

# Chapter 27

## Is Gender Equality a Reality After a Change in the Political Agenda?

### Dynamic Analysis for Higher Management Levels

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#### **ABSTRACT**

*After a decade of meaningful advances in legal framework, education and political agendas, gender equality should be a reality in Spain. However, something is not working in the Spanish industry, compared to other European countries. In this chapter we analyse some organizational dynamics that allows understand why the situation of inequality of women managers for gender reasons persists in spite of the positive discrimination measures recommended by the legislative framework. A new translation between the political and the economical language is necessary in order to get a change of behaviour in the industry. This analysis has allowed a proposal of a bunch of measures that allow organisations to exploit all their managerial talent, independently of whether this talent is owned by men or women.*

#### **1. INTRODUCTION**

The inclusion of women in the labor market and the economical context of nations is imperative both for reasons of equity, equality, social justice and as a strategic question. Human capital of organizations is comprised of a set of skills, knowledge and capabilities that mainly depends on the organization's staff. According to the Resource-based View of the firm (Wernerfelt, 1984; Barney, 1991; Conner, 1991), hu-

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man capital should be labeled as strategic resource, since it meets all requirements for this qualification (Wright, McMahan and McWilliams, 1994). Namely, human capital is scarce, valuable, not perfectly imitable nor substitutable without great effort (Barney, 1991: 117), and it also satisfies the condition of “appropriability” subsequently added by Grant (1991: 128). It should be concluded that human capital is critical not only while intangible resource, but as basis to generate and enhance distinctive capabilities on organizations that constitutes the main competitive value of firms (Grant 1996). According to this approach, when women are denied in organizations, societies carry out an inefficient allocation of resources, grow less and put their competitiveness at risk.

The term “glass ceiling” (Arfken, Bellar & Helms, 2004) is used to refer to the set of obstacles to the advancement of women in organizations, and can be considered a metaphor for discrimination (Bendl and Schmidt, 2010). This phenomenon reflects the inequalities between men and women that persist in the current economy, especially at the managerial level. They continue to face numerous obstacles pertaining to compensation, promotion, and representation; their access to employment, vertical segregation, and differences in pay or inequality in working conditions. According to Niederle, Segal and Vesterlund (2013), while there is substantial horizontal segregation, segregation is particularly striking when examining the positions held within a sector, where men are often disproportionately allocated to professional and managerial occupations resulting in significant vertical segregation (Weeden, 2004; Grusky and England, 2004).

In the last decade legislation has developed different norms aimed to protect and guarantee equal opportunities in employment, especially in the European Union. Current legislation such as Directives 2012/41 / EU; 2006 / 547CE; 2004/113 / EC; 2002/731 / EC; 2000/78/CE provide examples to this regard. According to the membership of the EU, Spain has assumed those regulations. In a further step towards the achievement of real equality, it was approved the Law 3/2007 for the effective equality of opportunities between women and men, with the rank of Organic Law. This law, which is considered as a pioneer within the EU, introduces new aspects in its provisions, such as the concepts of direct and indirect discrimination, shifting the burden of proof in cases of discrimination, contemplating affirmative actions, preventing discriminatory behaviors or recommending the design of active procedures to implement the principle of equality. This law also introduces the idea of “mainstreaming” of the proceedings, extending its scope to all socio-economic, cultural and educational dimensions of the environment, in both public and private dimensions (Bastida and Moscoso, 2015). In this respect it is noteworthy that emphasizes the need to increase the presence of women on organizations’ boards of directors and management of organizations, until reaching its balanced composition. Nevertheless, in spite of this initiative, statistics show that the problem persists. Paradoxically there are some cases where the percentage of women has stabilised or even diminished. In addition, new matters for concern emerge:

- **Lack of Effective Commitment:** Affirmative Action has been defined on three groups: (1) to offset past discrimination; (2) to counteract present unfairness and (3) to achieve future equality (Cahn, 2004). Nevertheless for most companies and for some employees, affirmative action programs are perceived to be implemented in order to comply with government regulations, not for a concern of justice or need to imbalance the situation of women. Thus, gender equality initiatives continue to meet with hidden or open resistance, and they are considered controversial (Connell, 2006; Crosby, Iyer, & Sincharoen, 2005).

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