural fairness. Results show a statistically significant positive relationship (Table 4-1). For Hypothesis 1, four definitions were used to analyze the closeness of report of the EEO compliance function to the CEO. In definition 1, respondents answering a report to either the CEO or Vice-President were assigned a 1= close report, all other responses were assigned a 0=a less close report. Definition 1 was significant the .05 level ($t=2.39$). In definition 2, the closeness measure was ranked by the following: 3 = report to CEO, 2 = report to Vice-President, and 1 = report to Human Resources or other office. Definition 2 was significant at the 1% level ($t=3.44$). In definition 3, the closeness measure was ranked by 1 = close to CEO and 0 = other report. Definition 3 was significant at the 1% level ($t=4.02$). It is important to note that these three definitions relied on self-reported information by respondents. A fourth definition, Definition 'True' was used for measurement and represented the actual (true) reporting relationship of the EEO function in the organization. Definition 'True' was not significant. The results show that respondents' perceptions of where they thought the EEO function reported in their organization impacted their fairness perceptions. The fact that the results of the definition 'true' was not significant supports the importance of respondents' perceptions of where they thought the EEO function reported and their perceptions of procedural fairness.

TABLE 4-1: EEO Employees, N = 25
OLS Regression Analysis for Closeness of EEO Unit Report to CEO

Hypothesis 1	EEO personnel's perception of procedural fairness				
	Procedures used to make decisions	Supervisor's actions related to job			
EEO close to organization's CEO - Definition 1	1.176 (2.39)*	0.558 (1.59)			
EEO close to organization's CEO - Definition 2	0.834 (3.44)**		0.335 (1.70)		
EEO close to organization's CEO - Definition 3				0.743 (1.92)	
EEO close to organization's CEO - Definition 'True'		1.861 (4.02)**			0.168 (0.47)
Gender (male=1)	0.278 (0.36)	0.24 (0.42)	0.313 (0.61)	0.507 (1.12)	0.372 (0.97)
Experience (in years)	0.066 (1.83)	0.058 (1.92)	0.055 (1.91)	0.046 (2.15)*	0.037 (1.88)
Minority - race/ethnicity	0.066 (0.12)	0.195 (0.36)	0.415 (0.74)	-0.07 (0.20)	0.03 (0.09)
Constant	2.759 (2.52)*	1.959 (2.16)*	2.731 (3.48)**	2.023 (3.14)**	2.312 (4.05)**
Observations	24	25	25	24	25
R-squared	0.25	0.35	0.42	0.27	0.26
Robust t statistics in parentheses					
* significant at 5%; ** significant at 1%					

Hypothesis 2 predicted that the closer the EEO compliance function reporting level to the CEO, the greater employees' perceptions within the organization of procedural fairness. Results show a statistically significant positive relationship (Table 4-2). For Hypothesis 2, results were significant at the 5% level ($t=2.01$) for Definition 1.

TABLE 4-2: Organization Employees, N = 83
OLS Regression Analysis for Closeness of EEO Unit Report to CEO

Hypothesis 2	Employees' perception of procedural fairness				
	Procedures used to make decisions		Supervisor's actions related to job		
EEO close to organization's CEO - Definition 1	0.638 (1.69)		0.501 (2.01)*		
EEO close to organization's CEO - Definition 2		0.317 (1.79)		0.167 (1.46)	
EEO close to organization's CEO - Definition 3					0.125 (0.62)
EEO close to organization's CEO - Definition 'True'					0.19 (0.95)
Gender (male=1)	-0.468 (1.43)	-0.51 (1.71)	-0.356 (1.61)	-0.441 (2.13)*	-0.464 (2.23)*
Experience (in years)	0.013 (0.85)	0.014 (0.96)	0.005 (0.42)	0.005 (0.45)	0.008 (0.77)
Minority - race/ethnicity	-0.578 (1.84)	-0.624 (2.06)*	-0.187 (0.83)	-0.146 (0.69)	-0.157 (0.73)
Constant	4.648 (10.54)**	4.437 (9.39)**	3.147 (11.04)**	3.244 (13.15)**	3.169 (9.97)**
Observations	77	82	77	82	83
R-squared	0.15	0.14	0.12	0.12	0.1
Robust t statistics in parentheses					
* significant at 5%;					
** significant at 1%					

Hypothesis 3 predicted that higher levels of participation in decision making (less centralization) would be associated with higher levels of procedural fairness perceptions for EEO personnel. Results show a statistically significant positive relationship (Table 4-3). For Hypothesis 3, results were significant at the 5% level ($t=2.34$).

TABLE 4-3: EEO Employees, N = 25
OLS Regression Analysis for Centralization-Participation in Decision Making (IV)

Hypothesis 3	EEO personnel's perception of procedural fairness	
	Procedures used to make decisions	Supervisor's actions related to job
Centralization: Participation in decision making	0.855 (2.34)*	0.273 (1.17)
Gender (male=1)	0.126 (0.21)	0.321 (0.84)
Experience (in years)	0.031 (0.89)	0.029 (1.23)
Minority - race/ethnicity	0.418 (0.74)	0.117 (0.32)
Constant	2.04 (2.03)	2.043 (3.26)**
Observations	25	25
R-squared	0.38	0.23
Robust t statistics in parentheses * significant at 5%; ** significant at 1%		

Hypothesis 4 predicted that higher levels of participation in decision making (less centralization) would be associated with higher levels of procedural fairness perceptions for employees in the organization. Results show a statistically significant positive relationship (Table 4-4). For Hypothesis 4, results were significant at the 1% level ($t=3.46$) and ($t=5.42$).

TABLE 4-4: Organization Employees, N = 83
OLS Regression Analysis for Centralization-Participation in Decision Making (IV)

Hypothesis 4	Employees' perception of procedural fairness	
	Procedures used to make decisions	Supervisor's actions related to job
Centralization: Participation in decision making	0.553 (3.46)**	0.549 (5.42)**
Gender (male=1)	-0.567 (1.97)	-0.498 (2.68)**
Experience (in years)	0.017 (1.25)	0.008 (0.94)
Minority - race/ethnicity	-0.504 (1.81)	-0.069 (0.38)
Constant	3.853 (9.82)**	2.296 (8.11)**
Observations	83	83
R-squared	0.22	0.32
Robust t statistics in parentheses * significant at 5%; ** significant at 1%		

Hypothesis 5 predicted that lower levels of authority hierarchy (less centralization) would be associated with higher levels of procedural fairness

perceptions for EEO personnel. Results show a statistically significant negative relationship (Table 4-5). For Hypothesis 5, results were significant at the 1% level ($t=3.05$) and at the 5% level ($t=2.44$). The results show that there is an inverse relationship between hierarchy of authority and the perception of procedural fairness. An increase in hierarchy of authority leads to a decrease in perceived fairness.

TABLE 4-5: EEO Employees, N = 25
OLS Regression Analysis for Centralization-Hierarchy of Authority (IV)

Hypothesis 5	EEO personnel's perception of procedural fairness	
	Procedures used to make decisions	Supervisor's actions related to job
Centralization: hierarchy of authority	-0.465 (3.05)**	-0.239 (2.44)*
Gender (male=1)	0.435 (0.66)	0.492 (1.32)
Experience (in years)	0.014 (0.42)	0.014 (0.84)
Minority - race/ethnicity	0.446 (0.79)	0.139 (0.44)
Constant	5.533 (4.80)**	3.589 (5.39)**
Observations	25	25
R-squared	0.36	0.34
Robust t statistics in parentheses * significant at 5%; ** significant at 1%		

Hypothesis 6 predicted that lower levels of authority hierarchy (less centralization) would be associated with higher levels of procedural fairness perceptions for employees in the organization. Results show a statistically significant negative relationship (Table 4-6). For Hypothesis 6, results were significant at the 1% level ($t=5.07$) and ($t=4.65$). The results show that there is an inverse relationship between hierarchy of authority and the perception of procedural fairness. An increase in hierarchy of authority leads to a decrease in perceived fairness.

TABLE 4-6: Organization Employees, N = 83
OLS Regression Analysis for Centralization-Hierarchy of Authority (IV)

Hypothesis 6	Employees' perception of procedural fairness	
	Procedures used to make decisions	Supervisor's actions related to job
Centralization: hierarchy of authority	-0.473 (5.07)**	-0.286 (4.65)**
Gender (male=1)	-0.354 (1.33)	-0.376 (1.96)
Experience (in years)	0.004 (0.33)	0.001 (0.11)
Minority - race/ethnicity	-0.539 (2.07)*	-0.123 (0.63)
Constant	6.838 (15.77)**	4.567 (13.99)**
Observations	83	83
R-squared	0.35	0.27
Robust t statistics in parentheses * significant at 5%; ** significant at 1%		

Hypothesis 7 predicted that greater organizational size would be associated with lower levels of procedural fairness perceptions for EEO personnel. Results show a statistically significant positive relationship (Table 4-7). For Hypothesis 7, results were significant at the 5% level ($t=2.58$) and ($t=2.13$).

TABLE 4-7: EEO Employees, N = 25
OLS Regression Analysis for Organization Size (IV)

Hypothesis 7	EEO personnel's perception of procedural fairness	
	Procedures used to make decisions	Supervisor's actions related to job
Size of organization	1.189 (2.58)*	0.507 (2.13)*
Gender (male=1)	-0.376 (0.50)	0.114 (0.28)
Experience (in years)	0.048 (1.70)	0.033 (1.83)
Minority - race/ethnicity	0.674 (1.18)	0.23 (0.60)
Constant	-5.036 (1.44)	-1.115 (0.57)
Observations	25	25
R-squared	0.3	0.25
Robust t statistics in parentheses * significant at 5%; ** significant at 1%		

Hypothesis 8 predicted that greater organizational size would be associated with lower levels of procedural fairness perceptions for employees in the organization. Results show a statistically significant positive relationship (Table 4-8). For Hypothesis 8, results were significant at the 5% level ($t=4.01$) and ($t=3.63$).

TABLE 4-8: Organization Employees, N = 83
OLS Regression Analysis for Organization Size (IV)

Hypothesis 8	Employees' perception of procedural fairness	
	Procedures used to make decisions	Supervisor's actions related to job
Size of organization	0.839 (4.01)**	0.613 (3.63)**
Gender (male=1)	-0.635 (2.23)*	-0.552 (2.84)**
Experience (in years)	0.011 (0.83)	0.004 (0.44)
Minority - race/ethnicity	-0.366 (1.22)	0.009 (0.05)
Constant	-1.001 (0.64)	-0.938 (0.77)
Observations	83	83
R-squared	0.2	0.19
Robust t statistics in parentheses * significant at 5%; ** significant at 1%		

Hypothesis 9 predicted that higher levels of formalization would be associated with higher levels of procedural fairness perceptions for EEO personnel. Results show a statistically significant positive relationship (Table 4-9). For Hypothesis 9, results were significant at the 1% level ($t=4.64$) and ($t=2.98$).

TABLE 4-9: EEO Employees, N = 25
OLS Regression Analysis for Formalization (IV)

Hypothesis 9	EEO personnel's perception of procedural fairness	
	Procedures used to make decisions	Supervisor's actions related to job
Formalization	0.697 (4.64)**	0.294 (2.98)**
Gender (male=1)	-0.45 (0.94)	0.084 (0.23)
Experience (in years)	0.025 (0.89)	0.023 (1.27)
Minority - race/ethnicity	-0.301 (0.65)	-0.183 (0.59)
Constant	1.071 (1.46)	1.501 (2.56)*
Observations	25	25
R-squared	0.56	0.39
Robust t statistics in parentheses * significant at 5%; ** significant at 1%		

Hypothesis 10 predicted that higher levels of formalization would be associated with higher levels of procedural fairness perceptions for employees in the organization. Results show a statistically significant positive relationship (Table 4-10). For Hypothesis 10, results were significant at the 1% level ($t=4.74$) and ($t=3.55$).

TABLE 4-10: Organization Employees, N = 83
OLS Regression Analysis for Formalization (IV)

Hypothesis 10	Employees' perception of procedural fairness	
	Procedures used to make decisions	Supervisor's actions related to job
Formalization	0.436 (4.74)**	0.219 (3.55)**
Gender (male=1)	-0.611 (2.30)*	-0.529 (2.57)*
Experience (in years)	0.008 (0.65)	0.004 (0.46)
Minority - race/ethnicity	-0.56 (2.11)*	-0.139 (0.69)
Constant	3.045 (5.14)**	2.48 (6.06)**
Observations	83	83
R-squared	0.31	0.19
Robust t statistics in parentheses * significant at 5%; ** significant at 1%		

Generally, the results of the study supported and replicated the earlier findings of Schminke et al. (2000). The current study found that formalization

was related to perceptions of fairness; however, Schminke et al.'s (2000) study did not find that formalization was related to perceptions of fairness. Schminke et al. (2000) found that "centralization was negatively related to perceptions of procedural fairness, and organizational size was negatively related to interactional fairness" (p. 294). This study's formalization results may be attributed to New Jersey's processes for mandating regular and continuing training and notification of its EEO policies and procedures throughout governmental agencies that fall within its jurisdiction. Although the results for size were significant, the results revealed that increasing the size (number of employees) reflected an increase in the level of procedural fairness. This result could explain that the influence of procedural fairness exerts a lower influence on smaller organizations. These results may also have explanatory value related to Blankenship and Miles (1968) findings where they found that managers in larger organizations perceived greater managerial influence than managers in medium and smaller organizations (p. 116).

Control variables

Overall, the results for the control variables *gender*, *length of employment*, and *race/ethnicity* did not reveal statistically significant relationships.

Chapter V

Conclusions and Implications

As anticipated, Schminke et al.'s (2000) findings can be replicated and extended through an examination of the reporting relationship of the EEO compliance function within the organizational hierarchy. The study's results generally supported Schminke et al.'s (2000) findings and provided important information concerning the influence of organizational structure and the positioning of the EEO compliance function on employees' fairness perceptions. In addition, respondents in the study affirmed support for the EEO units within their organizations for processing EEO-related matters. Sixty-four percent of EEO Employee respondents indicated that they were most comfortable with their EEO unit handling their concerns (Table 2-17); and 71% of Organization Employees indicated that they were most comfortable with their EEO unit handling their concerns (Table 2-18). Conversely, 12% of EEO Employee respondents indicated that they were least comfortable with their EEO unit handling their concerns (Table 2-19); and of the Organization Employees, 3.6% indicated that they were least comfortable with their EEO unit handling their concerns (Table 2-20). A review of the centralization variables revealed that as participation in decision making *increased* (lower centralization), perceptions of fairness increased; and as hierarchy of authority *decreased* (lower centralization) perceptions of fairness increased. A review of the organization size variable

showed a significant relationship, but revealed that as organizations increased in size, the perceptions of fairness also increased. The results for the size variable may be explained by the large percentage of administrators/professional respondents completing the survey. As was observed in Blankenship and Miles (1968) study, managers in larger organizations perceived greater managerial influence than managers in medium and smaller organizations. The results for the formalization variable revealed that transmission of EEO policy and procedures, awareness, and training for respondents was high.

Finally, there are two very important observations that may be gleaned from the research findings. First of all, employee perceptions matter; and secondly, considerations about the influences of organizational structure and hierarchy on employees may be substantial. Although both respondent groups mis-reported on where the EEO unit was placed within their organizations, the perceptions of *where they thought* the function reported, i.e., close to the CEO influenced their perceptions of fairness. It is also important to note that these findings may offer guidance, in general for not only the positioning of the EEO unit in organizations; but in implementing and shaping organizational EEO policy and procedures. In terms of organizational processes for managing EEO policy and procedures, the model offered through the mandates promulgated by the New Jersey Division of EEO/AA may provide a very useful example.

These results offer support for the hierarchical positioning of the EEO compliance function within organizations to the CEO, agency head, and organization's top managers. The close alignment of EEO to the CEO may reinforce not only EEO/AA compliance, but may serve as a catalyst towards instilling positive values and actions towards EEO/AA principles in general. To meet the challenges of a complex and changing workforce, examinations of employees' workplace attitudes and perceptions provide an important resource for understanding organizational behavior. Factors influencing employees' attitudes and behaviors, and the exploration of mechanisms for mitigating employee grievance and complaints processes may contribute to positive organizational outcomes.

Limitations

The sizes of the samples in the current study were small, particularly for EEO employees. It was anticipated that the number of EEO employees would be small since many organizations' EEO unit or office may be comprised of one or two personnel; an EEO manager, and an EEO support staff member (clerical and/or technical). Overall participation in the study may have been diminished by the nature of the subject matter being researched. Even though prospective survey participants were advised of the anonymity of the study and were advised that information from the surveys would be reported in an aggregated format there was a general reluctance to participate. Some employees actually wanted

to participate, but felt that their organizations would discourage their participation based on questions in the survey. Questions that assess organizational and supervisory processes and actions may be seen as sensitive to employees and their organizational managers.

Another concern was the use of nonprobability sampling methods for the study. Due to concerns about participation by organizations and their employees, this method proved the most practical considering the circumstances. Nevertheless, it is important to note that “the limitations of nonprobability sampling, especially regarding accurate and precise representations of populations” is a concern (Babbie, 2002, p. 181).

Directions for Future Research

The study of organizational justice and the impact of structural characteristics within the organization are important to the advancement of organizational theory. Schminke’s (2000) study was “motivated by a gap in the existing literature on organizational fairness: the link between perceptions of fairness and the structural characteristics of the organization in which those judgments are made” (p. 299). These studies are also important for the field of public administration. In addition to further examination of organizational structure related to EEO and human resources/employee relations personnel, the exploration of the influence of additional predictor variables may also offer contributions.

Other variables that should be examined with respect to EEO and human resources issues include trust and ethical climate. Folger and Konovsky (1989) found that procedural justice influenced both an employee's trust in their boss or supervisor, and affected employee's organizational commitment. Organizational trust and employees' perception of trust in the organization (mission, goals, manager's, etc.) may have a strong relationship with employee satisfaction, productivity and organizational effectiveness. Researchers have revealed that organizational benefits of trust include teamwork, leadership, goal setting, and performance appraisal (Shockley-Zalabak, Ellis & Winograd, 2000; and Mayer, Davis & Schoorman, 1995). Morley, Shockley-Zalabak and Cesaria (1997) found that organizational trust is linked to perceived organization effectiveness and job satisfaction. Additionally, Brockner, Siegel, Daly, Tyler, and Martin (1997) reported that litigation can be reduced by high levels of organizational trust.

An organization's work climate and/or culture may influence employees' perceptions about the organization and ultimately their behavior in the work place. Perceptions of fairness may be one of the individual outcomes of ethical work climate. James and James (1989) found that perceptions of the work environment had a "substantive impact ... on individual outcomes" (p. 739). These perceptions in turn may influence an employees' job satisfaction and possibly their job performance. Ethical work climate in particular is an important

factor in shaping employees' perceptions towards their organization (Vardi, 2001). Despande (1996) found that a professional ethical climate influenced satisfaction with promotions, supervisors, work and overall job satisfaction (p. 655). VanSandt, Shepard, and Zappe (2006) found that ethical work climate influenced "individual moral awareness" (p. 409). Also, there may be a relationship between perceptions of ethical climate and organizational structure. Earlier research has shown that bureaucratic structure influenced ethical behavior (Ferrell & Skinner, 1988). Griffin and Mathieu (1997) found that "individuals at the lower levels of the organization derive meaning from the environment based on the meanings enacted at higher organizational levels" and hypothesized that "organizational climate at the upper level would be positively related to organizational climate at the lower level" (731).

Finally, in addition to other variables that may influence perceptions of fairness like trust and ethical climate, another important implication of the research presented here is the impact of leadership; and more specifically, the type of leadership within the organization. The employees' responses to the influence of centralization and their indications that participation in decision-making impacted their perceptions of fairness were telling. The data provides support for leadership models emanating from the human relations movement, which provide a view of the worker who is interested in active engagement in the

workplace, and the assumption by managers (leaders) that employees do not dislike work, but are self-motivated and want to be productive (Cotton, 1988).

Participatory leadership and management within organizations may be an important aspect of job satisfaction (Kim, 2002; Cotton, Vollrath, Froggatt, Lengnick-Hall & Jennings, 1988; Aiken, Smits & Lollar, 1972; Alutto & Acito, 1974; and Roberts, Miles & Blankenship, 1968). As indicated earlier, job satisfaction is an important determinant of positive workplace behaviors and may lead to increased perceptions of fairness for employees.

Appendix A

State of New Jersey Executive Order #106

Governor Christine Todd Whitman

WHEREAS, the State of New Jersey is committed to providing every employee with a workplace free from unlawful discrimination and harassment; and

WHEREAS, the State of New Jersey continues to recognize that unlawful discrimination and harassment undermine the integrity of the employment relationship, compromise equal employment opportunity, debilitate morale and interfere with work productivity; and

WHEREAS, the State has an ongoing interest in maintaining a policy prohibiting unlawful discrimination and harassment, encouraging the filing of complaints alleging discrimination, discrimination or hostile work environments in the workplace, and providing appropriate guidance to its employees regarding prohibited activities, employee and supervisor responsibilities, complaint procedures, and related issues of confidentiality, retaliation, discipline and training; and

WHEREAS, the Department of Personnel has submitted a new State policy which prohibits discrimination, harassment or hostile environments in the workplace, and model procedures for filing internal complaints alleging discrimination, harassment, or hostile environments in the workplace;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace, and Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments in the Workplace, submitted to me by Department of Personnel Commissioner Janice Mitchell Mintz, is hereby authorized and effective throughout the State.
2. This Executive Order supercedes any and all executive orders and policies inconsistent with the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace, and Model Procedures

for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments in the Workplace. All State departments, commissions, State colleges, and authorities shall ensure that their practices are in conformance with this mandate.

3. This Executive Order shall take effect immediately.

GIVEN, under my hand and seal,
this 17th day of December in the
Year of Our Lord, One Thousand
Nine Hundred and Ninety-Nine, and
of the Independence of the United
States, the Two Hundred and Twenty Fourth.

/s/ Christine Todd Whitman
Governor

Attest: Richard S. Mroz
Chief Counsel to the Governor

Appendix B

Leventhal's Six Procedural Justice Rules

- Consistency Rule:* Procedures (allocative) should be applied consistently cross people and overtime. Procedures lacking in consistency may cause people to feel that procedural fairness has been violated (40).
- Bias Suppression Rule:* "Personal interest and blind allegiance to narrow preconceptions" should (must) be avoided. People are likely to perceive a violation of procedural fairness when there is "unrestrained self-interest or devotion to doctrinaire views" (41).
- Accuracy Rule:* Procedures should (must) be based on "good information and informed opinions." Inaccurate information or information with errors will lead to feelings of violated procedural fairness (41).
- Correctability Rule:* Opportunities should (must) be available to modify and/or reverse decisions that are made during the process. Appeal procedures enhance feelings of perceived fairness (43).
- Representativeness Rule:* Procedures should (must) reflect "basic concerns, values, and outlook of subgroups in the population (in organization)" of people impacted by decision processes. Input from the subgroups on the processes should be considered (43-44).
- Ethicality Rule^{*}:* Procedures should (must) be based/compatible with "fundamental moral and ethical values accepted" by people. During processes of information collection, "methods of observation that involve deception or that invade privacy are unfair" (46). When people feel a violation of "personal standards of ethics and morality," (45) their feelings of procedural fairness are diminished.

^{*}Relative to Leventhal's "personal standards of ethics and morality," the EEOC utilizes a *reasonable person* standard, which in addition to determining severity of incidences, impact and contribution of behaviors to creating a *hostile environment*, the standard "should consider the victim's perspective and not stereotyped notions of acceptable

behavior” (EEOC 2006). Also, with respect to ethical conduct in complaint processing, New Jersey’s policy includes provisions for confidentiality and a prohibition against retaliation.

Appendix C

The enforcement of certain anti-discrimination laws are administered on the federal level by the United States Equal Employment Opportunity Commission (EEOC), and on the state level by the New Jersey Division on Civil Rights (NJDCR).

Federal EEO Laws

The EEOC enforces Federal laws prohibiting job discrimination.

Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin; the **Equal Pay Act of 1963 (EPA)**, which protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination; the **Age Discrimination in Employment Act of 1967 (ADEA)**, which protects individuals who are 40 years of age or older; **Title I and Title V of the Americans with Disabilities Act of 1990 (ADA)**, which prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments; **Sections 501 and 505 of the Rehabilitation Act of 1973**, which prohibit discrimination against qualified individuals with disabilities who work in the federal government; and the **Civil Rights Act of 1991**, which, among other things, provides monetary damages in cases of intentional employment discrimination.

It is illegal to discriminate in any aspect of employment, including: hiring and firing; compensation, assignment, or classification of employees; transfer, promotion, layoff, or recall; job advertisements; recruitment; testing; use of company facilities; training and apprenticeship programs; fringe benefits; pay, retirement plans, and disability leave; or other terms and conditions of employment.

Discriminatory practices under these laws also include: harassment on the basis of race, color, religion, sex, national origin, disability, or age; retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices; employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals of a certain sex, race, age, religion, or ethnic group, or individuals with disabilities; and denying employment opportunities to a person because of marriage to, or

association with, an individual of a particular race, religion, national origin, or an individual with a disability. Title VII also prohibits discrimination because of participation in schools or places of worship associated with a particular racial, ethnic, or religious group (EEOC, 2006).

Executive Order 11246

The enforcement and administration of Executive Order 11246 falls within the jurisdiction of the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP).

Executive Order 11246, as amended, which prohibits federal contractors and federally-assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin. The Executive Order also requires Government contractors to take affirmative action to insure that equal opportunity is provided in all aspects of their employment.

AFFIRMATIVE ACTION REQUIREMENTS

Each Government contractor with 50 or more employees and \$50,000 or more in government contracts is required to develop a written affirmative action program (AAP) for each of its establishments. A written affirmative action program helps the contractor identify and analyze potential problems in the participation and utilization of women and minorities in the contractor's workforce. If there are problems, the contractor will specify in its AAP the specific procedures it will follow and the good faith efforts it will make to provide equal employment opportunity. Expanded efforts in outreach, recruitment, training and other areas are some of the affirmative steps contractors can take to help members of the protected groups compete for jobs on equal footing with other applicants and employees (U.S. Department of Labor, 2006).

New Jersey Law Against Discrimination (NJLAD)

The New Jersey Division on Civil Rights (NJDCR) enforces the New Jersey Law Against Discrimination (NJLAD).

The **New Jersey Law Against Discrimination (LAD)** makes it unlawful to subject people to differential treatment based on race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status. The LAD prohibits unlawful discrimination in employment, housing, places of public accommodation, credit and business contracts. Not all of the foregoing prohibited bases for discrimination are protected in all of these areas of activity (NJ Division on Civil Rights, 2006).

Appendix D



NEW JERSEY STATE POLICY PROHIBITING DISCRIMINATION IN THE WORKPLACE

I. POLICY

a. Protected Categories

The State of New Jersey is committed to providing every State employee and prospective State employee with a work environment free from prohibited discrimination or harassment. Under this policy, forms of employment discrimination or harassment based upon the following protected categories are prohibited and will not be tolerated: race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.

To achieve the goal of maintaining a work environment free from discrimination and harassment, the State of New Jersey strictly prohibits the conduct that is described in this policy. This is a zero tolerance policy. This means that the state and its agencies reserve the right to take either disciplinary action, if appropriate, or other corrective action, to address any unacceptable conduct that violates this policy, regardless of whether the conduct satisfies the legal definition of discrimination or harassment.

b. Applicability

Prohibited discrimination/harassment undermines the integrity of the employment relationship, compromises equal employment opportunity, debilitates morale and interferes with work productivity. Thus, this policy applies to all employees and applicants for employment in State departments, commissions, State colleges or universities, agencies, and authorities (hereafter referred to in this section as "State agencies" or "State agency"). The State of New Jersey will not tolerate harassment or

discrimination by anyone in the workplace including supervisors, co-workers, or persons doing business with the State. This policy also applies to both conduct that occurs in the workplace and conduct that occurs at any location which can be reasonably regarded as an extension of the workplace (any field location, any off-site business-related social function, or any facility where State business is being conducted and discussed).

This policy also applies to third party harassment. Third party harassment is unwelcome behavior involving any of the protected categories referred to in (a) above that is not directed at an individual but exists in the workplace and interferes with an individual's ability to do his or her job. Third party harassment based upon any of the aforementioned protected categories is prohibited by this policy.

II. PROHIBITED CONDUCT

a. Defined

It is a violation of this policy to engage in any employment practice or procedure that treats an individual less favorably based upon any of the protected categories referred to in I4(a) above. This policy pertains to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, demotion, discipline, compensation, fringe benefits, working conditions and career development.

It is also a violation of this policy to use derogatory or demeaning references regarding a person's race, gender, age, religion, disability, affectional or sexual orientation, ethnic background, or any other protected category set forth in I(a) above. A violation of this policy can occur even if there was no intent on the part of an individual to harass or demean another.

Examples of behaviors that may constitute a violation of this policy include, but are not limited to:

- Discriminating against an individual with regard to terms and conditions of employment because of being in one or more of the protected categories referred to in I(a) above;
- Treating an individual differently because of the individual's race, color, national origin or other protected category, or because an individual

- has the physical, cultural or linguistic characteristics of a racial, religious, or other protected category;
- Treating an individual differently because of marriage to, civil union to, domestic partnership with, or association with persons of a racial, religious or other protected category; or due to the individual's membership in or association with an organization identified with the interests of a certain racial, religious or other protected category; or because an individual's name, domestic partner's name, or spouse's name is associated with a certain racial, religious or other protected category;
- Calling an individual by an unwanted nickname that refers to one or more of the above protected categories, or telling jokes pertaining to one or more protected categories;
- Using derogatory references with regard to any of the protected categories in any communication;
- Engaging in threatening, intimidating, or hostile acts toward another individual in the workplace because that individual belongs to, or is associated with, any of the protected categories; or
- Displaying or distributing material (including electronic communications) in the workplace that contains derogatory or demeaning language or images pertaining to any of the protected categories.

b. Sexual Harassment

It is a violation of this policy to engage in sexual (or gender-based) harassment of any kind, including hostile work environment harassment, quid pro quo harassment, or same-sex harassment. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of prohibited behaviors that may constitute sexual harassment and are therefore a violation of this policy include, but are not limited to:

- Generalized gender-based remarks and comments;
- Unwanted physical contact such as intentional touching, grabbing, pinching, brushing against another's body or impeding or blocking movement;
- Verbal, written or electronic sexually suggestive or obscene comments, jokes or propositions including letters, notes, e-mail, text messages, invitations, gestures or inappropriate comments about a person's clothing;
- Visual contact, such as leering or staring at another's body; gesturing; displaying sexually suggestive objects, cartoons, posters, magazines or pictures of scantily-clad individuals; or displaying sexually suggestive material on a bulletin board, on a locker room wall, or on a screen saver;
- Explicit or implicit suggestions of sex by a supervisor or manager in return for a favorable employment action such as hiring, compensation, promotion, or retention;
- Suggesting or implying that failure to accept a request for a date or sex would result in an adverse employment consequence with respect to any employment practice such as performance evaluation or promotional opportunity; or
- Continuing to engage in certain behaviors of a sexual nature after an objection has been raised by the target of such inappropriate behavior.

III. EMPLOYEE RESPONSIBILITIES

Any employee who believes that she or he has been subjected to any form of prohibited discrimination/harassment, or who witnesses others being subjected to such discrimination/harassment is encouraged to promptly report the incident(s) to a supervisor or directly to the State

agency's Equal Employment Opportunity/Affirmative Action Officer or to any other persons designated by the State agency to receive workplace discrimination complaints.

All employees are expected to cooperate with investigations undertaken pursuant to VI below. Failure to cooperate in an investigation may result in administrative and/or disciplinary action, up to and including termination of employment.

IV. SUPERVISOR RESPONSIBILITIES

Supervisors shall make every effort to maintain a work environment that is free from any form of prohibited discrimination/harassment. Supervisors shall immediately refer allegations of prohibited discrimination/harassment to the State agency's Equal Employment Opportunity/Affirmative Action Officer, or any other individual designated by the State agency to receive complaints of workplace discrimination/harassment. A supervisor's failure to comply with these requirements may result in administrative and/or disciplinary action, up to and including termination of employment. For purposes of this section and in the State of New Jersey Model Procedures for Processing Internal Complaints Alleging Discrimination in the Workplace (Model Procedures), a supervisor is defined broadly to include any manager or other individual who has authority to control the work environment of any other staff member (for example, a project leader).

V. DISSEMINATION

Each State agency shall annually distribute the policy described in this section, or a summarized notice of it, to all of its employees, including part-time and seasonal employees. The policy, or summarized notice of it, shall also be posted in conspicuous locations throughout the buildings and grounds of each State agency (that is, on bulletin boards or on the State agency's intranet site). The Department of the Treasury shall distribute the policy to State-wide vendors/contractors, whereas each State agency shall distribute the policy to vendors/contractors with whom the State agency has a direct relationship.

VI. COMPLAINT PROCESS

Each State agency shall follow the Model Procedures with regard to reporting, investigating, and where appropriate, remediating claims of discrimination/harassment. See N.J.A.C. 4A:7-3.2. Each State agency is responsible for designating an individual or individuals to receive

complaints of discrimination/harassment, investigating such complaints, and recommending appropriate remediation of such complaints. In addition to the Equal Employment Opportunity/Affirmative Action Officer, each State agency shall designate an alternate person to receive claims of discrimination/harassment.

All investigations of discrimination/harassment claims shall be conducted in a way that respects, to the extent possible, the privacy of all the persons involved. The investigations shall be conducted in a prompt, thorough and impartial manner. The results of the investigation shall be forwarded to the respective State agency head to make a final decision as to whether a violation of the policy has been substantiated.

Where a violation of this policy is found to have occurred, the State agency shall take prompt and appropriate remedial action to stop the behavior and deter its reoccurrence. The State agency shall also have the authority to take prompt and appropriate remedial action, such as moving two employees apart, before a final determination has been made regarding whether a violation of this policy has occurred.

The remedial action taken may include counseling, training, intervention, mediation, and/or the initiation of disciplinary action up to and including termination of employment.

Each State agency shall maintain a written record of the discrimination/harassment complaints received. Written records shall be maintained as confidential records to the extent practicable and appropriate.

VII. PROHIBITION AGAINST RETALIATION

Retaliation against any employee who alleges that she or he was the victim of discrimination/harassment, provides information in the course of an investigation into claims of discrimination/harassment in the workplace, or opposes a discriminatory practice, is prohibited by this policy. No employee bringing a complaint, providing information for an investigation, or testifying in any proceeding under this policy shall be subjected to adverse employment consequences based upon such involvement or be the subject of other retaliation.

Following are examples of prohibited actions taken against an employee because the employee has engaged in activity protected by this subsection:

- Termination of an employee;
- Failing to promote an employee;
- Altering an employee's work assignment for reasons other than legitimate business reasons;
- Imposing or threatening to impose disciplinary action on an employee for reasons other than legitimate business reasons; or
- Ostracizing an employee (for example, excluding an employee from an activity or privilege offered or provided to all other employees).

VIII. FALSE ACCUSATIONS AND INFORMATION

An employee, who knowingly makes a false accusation of prohibited discrimination/ harassment or knowingly provides false information in the course of an investigation of a complaint, may be subjected to administrative and/or disciplinary action, up to and including termination of employment. Complaints made in good faith, however, even if found to be unsubstantiated, shall not be considered a false accusation.

IX. CONFIDENTIALITY

All complaints and investigations shall be handled, to the extent possible, in a manner that will protect the privacy interests of those involved. To the extent practical and appropriate under the circumstances, confidentiality shall be maintained throughout the investigatory process. In the course of an investigation, it may be necessary to discuss the claims with the person(s) against whom the complaint was filed and other persons who may have relevant knowledge or who have a legitimate need to know about the matter. All persons interviewed, including witnesses, shall be directed not to discuss any aspect of the investigation with others in light of the important privacy interests of all concerned. Failure to comply with this confidentiality directive may result in administrative and/or disciplinary action, up to and including termination of employment.

X. ADMINISTRATIVE AND/OR DISCIPLINARY ACTION

Any employee found to have violated any portion or portions of this policy may be subject to appropriate administrative and/or disciplinary action which may include, but which shall not be limited to: referral for training, referral for counseling, written or verbal reprimand, suspension, reassignment, demotion or termination of employment. Referral to another appropriate authority for review for possible violation of State and Federal statutes may also be appropriate.

XI. TRAINING

All State agencies shall provide all new employees with training on the policy and procedures set forth in this section within a reasonable period of time after each new employee's appointment date. Refresher training shall be provided to all employees, including supervisors, within a reasonable period of time. All State agencies shall also provide supervisors with training on a regular basis regarding their obligations and duties under the policy and regarding procedures set forth in this section.

Issued: December 16, 1999

Revised: June 3, 2005

Revised: August 20, 2007

See N.J.A.C. 4A:7-3.1

Appendix E

Survey Instrument

*Thank you for your participation in this survey. The purpose of this research is to examine the organizational placement of the equal employment opportunity (EEO) compliance function and perceptions of fairness. Please read each question in the survey and answer it to the best of your ability. Your contribution to this study will provide valuable insights into understanding factors that influence employee perceptions of fairness in the workplace. Questions that are not answered will not be included in the data results. There are 35 questions and it is very important that you complete each question. Please answer each question to the best of your ability. **Survey participants will not be identified individually and anonymity will be maintained.***

All data and results will be reported in an aggregate format and responses will remain anonymous.

General overview and definition of terms:

Equal Employment Opportunity (EEO) compliance function - involves federal and state regulations requiring organizations to assign an individual or office within every governmental agency, department, commission, etc. to monitor and enforce various civil rights laws and regulations. These laws and regulations include, but are not limited to issues pertaining to race, color, religion, gender and sexual harassment, age and disability.

EEO processes - involves the manner in which complaints, disputes, and concerns are handled by your organization's EEO office/manager.

For numbers 1 through 5 please check with an "X," or provide a response in the column marked "Not Sure" where applicable:

	Yes	No
1. Are you employed by your organization's EEO unit or office (or have EEO job responsibilities?)		
2. Have you ever had direct contact with your organization's EEO unit or office concerning an EEO matter?		

	Yes	No	Not Sure
3. Are you generally aware of the purpose and job functions of your organization's EEO unit or office?			
4. If you have a concern which falls under the jurisdiction of your organization's EEO unit or office would you feel comfortable with that office handling this matter?			
5. Do you know where the EEO unit or office in your organization reports? For example, does it report to your organization's Commissioner, President, Agency Head, Human Resources Office, etc.?			

6. Please indicate below where the EEO Office (unit) in your organization reports:

- 01 ☐ Commissioner, President, or Agency Head
- 02 ☐ Assistant Commissioner, Vice-President
- 03 ☐ Human Resources/Personnel Division
- 04 ☐ Legal Division
- 05 ☐ Business or Administration Division
- 06 ☐ Don't Know or Not Sure

7. If you had an EEO concern, which of the following administrative offices in your organization would you feel most comfortable with reporting this matter?

- 01 ☐ Commissioner, President, or Agency Head
- 02 ☐ Assistant Commissioner, Vice-President
- 03 ☐ Human Resources/Personnel Division
- 04 ☐ Legal Division
- 05 ☐ EEO Office
- 06 ☐ Business or Administration Division
- 07 ☐ Don't Know or Not Sure

8. If you had an EEO concern, which of the following administrative offices in your organization would you feel least comfortable with reporting this matter?

- 01 ☐ Commissioner, President, or Agency Head
- 02 ☐ Assistant Commissioner, Vice-President
- 03 ☐ Human Resources/Personnel Division
- 04 ☐ Legal Division
- 05 ☐ EEO Office
- 06 ☐ Business or Administration Division
- 07 ☐ Don't Know or Not Sure

For questions 9 through 12, please respond on the following 5-point scale: 1= Never, 2= Sometimes, 3= Regularly, 4= Very Often, 5= Always

	N					A				
9. How frequently do you participate in decisions on the adoption of new programs?	1	2	3	4	5					
10. How frequently do you participate in decisions on the adoption of new policies?	1	2	3	4	5					
11. How frequently do you participate in decisions to hire new staff?	1	2	3	4	5					
12. How frequently do you participate in decisions on the promotions of professional staff?	1	2	3	4	5					

For questions 13 through 26, please respond on the following 7-point scale: 1= Strongly Disagree, 2= Moderately Disagree, 3= Slightly Disagree, 4= Neither Agree nor Disagree (Neutral), 5= Slightly Agree 6= Moderately Agree, 7= Strongly Agree

	SD							SA						
13. There can be little action here until a supervisor approves a decision	1	2	3	4	5	6	7							
14. A person who wants to make her or his own decisions would be quickly discouraged	1	2	3	4	5	6	7							
15. Even small matters have to be referred to someone higher up for a final answer	1	2	3	4	5	6	7							
16. I have to ask my boss before I do almost anything	1	2	3	4	5	6	7							
17. Any decision I make has to have my boss's approval	1	2	3	4	5	6	7							
18. EEO policies and procedures are regularly disseminated throughout my organization	1	2	3	4	5	6	7							
19. Employees are generally aware of EEO policies and procedures	1	2	3	4	5	6	7							
20. Training is available for employees on the organization's EEO policies and procedures	1	2	3	4	5	6	7							

The following items refer to the procedures used in your organization to make decisions.

21. Have you been able to express your views and feelings during those procedures?	1	2	3	4	5	6	7
22. Have those procedures been applied consistently?	1	2	3	4	5	6	7
23. Have those procedures been free of bias?	1	2	3	4	5	6	7
24. Have those procedures been based on accurate information?	1	2	3	4	5	6	7
25. Have you been able to appeal the (outcome) arrived at by those procedures?	1	2	3	4	5	6	7
26. Have those procedures upheld ethical and moral standards?	1	2	3	4	5	6	7

For questions 27 through 29, please respond on the following 5-point scale: 1= Never, 2= Little, 3= Somewhat, 4= Much, 5= A Great Deal

The following items refer to your supervisor's actions.

	N					A				
27. How much of an opportunity were you given to describe your problem before any decisions were made about how to handle it?	1	2	3	4	5					
28. How much influence did you have over the decisions made by your supervisor?	1	2	3	4	5					
29. How much consideration was given to your views when decisions were made about how to handle your problem?	1	2	3	4	5					

For numbers 30 through 35 please check with an "X"

Personal/Demographic Information

30. Please indicate your age category:

- 01 ☐ 25-30
- 02 ☐ 31-35
- 03 ☐ 36-40
- 04 ☐ 41-45
- 05 ☐ 46-50
- 06 ☐ 51-55
- 07 ☐ 56-60
- 08 ☐ 61-65
- 09 ☐ over 65

31. Please indicate your gender:

- 01 ☐ Female
- 02 ☐ Male

32. Please indicate your ethnicity/race: *(Please select one)*

- 01 ☐ Asian
- 02 ☐ Black/African American
- 03 ☐ Caucasian/White
- 04 ☐ Hispanic/Latino
- 05 ☐ Other (Please list) _____

33. Please select the job category which most closely matches your position: *(Please select one)*

- 01 ☐ Official/Administrator
- 02 ☐ Professional
- 03 ☐ Technician
- 04 ☐ Office/Clerical
- 05 ☐ Protective Service
- 06 ☐ Skilled Crafts
- 07 ☐ Service/Maintenance
- 08 ☐ Paraprofessional

34. Please indicate your highest level of educational attainment.

- 01 ☐ High school diploma
- 02 ☐ Associate's degree
- 03 ☐ Bachelor's Degree
- 04 ☐ Law Degree
- 05 ☐ Master's Degree or other Advanced Degree

35. Please provide your length of employment with your current organization (in years):	
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Appendix F
IRB Exemption

RUTGERS UNIVERSITY
Office of Research and Sponsored Programs
ASB III, 3 Rutgers Plaza, Cook Campus
New Brunswick, NJ 08901

October 31, 2008

P.I. Name: Williams
Protocol #E09-115

Dear Charlie Williams:

Notice of Exemption from IRB Review

Protocol # E09-115

Protocol Title: "The Relationship Between Organizational Structure & Procedural Fairness Perceptions: The Positioning of the Equal Employment Opportunity Compliance Function in Organizations"

The project identified above has been approved for exemption under one of the six categories noted in 45 CFR 46, and as noted below:

Exemption Date: 10/22/2008 **Exempt Category:** 2
Approved # of Subjects: 500

This exemption is based on the following assumptions:

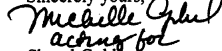
1. that the materials you submitted to the Office of Research and Sponsored Programs (ORSP) provide a complete and accurate account of how human subjects are involved in your project.
2. that you will carry out your research according to the procedures described in those materials.
3. that you will report to ORSP any changes in your procedures and that if such changes are made, you will submit the project for IRB review.
4. that you will immediately report to the ORSP any problems that you encounter while involving human subjects.
5. that if any consent document(s), oral consent script(s), advertisement(s), or other documents which have the purpose of informing the subject about the research are included with this Notice of Exemption, they MUST be used per the attached version.

Additional Notes: None

Failure to comply with these conditions will result in withdrawal of this approval.

The Federalwide Assurance (FWA) number for Rutgers University IRB is FWA00003913; this number may be requested on funding applications or by collaborators.

Sincerely yours,



Sheryl Goldberg

Director of Office of Research and Sponsored Programs
graser@orsp.rutgers.edu

cc: Dr. Dorothy Olshfski

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