

LAW AND PROFESSIONALISM IN PUBLIC MANAGEMENT:
AN EXAMINATION OF GEORGIA COUNTIES

by

CHRISTINE BETH LEDVINKA

(Under the Direction of J. Edward Kellough)

ABSTRACT

Scholars label public law as both the foundation of and a constraint on public administration (Rosenbloom 2007, Lee and Rosenbloom 2005, Bertelli, 2005, Moe and Gilmour, 1995). However, gaps remain in research on the influence of public law on public managers. The influence of law is especially relevant at the local government level where growth in responsibilities has been matched by a concurrent decline in resources. Using a 2004 framework proposed by Bowman, West, Berman, and Van Wart, this research evaluates local government managers' knowledge of law as one element of public administration professionalism.

Public administration literature suggests that counties with larger populations employ more professional practices, and that a lack of professionalism leads to human resource practices that expose a county to potential liability (Fox 1993). Because the county manager and the different department heads share responsibility for the human resource function, and effective human resource management is fundamental to success throughout an organization, studying the law related to human resources provides the

greatest opportunity to examine the links between professional knowledge of law and county success.

Legal constraints on public managers, and the importance of legal expertise as part of public managers' professional knowledge, raise the fundamental question, what is the level of professional understanding of law among county managers? Further, what are the determinants of public managers' knowledge of law? These questions are the basis for my dissertation research on law and public managers' professionalism

Employing a survey of 800 county managers and elected and appointed department heads in all 159 Georgia counties, this research assesses the level and determinants of professional knowledge of law among local government administrators. Further, case studies of two counties will offer more detailed information regarding the impact of managers' legal training. By examining the level of federal employment law expertise among Georgia county managers, this research has the potential to increase our understanding both of how much managers know and how important that knowledge is to organizational performance. This increased knowledge can inform decision on pre-service public administration curriculum as well as on-going training and certification programs.

INDEX WORDS: law, human resources, local government, professionalism

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DEDICATION

This dissertation is dedicated to my family: Scott, Dad, Mom, Don, Amy, and Michael. Your continuous love and support made this possible.

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Chapter One – Introduction and Literature Review

Scholars label public law as both the foundation of and a constraint on public administration (Rosenbloom 2007, Lee and Rosenbloom 2005, Bertelli 2005, Moe and Gilmour 1995). However, gaps remain in research on the influence of public law on public managers. Fortunately, recent work on public service competencies by Bowman, West, Berman, and Van Wart offers an avenue for research into one way that law affects public managers (2004). The authors emphasize the influence of law as one element of public managers' professionalism. They assert that law serves as an essential component of public managers' "professional proficiency" both by establishing "basic values or principles" public managers must follow and by mandating "how managers conduct their job" (2004, p. 40). Accordingly, law contributes to public managers' professionalism both as a foundation of professional training and as a constraint on their exercise of professional expertise. Legal constraints on public managers, and the importance of legal expertise as part of public managers' professional knowledge, raise two core questions: what is the level of professional knowledge of law among county managers and what are the determinants of that knowledge?

These questions are particularly significant because of the dearth of research on the influence of law on public management and because the responsibilities of county governments have grown steadily without a corresponding growth in substantive research on counties. As early as 1969, John Bollens noted the need to study how professionalism affects county government operations. However, when Benton evaluated the progress made on a county government research agenda announced by Menzel, et al, in 1992, he

concluded that there had only been “modest progress” regarding the examination of county leadership and professional management (Benton 2005, p. 465). Further, this need for research is especially relevant because county responsibilities have increased as fiscal resources have decreased over the past thirty years (Streib, et al 2007).

Svara notes that county governments lagged behind cities in structural reform, with the effect that, in America, only one in four counties employed the more professional commission-administrator form of government as recently as the late 1980s (1996). The slow pace of structural reform and the prevalence of elected county executives are possible explanations for why local government scholars have focused on cities, rather than counties. Svara concludes, “Consequently, there is a tremendous imbalance between material available on leadership and professionalism in cities and in counties” (1996, p. 109). This lack of research on county managers’ professionalism persists today. In late 2007, Streib and colleagues cited the shortage of research on county government and announced a research agenda that highlighted the need for further examination of professionalism in county government (Streib, et al 2007). They asserted, “in short, much less scholarly attention has been devoted to this topic as it pertains to county governments compared with municipalities, despite the continuing advance of professionalism in county government” (2007, p. 973).

Additionally, examining the understanding of law as an element of county managers’ professionalism is critical because the expectation of county performance has grown and professional practices are necessary to meet these increased responsibilities (Streib, et al 2007). Rabin argues that increasing public managers’ professionalism has the potential to enhance the public’s view of the bureaucracy (1984). Local government

actions have a direct impact on daily life, and research has found that individuals have a heightened expectation of local managerial responsiveness (Piotrowski and Van Ryzin 2007, Koenig and Kise 1996). These individuals may expect that local government managers will act unfettered by judicial or legislative intervention, yet public law constraints on managers actually do have a significant influence on citizens at the local government level.

Further, in local government, the human resource function has significant responsibility for success throughout the organization (Kellough and Nigro, 2006). Through recruiting, hiring, training, and compensating, human resource management serves to develop a workforce of "...individuals responsible for translating objectives contained in legislative enactments or executive orders into the daily operations of government programs" (Kellough and Nigro 2006, pp. 1-2). Even when a centralized department coordinates the essential human resource function, many different county managers share accountability for day-to-day success (Buford, Lindner, and Montoya 2002). County department heads make numerous human resources decisions on a daily basis, and all of these decisions must comply with federal employment law mandates. Accordingly, employment law constraints on county human resource management have the potential for widespread impact on the public.

This review first addresses the founding professionalism literature from the field of sociology. From that relatively generic start, the review narrows to describe research on professionalism in public administration. The literature overview next addresses the scholarship linking law and public human resource managers' professionalism. Finally,

the discussion concludes by describing relevant research into county managers' professionalism.

Professionalism

The field of sociology serves as a center of the early professionalism literature. Sociologists Eliot Freidson and Magali Sarfatti Larson are two of the most prominent scholars of professionalism, and their work of more than three decades ago still serves as a foundation for current examinations of professionalism. Freidson noted that specialized knowledge and skill highlight each profession and he defined professionalization in terms of the "exclusive right to perform a particular type of work" (Freidson 1973, p. 22). Larson expanded upon the knowledge-based definition and offered that the "ideal-type" profession includes three essential attributes: cognitive, normative, and evaluative (1977, p. x). From those three attributes, Larson described the characteristics that social scientists use to define a profession: extensive training, a service ethic, autonomy, and prestige.

In more recent sociology scholarship, Julia Evetts examined the concept of professionalism as a motivator for clients who rely on professional services and as a motivator for professionals themselves who derive self-esteem from being labeled "professional" (2003). She proposed, "Professions are essentially the knowledge-based category of occupations which usually follow a period of tertiary education and vocational training and experience. A different way of categorizing these occupations is to see professionals as the structural, occupational, and institutional arrangements for dealing with work associated with the uncertainties of modern lives in risk societies" (Evetts 2003, p, 397).

Evetts' description emphasizes the role of professionalism as a guide through the uncertainties present in modern society. Further, her definitions underscore the relevance of: a foundation of "tertiary" education; practice-based, professional training; and on-the-job experience (Evetts 2003, p, 397). Both of these characterizations provide guidance for assessing public administrative professionalism and legal knowledge. The role of public managers' legal knowledge is supported by Evetts' focus on professionalism as an "arrangement" that clarifies "uncertainties" (Evetts 2003, p, 397). Professional knowledge of the law ensures that managers know their rights and responsibilities and the risks associated with violating the law. Additionally, Evetts' work argues that several individual-level factors may influence professionalism: completion of relevant post-secondary education, participation in professional training or certification programs, and practical experience. Evetts' emphasis on these three elements of professionalism is also reiterated by van Bockel and Noordegraaf in their 2006 assessment of professional public managers.

In 2007, Noordegraaf offered a definition of professionalism that considers the modern concerns that arise from efforts to professionalize roles in a knowledge-based society. The modern push to professionalize is, perhaps unintentionally, dampened by the shift in focus to consumer satisfaction, cost-reduction, and outcome-based performance assessment. These three elements of "contemporary knowledge societies" reduce the autonomy that is fundamental to professionalization (Noordegraaf 2007, p. 763). Noordegraaf's definition described how content and control act together to support professionalism (2007). Professional expertise requires both the knowledge of specific content and the ability to translate generic concepts to individual situations. The content

element of professionalism requires the specialized ability to analyze an individual case in order to determine how best to apply the broad principles, or content, of the profession. The application of rules of content is supervised through the second essential component of professionalism, control by an organization comprised of experts in the profession. This oversight consists of both pre-service and in-service education and assessment. As Noordegraaf remarked, "...to be professional is to be trained, schooled, and supervised to become part of professional communities (2007, p. 767).

Earlier efforts to define professionalism in the specific field of public administration were complicated by a body of scholarship arguing that public administration did not even qualify as a profession. For example, Richard Schott cited the sociology literature for generally accepted characteristics of professions: (1) systematic or scientific knowledge; (2) a service ethic; (3) extended formal training; and (4) a code of ethics (1976, p. 254). He argued that public administration failed to meet these four standards and that the field seemed unlikely to ever attain professional status (Schott 1976). The following year, Abcarian and Kirn rejected Schott's argument that the field of public administration is not a profession (1977).

Regardless, as explained below, public administration has become increasingly professionalized in the past three decades and now meets the requirements that Larson established for all professions. Using Larson's requisite attributes of a profession, public administration must incorporate extensive training, a service ethic, autonomy, and prestige. Considering the first of Larson's characteristics, public administration knowledge and formal training has changed substantially since Schott and Abcarian and Kirn offered opposing views. Growth in education and training includes nationally

recognized management certification programs as well as accredited graduate programs in public administration. In an effort to increase public management professionalization, Georgia, the state studied in this research, developed the first state-sponsored certified public manager (CPM) program in 1976 (Van Wart 1992, p. 478). Now, more than thirty years later, thirty-four states offer nationally accredited programs in public management certification (www.cpmconsortium.org). Additionally, the International Public Management Association for Human Resources (IPMA-HR) offers two human resources certifications: professional and specialist (www.ipma-hr.org). The NASPAA members now include 161 accredited public service graduate degree programs (www.naspaa.org).

Moreover, in contrast to Schott's argument, public administration by its very nature meets Larson's second requirement, a service ethic. As early as 1982, Rainey and Backoff urged, "The nature of the "calling," the knowledge base, and the service ethic are more closely associated with governmental service (p. 323). They compared professional values generally with public service professionalism and public administration professionalism and asserted that public administrators are characterized by a narrowly-tailored, strong focus on "service in and through government" (Rainey and Backoff 1982, p. 324). The public service ethic is now both widely recognized and the source of significant research and analysis (Brewer, Selden, and Facer 2000, Houston 2000).

It can also be argued that the field of public administration has reached Larson's requirements regarding the autonomy and prestige. Autonomy was at the core of the 1940 debate between Friedrich and Finer, and public administration scholars have regularly examined public administrators' accountability in the more than six decades

since. As evidence of the public administrators' professional autonomy, Dunn and Legge found that U.S. local government managers most often cite their professions as the source of their accountability (Dunn and Legge 2001). Considering the oversight that administrators receive from the public, the other branches of government, and other levels of government, it is a significant indication of autonomy that local government managers feel most accountable to their professions.

Rainey's 2003 review of the sociology literature on professionalism notes that the sociological analysis focuses on those attributes that constitute a profession. By contrast, management research focuses on the individual professional and on those values and beliefs that are prominent in individuals with professional training (Rainey 2003). The management literature characterizes highly professional persons as believing strongly in the need for expert knowledge and autonomous decision-making, as identifying with the profession and other professionals, as committed to self regulation by the professional membership, and as ethically obliged to serve a client's best interests (Rainey 2003, p. 280).

Professionalism in Public Administration

Bowman, West, Berman, and Van Wart present a model that defines public service professionalism in terms of managers' technical, ethical, and leadership competencies (2004, p. 21). The authors define public service professionalism based on "the responsible exercise of discretion," and they argue that professional performance requires the combination of technical skill and sound moral judgment (Bowman, et al 2004, p. 7). Moreover, public service leadership ability demands a basic level of knowledge in fundamental areas such as budgeting, planning, information technology,

and human resource management (Bowman et al 2004). In their view, legal knowledge is a key component to technical competency in program management, especially with respect to human resource management (Bowman, et al 2004).

Bowman, West, Berman, and Van Wart propose that public service technical expertise is comprised of three fundamental elements: scientific knowledge, legal strictures, and institutional savvy (2004, pp. 34-35). This combination is essential for public managers to recognize what is necessary for organizational success, to understand prohibited and acceptable practices, and to use the practical and political skills needed to accomplish organizational goals (Bowman et al 2004). The authors highlight the essential role of knowledge of law,

“Legal sophistication is also needed because laws and regulations provide program standards and guidelines for conduct. They dictate the importance of treating citizens and employees fairly and may specify steps to be taken (e.g. contracting for services or staff). The use of litigation to settle differences further increases the importance of legal facility.” (Bowman et al 2004, p. 35).

Bowman and colleagues also assert that public service technical expertise cannot be developed in the classroom alone, but requires a combination of advanced (graduate) education and on-the-job-training (Bowman et al 2004).

The model introduced by Bowman and his co-authors offers a foundation for undertaking research on public service professionalism. It directs research towards professionalism in law in the human resources function. Thus, their theory provides support for using expertise in federal employment discrimination law as a measure of public managers’ professionalism.

More than twenty years before Bowman, West, Berman, and Van Wart proposed their model of public service professionalism, Mosher described professions as "social mechanisms whereby knowledge, particularly new knowledge, is translated into action and service" (1982, p. 112). Interestingly, Mosher's description captured the professional growth of public managers following passage of federal equal employment opportunity (EEO) statutes. Extending anti-discrimination regulations to all federal, state, and local governments created a need for a mechanism to translate knowledge of the law, and of the operations necessary to obey the law, into action and service in public personnel systems. Public managers were legally responsible for meeting the new requirements, and those managers turned to techniques that would enable them to meet these responsibilities: specialized training and the practical guidance offered by associations of colleagues.

The set of characteristics Mosher used to describe a profession is particularly useful for assessing public administration professionalism. These characteristics are: (1) continuing efforts to improve public perception as a profession, and (2) emphasizing the "work substance" of the field with a focus on pre-professional education, and professional activities (Mosher, 1982, p. 117). Following Mosher's framework, the growth of professional associations, such as the American Society of Public Administration (ASPA), the development of certification programs, such as nationally accredited state CPM programs, and the increase in accredited graduate programs, such as those recognized by National Association of Schools of Public Affairs and Administration (NASPAA), offer evidence of greater professionalism of public management.

In light of the growing relevance of CPM programs, Hays and Duke examined their role as well as their relationship with MPA programs (1996). Although important to public administration professionalism, Hays and Duke proposed that the growth of CPM and MPA programs underscores a tension between the value of professional certification to increase public employees' skills and reputation and the concern that certification will shift accountability from the public or elected representatives to an unwavering obedience of professional standards (1996). Moreover, the authors noted the perceived theoretical focus of MPA programs in contrast to the perceived practical focus of CPM programs and recommended joint MPA/CPM certification as one option to more widely propagate comprehensive public administration professional training (Hays and Duke 1996). Currently, MPA and CPM curricula remain separately administered, and both types of certification are of interest in this examination of the level of public managers' professional knowledge.

David Rosenbloom built on Mosher's work when he noted that there are a wide variety of professional standards present in government due to the fact that governments employ many different types of professionals (1984). This assortment of professional standards can produce conflict when professionals' standards do not match the public interest (Rosenbloom, 1984). As an example, Rosenbloom offered that professional norms dictate that a lawyer must advocate for his or her client's interests even if those interests clash with the interests of the general public. This potential for conflict lead Rosenbloom to propose a specific category of "professionalism in the profession of public administration" (1984, p. 53).

Jae Kim cited increased professionalization as evidence of public managers' efforts to create more efficient and productive organizations (1988). Kim also noted that public employees are three times more likely to hold professional certifications than their private sector counterparts (Kim, 1988, p. 112). From the practitioners' perspective, Parrish and Frisby reported that attendees at the 1996 International City/County Management Association (ICMA) Conference believe that the role of the professional manager is changing (1997). The authors report that attendees emphasized "...highly trained, better educated, and more professional staffs..." as an important trend in local government management (Parrish and Frisby, 1997, p. 18).

Legal Training & Public Managers' Human Resources Professionalism

More than two decades ago, Rosenbloom linked law and public administrative professionalism when he argued that law could help to resolve one of the fundamental challenges of public administrative professionalism, namely the conflict between professional norms of efficiency and effectiveness and constitutional values of civil rights, procedural due process, and equity (1984, p. 54). He recommended two mechanisms for reconciling public administrative professionalism and constitutional values: instruction on constitutional values in the public administration degree curriculum and the development of public service law (Rosenbloom, 1984, p. 54). More recently, Condrey emphasized the competing values of efficiency and equity in his text on theory and practice in public human resource management (2005). He described the intricacy of balancing these values and the difficult legal challenges that inhere in the relationship

between the government as employer and the citizen as employee (Condrey, 2005, p. 779)

In addition to the scholarship defining law as a means to link core values of public service, Bowman, West, Berman, and Van Wart urge that law is elemental to public service professionalism. They assert,

“Law is fundamental to professional proficiency: It is inspirational as it sets out basic values or principles that society must follow (e.g. treating individuals with dignity); it provides protections and assurances that help get the job done (e.g. assisting in contract enforcement); it dictates how managers conduct their job (e.g. receiving three bids from vendors); and it furnishes due process rights that managers are required to recognize (e.g. protecting employees from arbitrary administrative actions).”

The role of law in public managers’ professionalism has increased as the body of law on civil rights has increased. Modern public management requires an awareness and skill to avoid unlawfully constraining both citizens’ and employees’ civil rights (Bowman et al 2004).

It is public service law that both guides public managers’ legal professionalism and protects public employees’ civil rights. Rosenbloom identified public service law as statutory law and constitutional case law that, “...defines the substantive and procedural rights of public employees, their right to equal protection, remedies for breaches of their rights, and their liabilities and immunities in civil suits for damages” (1984, p. 55).

Interestingly, Rosenbloom’s definition also captured those laws that are most relevant to the exercise of the public human resource management function. Following

Rosenbloom’s theory, federal employment statutes such as the Civil Rights Act of 1964, as amended (Title VII), the Americans with Disabilities Act (ADA), and the Age

Discrimination in Employment Act (ADEA), are examples of the technical legal

knowledge required of public managers and are mechanisms for resolving the competing

values of efficiency and equity in public administrative professionalism. Public managers are most likely to encounter these laws when they are engaged in human resource management.

Kellough and Nigro describe the public personnel function as, “the critical link” required for “effective government operations” (2006, p. 1). Their assessment highlights public managers’ unique responsibility for maintaining the constitutional, statutory, and regulatory protections afforded to public employees. When considering the scope of public managers’ equal employment responsibilities, it is important to note the variety of sources of equal employment opportunity law. Public managers are bound by employee protections that emanate from the Constitution, federal statutes, and federal agency regulations (e.g. the equal employment opportunity commission (EEOC)).

Further, public service law requires public managers to understand both the law itself and the operational changes needed to comply with the law’s mandates. In fact, recent scholarship concludes that the need for a working knowledge of the law is greater in public human resource management than in human resource management in the private and non-profit sectors (Lee and Rosenbloom, 2005, p. 3). Public managers are government actors, and as such, they are bound by the constitutional, statutory, and case law that defines the government’s treatment of citizens, including public employees. Unlike private managers, public managers must be aware of and understand the relevant sources of law in order to recognize the extent of their responsibility to uphold citizens’ rights.

Moreover, public managers who fail to meet these human resources responsibilities can be liable for constitutional as well as statutory violations. In 2006,

Rosenbloom and Bailey offered a detailed description of the need for public human resource managers to have legal expertise to avoid personal liability for violating employees' individual constitutional rights. The authors argued, "For human resource managers, avoidance of personal liability for constitutional torts necessitates, (1) understanding how the Constitution pertains to public employment and (2) building constitutionally required protections and procedures into administrative systems for recruitment, selection, employee development, promotion, adverse actions, reductions in force, equal opportunity, labor relations, background investigations, drug testing, and assisting employees with substance abuse and other problems that may jeopardize privacy rights" (Rosenbloom and Bailey, 2006, p. 127). In addition to this constitutional liability, local government managers cite the considerable financial risk posed by civil rights violations, such as the statutory Title VII protections (MacManus, 2003, p. 179). The distinct legal regulation of the public sector, the threat of human resource managers' personal liability, and the risk of local government fiscal responsibility argue that public human resource management requires professionalism in the law.

County Managers' Professionalism

More than two decades after Bollens' extensive examination of county governments, Menzel and ten other scholars who specialize in research on counties recommended a research agenda designed to blend historically important themes with empirical analyses that address the unique character of county government (Menzel, et al, 1992). They assessed the level of our understanding of county administration and highlighted "leadership and professional management" as one of five fundamental topics requiring further research (Menzel, et al, 1992, p. 178). Most relevant to the present

research, the authors pointed to the importance of (1) defining the technical skills required for successful county management and (2) integrating those essential skills into professional education for county administrators.

The following year, Fox examined national data on counties and cities to assess the level of professionalism in local government human resource practice (1993). To organize her data analysis, Fox offered four commonly used definitions of the word “professionalism:” exhibiting expertise, requiring advanced and specific training, employing professional values, and complying with a professional norm (1993, p. 6). She found that population was positively correlated with the level of professionalism (Fox 1993, p. 20). Fox also found that smaller counties and cities are less likely to use a systematic approach to performance appraisal. She attributes this disparity between small and large counties partly to a lack of the specialized expertise that is necessary to create a performance appraisal system that meets legal requirements for validity and reliability (Fox 1993, p. 21). Her results seem to indicate that smaller counties have fewer professional resources at their disposal, and that the lack of professionalism leads to human resource practices that expose the county to potential liability.

More recently, several scholars have examined the level of county managers’ professionalization using Government Performance Project (GPP) data on thirty-six high-revenue counties representing the four federal Census Bureau regions across the United States (Selden 2005, Krane 2008). Selden’s 2005 study indicates that separate county departments hold partial or full responsibility for several elements of the county human resources process. Notably, she finds that departments share responsibility for employee recruitment and are usually solely responsible for employee interviewing and selection

(Selden 2005). Krane emphasizes that the choice of counties with the highest revenue in each region of the United States was based on the presumption that greater revenue could provide the resource base necessary for the development of a high degree of managerial capacity (Krane 2008). He also notes that although many counties have moved towards greater managerial professionalization, the diffusion of authority at the county government level creates a barrier to consistent professional practices (Krane 2008). Krane finds that performance-based management systems such as Managing for Results provide consistent professional managerial practices and can also help to integrate diffuse county governmental authority into an effective network based on uniform goals (2008).

Literature on county government professionalism argues both that counties have structural features distinguishing them from cities (Menzel, et al 1992, Svara 1996, Streib, et al 2007) and that all local governments have enough similarities to justify equivalent recommendations for professionalism (Svara, 1996, p. 112). In an examination of research on American counties, Benton asserted that professional leadership has a significant effect on county performance and noted, “Historically, counties have lacked professional and progressive leadership because of the influence of ‘courthouse gangs’” (2005, p. 465). Comparing and contrasting the development of professionalism in city and county governments, Svara addressed six common elements of county government that could inhibit the growth of professional leadership, the plural executive body, partisan commission elections, commission authority over administrative functions, lack of structural unity with multiple elected department heads, a predisposition to conflict, and administrative responsibility for implementing state and federal programs (1996, pp. 110-111). Although these features of counties suggest that

they would be less likely than cities to employ professional managers, Svvara's survey of all North Carolina city and county managers (with a 61 and 62 percent response rate respectively) showed that county managers had higher educational achievement than city managers (Svvara, 1996, p. 121). Further, Keene and co-authors point to an increase in county government professionalism over time as evidenced by increasing numbers of professional county managers and chief administrative officers (2007, p. 34).

Current scholarship on professionalism in county government provides a strong theoretical foundation for linking employment law, professionalism, and county performance. In the most recent call for further research on county government in late 2007, Streib and his co-authors stressed the need both (1) to examine whether counties with professional management demonstrate higher levels of performance, and (2) to emphasize differences in costs attributable to professional training (Streib, et al, 2007). Further, Buford, Lindner, Montoya (2002) emphasize the pervasive affect of law on the local government employment relationship. They argue, "Understanding and complying with these mandates is a shared responsibility of human resources and line management, and the consequences of not meeting this responsibility are very serious" (p. 44). This shared responsibility means that the entire group of local government department heads is the relevant research population in understanding how law constrains local government human resource management and local government actions. Finally, given that Title VII, the ADEA, and the ADA each extend to employee recruitment and interviewing, Selden's 2005 findings regarding shared human resources responsibility suggest that department heads must have knowledge of federal equal employment opportunity statutes in order to maintain county compliance.

To advance scholarship on the links between law, professionalism and county performance, it is essential first to develop a measure of the level of professional knowledge of law and to determine the factors that contribute to higher knowledge of law. Because professional knowledge is composed of many elements, including basic education, professional training, and practical experience, it is likely that many factors contribute to professional knowledge of law. The present research includes an exploratory effort to uncover the determinants of a county manager's knowledge of employment law. After assessing those factors that contribute to a county managers' knowledge of law, this research will further examine whether that knowledge of law is related to county liability for violations of the law.

Chapter Two - Research Methodology

Several obstacles make it difficult to examine law as one element of public administrators' professionalism. Consequently, there are relatively few quantitative examinations that address the relationship between law and public administrators' professionalism (for examples, see Koenig and Kise, 1996; Reese and Lindenberg, 2003). Foremost are the dual challenges of defining and measuring knowledge of law. Many forms of law play a role in public administration, including statutes that delegate authority to a public administrator, contracts that guide the relationship between a public administrator and a private sector supplier, and constitutional provisions that dictate the duties a public administrator owes to all citizens. Accordingly, it would appear that public administration practice requires some understanding of many areas of law.

This research is focused on knowledge of law necessary to public human resource management at the county government level. The relevance of public personnel administration throughout a public organization guided the decision to examine knowledge of federal equal employment opportunity (EEO) statutes for this project (Kellough and Nigro, 2006). Further, over twelve million employees work full-time for local governments across the United States (U.S. Census Bureau, 2008) making counties the nation's largest sector of public employment. The significance of public personnel administration and scope of public employment at the county level recommended the focus on law as county department heads' knowledge of federal EEO statutes.

After narrowing the topic to a specific area of law, measuring knowledge of law became the key challenge. In order to assess the level of county managers' professional understanding of the law, I sent an original survey to public administrators in all Georgia counties. (A copy of the survey document is attached as an Appendix). The survey included substantive questions regarding three essential, federal EEO statutes and questions regarding the respondent's education, experience, training, and inherent characteristics. The survey development, testing, and administration are described in detail in the three immediate sections below.

Accompanying the challenges of defining and measuring knowledge of law is the fact that many individual and organizational characteristics may be associated with a county manager's knowledge of law. This creates the need to combine diverse, restricted-access data, and adds to the complexity of studying the relationship between law and public administrators' professionalism. In addition to the survey responses on knowledge of law and individual characteristics, it was necessary to include Equal Employment Opportunity Commission (EEOC) charge filings data, data on federal cases filed, federal census bureau demographic data, and department of community affairs county financial data. As detailed below, some of these data are subject to confidentiality restrictions that prohibit release of identifying information before a claim of employment discrimination is substantiated. Further, some of the data lack variation over short periods of time which necessitates pooling data over a multi-year interval.

In this chapter, I first detail the development, testing, and administration of the survey designed to measure knowledge of law. Next, I describe the acquisition and construction of the variables examined as possible determinants of knowledge of law.

Subsequently, I explain the models employed to test the determinants of county department heads' knowledge of law. Finally, I explain the case studies and additional models used to more closely examine the relationship between knowledge of law and county liability for federal EEO law violations.

Survey Development

To investigate the level of county managers' professional understanding of employment law, this research employed a survey of managers and department heads in each of Georgia's 159 counties conducted during fall 2008. Survey statements examined substantive knowledge of fundamental federal EEO statutes. In addition, the survey recorded respondent characteristics such as sex, race, tenure, legal training, completion of an MPA degree, and professional certification.

Parts I through III of the survey assessed county managers' knowledge of federal employment law. Twenty-four survey statements evaluated respondents' understanding of three federal employment discrimination laws: Title VII of the Civil Rights Act of 1964 (as amended) (Title VII), the Age Discrimination in Employment Act of 1967 (ADEA), and the Americans with Disabilities Act of 1990 (as amended) (ADA). I selected these three federal laws because they trigger the fundamental democratic values that may be difficult to reconcile with the administrative norms of efficiency and economy, yet they afford protection of civil rights so well known as to be widely expected by most of the general public.

Title VII protects local government personnel from employment discrimination based on race, sex, color, religion, and national origin in all human resource functions (42

U.S.C. §2000e to 2000e-17). The ADEA prohibits county employers from discriminating based on age in hiring, promotion, training, or retirement benefits (29 U.S.C. §621 to 634). The ADEA's protections extend to local government employees beginning at age forty and also ban unfavorable employment actions regarding pay, working conditions, and terms of employment (West 2005) (29 U.S.C. §621 to 634). The ADA forbids employment discrimination based on disability. This landmark disability statute requires that a county government employer provide reasonable accommodation to a qualified individual with a disability who, with or without reasonable accommodation, can perform the essential functions of employment (42 U.S.C. §12101 to 12213). The EEOC is responsible for investigating charges of employment discrimination against local governments and for enforcing the provisions of Title VII, the ADEA, and the ADA.

In order to assess knowledge of law that is most relevant to county human resource management practice, I researched recent EEO case law to determine the types of violations that local government employees were alleging. Based on recent allegations, I developed a total of twenty-four survey statements divided among Title VII (survey part I), the ADEA (survey part II), and the ADA (survey part III) to measure each respondent's proficiency in federal employment discrimination law.

For each survey statement, respondents indicated whether they were: completely certain the statement is false (coded as 1), somewhat certain the statement is false (coded as 2), somewhat certain the statement is true (coded as 3), or completely certain the statement is true (coded as 4). Managers were required to select some level of agreement or disagreement, with no neutral option. The modified Likert scoring enabled me to

assess both the respondent's substantive knowledge of the law (true or false) and the relative confidence they felt for each statement (somewhat or completely certain).

The survey was formatted using Cardiff Teleform software. The Teleform design produces a survey document that is clear and easily read by the respondent. Survey statements are highlighted alternating dark and light, so the eye moves easily from the statement to the appropriate response choices. Each response category is designated with a bubble, and directions request that the respondent to completely fill a bubble corresponding the response of their choice.

Survey layout followed the "Tailored Design Method" devised by recognized survey research methodologist Don A. Dillman (Dillman, 2007). Dillman recommended a booklet format with pages longer than wide because that layout best approximates the reading format respondents find most familiar (2007). Using an easily recognizable booklet layout eliminates respondents' need to search to find the correct order of questions and helps to ensure that questions will not be overlooked (Dillman, 2007).

Moreover, the order of survey sections also incorporated "Tailored Design" recommendations. Dillman maintained that respondents base the decision whether or not to participate on the survey's first question or statement (2007). Part I contained statements dealing with Title VII because that statute is arguably the best known of the three statutes examined. Following Dillman's guidance, I drafted the first statement so that it would "apply to everyone," would be "easy," and would be "interesting" (2007, p. 92). Finally, I clustered survey statements according to statute (Title VII, the ADEA, and the ADA) so respondents would think of the statements in each section as "a unit" with a new set of instructions signaling a shift to a different statute (Dillman, 2007, p.100).

To conclude, the final survey section requested information about each respondent's individual characteristics. The questions in survey section IV addressed information such as sex, race, and date of birth as well as information related to their education, practical experience, and professional training in law and human resources.

Survey Testing

Title VII, the ADEA, and the ADA are complex pieces of legislation comprised of many detailed requirements. Basing the survey statements on actual allegations of employment law discrimination makes the statements more valid measures of relevant knowledge of the laws. However, this reliance on past claims also yields statements that address very challenging, technical elements of each law. As a result, it was a concern that respondents might not fully understand the technical, legal terminology. In order to determine whether each question was comprehensible to county managers and department heads who may not have advanced legal expertise, I pre-tested the survey with a group of seven current and former local government practitioners from outside the Georgia county respondent pool.

Survey testing and administration also proceeded according to the Dillman "Tailored Design Method" (2007). Dillman noted the benefit of pre-testing to highlight survey problems in a timely manner, and he recommended several steps to ensure effective pre-testing (Dillman, 2007). Pre-testing provides the most accurate preview of actual survey administration when it simulates as closely as possible both the intended audience and the final survey instrument (Dillman 2007). To ensure that the pre-test subjects would have equivalent job responsibilities to the final survey respondents, I

tested the survey instrument with county managers and department heads from Alabama¹ where county government administration is similar to that in Georgia. Further, each pre-test subject received the fully-formatted, final version of the cover letter and survey, in order to most closely duplicate the actual survey respondents' experience.

Following a thorough review by experts in survey design, as well as public administration professionals and scholars, I implemented a cognitive interview style pretest of the survey instrument (Dillman, 2007) (Forsyth and Lessler, 1991). Rather than asking the pre-test subjects to simply complete and return the survey, each pre-test was conducted as an interview where the respondent read aloud all instructions and survey statements, then reflected on both clarity and content. The cognitive interview method is designed to obtain detailed feedback on how eventual survey respondents will interpret both instructions and survey statements (Dillman, 2007). The pre-test subjects received the survey via first class mail and were asked to wait to open the packet until the phone interview began. This ensured that I could monitor each pre-test subject's first impression of the survey instrument. Once the interview commenced, the subject read aloud the instructions and each survey statement. When a subject hesitated on any part of the survey, I asked for their interpretation of the specific element. After a subject expressed confusion or misinterpreted any element, I followed-up with a request for suggested revisions. I then incorporated the pre-test subjects' recommendations into a

¹ Each of the pre-test subjects held one of the seven positions targeted during the actual survey mailing (described in the *Survey Administration* section). Six of the seven pre-test participants were current county managers and department heads from Lee and Etowah Counties in Alabama. One of the pre-test participants was the former planning director for the City of Atlanta, Georgia.

final draft which received a final, additional review by experts in survey design and public administration scholars.

Survey Administration²

The scholarship on professionalism and law in public administration emphasizes both the fundamental role of the public sector human resource function and the significant impact of law on public human resources management (Kellough and Nigro, 2006; Condrey, 2005; Bowman, West, Berman, and Van Wart 2004). Accordingly, I surveyed the seven different types of department heads most prevalent in Georgia counties in order to assess understanding of the law across elected and appointed county officials with human resources responsibility. The survey questionnaire was sent to 798 county managers and department heads in all Georgia counties. In each county, surveys were sent to the following individuals (where the position exists): (1) the County Administrator or Manager, (2) the Human Resources Director, (3) the Sheriff, (4) the Planning and Zoning Director, (5) the Finance Director, (6) the Public Works Director, and (7) the Parks and Recreation Director³.

To increase the likelihood that surveys would reach the intended recipients and that they would be inclined to respond, I partnered with several Georgia county

² According to state and federal regulations related to human subjects testing, The University of Georgia Institutional Review Board (IRB) evaluated and approved all survey contacts. The IRB project numbers are: 2009-10014-0 and 2009-10014-1.

³ In order to capture the variety of position titles that counties throughout Georgia use to describe the same position, several titles were treated as equivalent. Equivalent position titles included: 1) human resources department head or director = personnel director or payroll clerk, 2) county manager = county administrator, 3) planning department head or director = zoning, or code enforcement, or buildings supervisor, and 4) public works department head or director = road superintendent.

organizations and with the University of Georgia's Carl Vinson Institute of Government. First, the Association of County Commissioners of Georgia, the Georgia Recreation and Parks Association, and the Georgia Government Finance Officers' Association all provided assistance developing an accurate list of recipient names and addresses. Further, the Association of County Commissioners of Georgia announced the survey on their website and through their listserv of Georgia County elected and appointed officials, with the goal that the endorsement of this well-known and respected organization would motivate county managers and department heads to respond. The Georgia Local Government Personnel Association emailed all of their county members a message that described the survey and emphasized the value of their input. Additionally, the Executive Director of Georgia Recreation and Parks Association mailed each member an individually signed letter, on organization letterhead, that announced the survey, described the survey goals, and requested their participation. These personal appeals for participation offered more opportunities to attract attention to the survey in order to motivate responses.

Moreover, the Institute of Government completely funded all survey mailings, provided support for survey development and administration, and implemented the collection and reading of survey responses. All survey documents incorporated the Carl Vinson Institute of Government name and/or letterhead to benefit from the Institute's statewide reputation for providing training and technical assistance to local governments.

In addition to an engaging survey layout and the support of well-known and respected organizations, repeated communication using different methods of contact is demonstrated to increase survey participation (Dillman, 2007). To encourage a higher

response rate, each survey recipient received six separate communications over an eight week period. These communications included contacts by first class mail, by post card, and by telephone. (Copies of all survey mailings are attached as Appendix B.)

I conducted the survey administration following established survey research technique (Dillman, 2007). Contact began with a letter introducing the survey on August 15, 2008. Five days later, I sent the first full survey mailing with a personalized cover letter incorporated as page one of the survey booklet and a full informed consent document included as an attachment. One week after the first full survey mailing, I sent a reminder postcard that reiterated the value of respondents' participation. Survey respondents were promised confidentiality, rather than anonymity, and non-respondents were tracked for follow-up mailings with an embedded identification code. Three weeks after the first full survey mailing, I sent non-respondents a second complete survey packet with a survey booklet containing a revised cover letter and the full informed consent as an attachment. Finally, eight weeks after mailing the introductory letter, non-respondents received a final, third, full survey packet. While the third survey was in transit via first class mail between October 8th and October 10th, I contacted the 346 non-respondents by telephone with the generous help of two research assistants. These phone conversations followed a script so all survey non-respondents received consistent application. County managers and department heads were assured of the value of their participation and were asked to respond to the third survey mailing.

All survey responses were returned via business reply envelope to the survey research unit at the Carl Vinson Institute of Government. There, faculty and staff responded to survey recipient questions and coordinated interpretation of survey

responses. Survey responses were read electronically using Cardiff Teleform software. Teleform scans each response and logs the selection if it is able to assess the selection with 80 percent certainty. If the response clarity does not reach the 80 percent level, the survey is flagged and requires verification by a human operator.

Measuring Expertise in Law

Survey responses in Sections I, II, and III provided the data necessary to create four separate measures of Georgia county managers' and department heads' expertise in federal EEO law: knowledge of Title VII, knowledge of the ADEA, knowledge of the ADA, and overall knowledge of the three federal EEO laws. For each statement on the law, respondents were asked to select one of four possible responses which corresponded to a number from one to four (as noted earlier): (1) completely certain the statement is false, (2) somewhat certain the statement is false, (3) somewhat certain the statement is true, or (4) completely certain the statement is true. These numeric values formed the basis of each manager's or department head's knowledge of law score.

I measured county managers' overall knowledge of law with an additive index created from all of the twenty-two statements in Parts I, II, and III.⁴ Because all responses are measured in the same units, answers are already standardized and were summed to create the single index score for each manager (Kellough and Selden, 2003). Where

⁴ Following survey administration, it was determined that two of the survey statements could be misconstrued, so those two statements were dropped leaving 22 remaining. In Part I, Statement #8 was dropped. It was determined that the statement needed to explicitly indicate that the county based the decision not to promote the employee on the employee's heavy accent. In Part III, Statement #4 was dropped. It was determined after survey administration that the statement did not clearly designate that the applicant was otherwise qualified to perform the essential job functions.

respondents failed to answer a question, the mean response to the question was inserted in place of the missing value⁵. The sum of all of the responses to the twenty-two statements comprises the respondent's overall "knowledge of law" score.

Several of the statements are false, so the answer that demonstrates the greatest knowledge of law is (1) completely certain the statement is false⁶. For the false statements, I recoded responses to reverse the numerical values and ensure that a higher numerical value always equals more knowledge of law. To clarify interpretation, after recoding and summing each respondent's answers, I subtracted 22 from the result so the lowest possible overall knowledge of law score is 0 and the highest possible overall knowledge of law score is 66.

The additive indices for knowledge of Title VII, knowledge of the ADEA, and knowledge of the ADA were similarly constructed. For each, I inserted the mean response when a respondent failed to answer a question, summed the responses from the relevant questions, and subtracted the total number of questions so the lowest possible score for each index was zero. Section I consisted of eleven questions on Title VII. I inserted the mean response for missing responses, summed each manager and department head's responses, and subtracted eleven so the lowest possible result is 0 and the highest possible result is 33. Section II on the ADEA included six questions which I summed for each manager, after inserting the mean response for missing responses, and then I

⁵ This posed a minimal problem. The mean value was inserted in 48 out of 11,088 possible responses, or 0.43 percent of the time. Of the 514 initial respondents, ten respondents left more than two of the 22 questions blank. These ten respondents were dropped from the analysis leaving a total of 504 respondents. Of the remaining 504 respondents, 463 respondents skipped zero questions, 34 respondents skipped one question, and seven respondents skipped two questions.

⁶ In Part I, statements #2, #3, #4, #8, and #12 are false; in Part II, statements #1, #2, #4, and #6 are false; and in Part III, statements #3, and #4 are false.

subtracted six. Accordingly, the lowest possible result is 0 and the highest possible result is 18 for the index measuring knowledge of the ADEA. Finally, Section III included five questions on the ADA. I again inserted the mean for any missing responses and summed each manager and department head's responses. Finally, I subtracted five with so that the lowest possible result is 0 and the highest possible result is 15 for the index measuring knowledge of the ADA.

Determinants of Knowledge of Law

There are many potential determinants of a county manager or department head's knowledge of law including experience gained through previous charges of discrimination, individual characteristics, and county demographics. In order to measure previous charges of discrimination, I used data on the number of EEOC charges filed against each Georgia county and the number of federal employment discrimination cases filed against each Georgia county. These data cover the period between 1997 and 2007 and include only those claims that a county, as employer, violated Title VII, the ADEA, or the ADA. As measures of individual characteristics that might influence knowledge of law, I used self-reported survey replies regarding the respondent's previous employment law training, professional certifications, years of experience in the public sector, tenure in current position, private sector work experience, completion of an MPA degree, sex, race, and date of birth, and I used survey contact information on current position title. Finally, I incorporated Georgia Department of Community Affairs (DCA) data on each county's 2007 budget.

Previous experience with the law - EEOC filings

I employed data from the EEOC Integrated Mission System (IMS) database to measure a county's previous experience with the law resulting from charges of employment discrimination. The IMS database records charges against employers from initiation through investigation and eventual resolution. The IMS catalogs each charge and includes the basis of the discrimination and the unlawful employment action alleged. These IMS data include all claims that a Georgia county violated Title VII, the ADEA, or the ADA during the calendar year period 1997-2007. The need to use data pooled over a multi-year period, 1997 – 2007, resulted from a limitation in the data on federal lawsuits filed (described below in the *Previous experience with the law - federal case filings* section).

In addition to the total number of employment discrimination charges made against each Georgia County between 1997 and 2007, the EEOC also provided data on the basis of the discrimination claimed and on the type of discriminatory action alleged. An EEOC charge is a formal assertion of employment discrimination against a county employer. In contrast, an EEOC basis is a statutorily defined category entitled to protection from discrimination under Title VII, the ADEA, or the ADA. Some examples of EEOC bases of discrimination are Muslim religion, female sex, or African American race. Finally, an EEOC allegation is the type of discriminatory behavior claimed (McMahon and Shaw, 2005). For instance, an employee can claim that they were discriminated against in hiring, pay, or opportunities for promotion.

In a single EEOC charge, an employee can claim several bases for protection. For example, an African American female employee can assert discrimination on the basis of

her race and on the basis of her sex. Additionally, almost all EEOC charges have multiple allegations. For example, one charge can contain allegations that an employer has discriminated in pay and in promotion (personal communication with Dr. Ronald Edwards, EEOC Office of Research, Information, and Planning, December 22, 2008). Taken in conjunction, a single EEOC charge can contain multiple bases on which the employee may be entitled to protection and can contain multiple allegations of discriminatory behavior. Accordingly, the EEOC IMS data consist of separate values for the total number of charges, the total number of bases, and the total number of allegations filed against each Georgia county from 1997 through 2007.

The EEOC charges, bases, and allegations are unsubstantiated claims of violations of the law. The agency is required to keep them confidential and to release no identifying information. The EEOC regularly releases aggregated data on employment discrimination claims (U.S. Equal Employment Opportunity Commission, 2009). However, release of confidential identifying information is prohibited. In order to further my dissertation research, I sent my entire survey database to the EEOC so the confidential filings data could be included. The EEOC inserted their data on the charges, bases, and allegations against each Georgia county, then they removed all county identifying information from my database before sending it back to me. The inability to use county identifying information presented some challenges for the data analysis (described in Chapter Three – Survey Results Analysis), but the EEOC provided generous assistance to ensure I was able to incorporate this measure of previous experience with the law.

Previous experience with the law - federal case filings

Each year, Georgia county employees may file many charges of employment discrimination with the EEOC, but very few employees proceed as far as filing a lawsuit in federal court. The initial costs involved in filing a federal lawsuit and the fact that many cases are dismissed before judgment and never make it to the trial stage are two possible explanations for why relatively few claims of employment discrimination advance to the district court (Nielsen and Nelson, 2005). The effect of barriers to filing federal employment discrimination lawsuits is that, in a single year, most Georgia counties have zero cases filed against them, so there is insufficient variation to examine federal cases filed for an individual year. Accordingly, I pooled data on the number of federal employment discrimination lawsuits filed against Georgia counties over a ten calendar year period, 1997-2007.

A lawsuit alleging federal employment discrimination under Title VII, the ADEA, or the ADA proceeds from the federal district court. The district court is the trial court for cases involving federal statutes, and there are three district courts in Georgia, the Northern District Court, the Middle District Court, and the Southern District Court. The term “reported” is used to describe when pertinent information about a case and its outcome are published in print format. At the federal district court level, not all cases are reported, and the decision whether or not to report is inconsistent. Consequently, in order to systematically search all cases of Title VII, ADEA, or ADA violations filed against Georgia county employers between 1997 and 2007, I searched electronic case docket records using the Westlaw legal research service.

I began by limiting my Westlaw search to the dockets of the three Georgia federal district courts. Once limited by court, I searched docket records for cases filed during the 1997-2007 calendar years, where the Westlaw key nature of the suit was “civil rights; employment (110.25),” the defendant included the term “county,” and the cause of action was either Title VII, the ADEA, or the ADA. I then individually examined the record for each case, and culled those that were erroneously included.

Individual Characteristics and County Demographics

Research on public administration professionalism and on county management suggests that both individual characteristics and county demographics may influence whether a county manager or department head has a high knowledge of employment law. Accordingly, this research examines ten individual characteristics, along with one county demographic measure that may affect managerial professionalism. The individual attributes are: participation in employment law training, professional certifications held, years of experience in the public sector, tenure in current position, private sector work experience, current position title, completion of an MPA degree, sex, race, and date of birth. The county demographic measure is the 2007 county budget.

The Bowman, West, Berman, and Van Wart model of public service competencies clarifies those factors that are most relevant to public administrative professionalism, and their model is grounded in the technical skills necessary to effectively manage public organizations (2004). This emphasis on technical skill also coincides with the significance of training and technical skill in the broader literature on professionalism (Freidson 1971, Larson 1977). In order to achieve the technical skills

required for professional competency, general education is required as the “crucial baseline for acquiring necessary skills, knowledge and abilities” (Bowman, West, Berman, and Van Wart 2004, 35-37). With basic education, an individual is then prepared to undertake both the technical training and on-the-job learning needed to develop full professional competency. Accordingly, technical training, practical experience, and basic education are all necessary components of professional expertise.

I assessed an individual’s technical training using two measures, one designed to capture specific training in employment law and the other to assess broader professional certification. In order to measure county managers’ and department heads’ specific legal training, I asked whether or not they had ever participated in training on employment law. Their responses were used to develop a binary variable scored one if the respondent had ever participated in employment law training and zero otherwise. Further, I measured their professional certification related to public human resource management practice with a binary variable indicating whether a manager or department head had received a human resources specific professional certification.⁷

Practical or on-the-job experience was assessed with four separate measures, years of experience in the public sector, tenure in the current position, similar private sector

⁷ Respondents were asked whether they held any of the following certifications: IPMA-HR-CS (Certified Specialist); IPMA-HR-CP (Certified Professional); CPA (certified public accountant); CFM (certified financial manager); SHRM – PHR (Professional in Human Resources); SHRM-SPHR (Senior Professional in Human Resources); Law Enforcement Training Certification; Basic A-Post Certification; Certified County Administrator; PE (Professional Engineer); CPRP (Certified Park and Recreation Professional); AICP (Certified Planner); or other. The professional certification binary variable was scored “yes” if the respondent was certified as either an IPMA-HR-CS (Certified Specialist), or an IPMA-HR-CP (Certified Professional), or a SHRM – PHR (Professional in Human Resources), or a SHRM-SPHR (Senior Professional in Human Resources), or a Certified County Administrator, and “no” otherwise.

work experience, and current position as the human resources department head.

Managers and department heads were asked to list both their number years of experience in the public sector and the number of years in their current position. I used these responses to create an interval scale for each practical experience variable. Respondents also indicated whether or not they had previous private sector experience that was similar to their current position. I used these responses to create a binary variable scored one if the manager or department head had previous private sector experience and zero otherwise. Finally, I used survey contact information that included each manager's or department head's specific position title to develop a binary variable indicating whether or not the respondent was the human resources department head.

Education serves as the foundation, while technical training and on-the-job experience combine to develop professional expertise (Bowman, West, Berman, and Van Wart 2004). To highlight the specific type of foundational education most relevant to knowledge of employment law in public human resource management, I used managers' and department heads' responses regarding the type of masters degree held, if any. With these data, I developed a binary variable that indicates whether the respondent possesses a master of public administration (MPA) degree.

In addition to the individual characteristics described above, I included binary variables for whether the respondent is non-white or is a woman. To conclude the variables describing individual characteristics, I used data regarding the manager's or department head's date of birth to create a variable measuring their age.

In the literature on county government operations, two demographic factors have been associated with the level of professionalism in a county: population and median

household income. Fryess examined professional practices and county size and found that larger county population is an indicator of more professional human resource practices (1993). Additionally, Benton connected the level of wealth in a county with county government performance (2005). Because counties that are larger and often more wealthy would be expected to have a greater capacity to compensate and train managers, one would further expect that both population and income are indicative of more professional managers with greater knowledge of law.

The confidentiality restrictions on the EEOC charge filings data meant that I could not incorporate a direct measure of county population or county median household income, but to account for variations in county population, the EEOC provided me with data on a per capita level. I acquired population data and sent it to the EEOC where they adjusted their data to provide per capita measures using the information that I provided. In order to consider county population across the ten year time period addressed in this research, each of my EEOC variables measuring previous experience with the law (charges, bases, and allegations) has been divided by the mean of the sum of county population in 2000 and county population in 2007. The 2000 and 2007 county population measures used in the per capita calculations were acquired from the U.S. Census Bureau. The results are variables measuring per capita EEOC charges, bases, and allegations in each county. In place of a median household income variable, I substituted data from the Georgia Department of Community Affairs regarding the 2007 county budget.

Modeling the Determinants of Knowledge of Law

To examine the effects of possible determinants on my measures of respondents' knowledge of law, I regress (using ordinary least squares (OLS)) the respondents' knowledge of law scores on a set of independent variables including: the number of per 1000 capita EEOC filings against the counties where the respondents' are employed or the number of federal cases filed against the counties per 1000 capita, respondents' participation in employment law training, professional certifications held, years of experience in the public sector, tenure in current position, private sector work experience, current position title, completion of an MPA degree, sex, race, date of birth, and county budget for the respondents' counties.

The model takes the following form:

$$y = x_1b_1 + x_2b_2 + x_3b_3 + x_4b_4 + x_5b_5 + x_6b_6 + x_7b_7 + x_8b_8 + x_9b_9 + x_{10}b_{10} + x_{11}b_{11} + x_{12}b_{12} + \varepsilon$$

Where:

y = knowledge of law

x₁ = per 1000 capita EEOC charges, or EEOC bases, or EEOC
allegations, or per 1000 capita federal cases filed

x₂ = dummy variable for participation in employment law training

x₃ = dummy variable for human resource-related professional certification

x₄ = years of service in the public sector

x₅ = tenure in current position measured in years

x₆ = dummy variable for previous experience in a similar position in the private
sector

x₇ = dummy variable for human resource department head

x₈ = dummy variable for MPA

x_9 = dummy variable for female

x_{10} = dummy variable for non-white

x_{11} = age in years

x_{12} = 2007 county budget in dollars

This analysis should underscore the factors associated with a higher level of legal knowledge and provide a foundation for further research into the costs and benefits of county managers' professionalism.

I implemented 16 separate multivariate OLS models in order to capture the determinants of each of the four categories of my dependent variable: total knowledge of EEO law, knowledge of Title VII, knowledge of the ADEA, and knowledge of the ADA. I am particularly interested in the possible influence of each of the four examples of previous experience with the law, including: the number of EEOC charges per capita, EEOC bases per capita, EEOC allegations per capita, and federal cases per capita. In Chapter Three, Survey Results Analysis, I discuss the predicted relationships for each variable and I present and analyze results for these regressions.

These 16 original models assume that previous experience with filings causes higher levels of knowledge of law. If that is the case, I expect to find a positive coefficient on the filings variables. Such a positive association would be consistent with the assumption that the direction of causality is from filings to knowledge, since it is unlikely that higher levels of individual respondents' knowledge would cause more filings. When managers and department heads know more about the law, they should be less likely to engage in practices that violate the law and produce filings.

Of course, it is conceivable that low levels of knowledge of law would produce higher filings and that the direction of causality runs opposite of what I predicted. That is illustrated by the conception that managers who know less about the law may be more likely to violate it. In that case the sign of the coefficient for the filings variable in these models will be negative. Negative coefficients on the filings variables, will suggest the need to explore alternative models outlined below. Finally, it is also possible that there is no relationship between filings and knowledge of law which will be indicated by a statistically insignificant coefficient on the filings variable⁸.

Case Studies

In addition to the survey research, I conducted two detailed case studies of counties that appear as outliers on my measure of understanding of federal employment discrimination laws. The results of these case studies appear in Chapter Four. In these case studies, I selected one county where managers exhibited an extremely high knowledge of the three federal employment discrimination laws and one where managers exhibited an extremely low understanding of the three federal employment discrimination three laws, and I conducted interviews with each of the managers surveyed. It is possible that these counties have an informal network of learning about and resolving employment discrimination complaints. Another possibility is that colleagues mentor new managers who have limited training in order to help them learn important employment law requirements in an informal manner. Neither of these possibilities

⁸ To examine whether the relationship between filings and knowledge of law is curvilinear, I split the sample based on the mean knowledge of law score and tested the sixteen original models using OLS. With the sample separated into high and low knowledge of law scores, none of the previous experience with the law variables (EEOC filings and federal case filings) was statistically significant at the 0.1 level for a one-tailed test.

would have been captured by the survey questions. These are only two possible sources that could lead a county to exhibit legal expertise scores outside of the norm for most Georgia counties, and the case study method allowed me to offer a more detailed analysis of the influence of county managers' and department heads' legal knowledge.

In each of the two case study counties, I asked respondents a series of questions regarding their legal training, past instances of employment discrimination claims made against the county, and their understanding of Title VII, the ADEA, and the ADA. Using the case study method, I gained a more detailed information regarding both managers' training and county liability for two counties that appear to disregard the trend in legal knowledge in Georgia county managers. By selecting two counties that differ from the norm in Georgia, and by engaging in comprehensive examination of both of the counties' managers, I was better able to understand the relationship between knowledge of law and previous experience with the law. Further I was able to examine whether very high or very low understanding of federal employment law results in tangible effects for the county above and beyond EEOC filings and federal litigation.

Alternative Models

If the results gleaned from the previous regressions and cases studies suggest that the direction of causality between a manager or department head's knowledge of law and EEOC and federal case filings is opposite to that predicted earlier (i.e. low levels of knowledge of law are apparently associated with higher levels of filings) I will examine that relationship further with a series of alternative models examined at the county level. In those models, the dependent variables are measures of previous experience with the

law: EEOC filings and federal case filings against counties. Independent variables include aggregate measures of knowledge of EEO law among each county's managers and department heads and aggregate measures of other respondent characteristics. These models are described in detail below.

To begin, I first limit the sample to only those managers' and department heads' with greater than ten years of experience in their current position. This limitation ensures that every respondent served in their current position during the entire period when the measures of previous legal experience (EEOC and federal cases) were assessed, between 1997 and 2007. I then created variables measuring the mean knowledge of law scores of the respondents from each county. Because many of the counties only had one respondent with greater than ten years of experience, the mean often reflected that single score alone.

Further, because my dependent variable is a county level measure of EEOC or federal case filings, I aggregated each of the independent variables from the original models at the county level. Accordingly, each of the original independent variables that measured an individual characteristic was transformed into a county level score using the scores from each of the managers and department heads in each county with greater than ten years of tenure in their current position. The new county level measures included the county-wide percentage of respondents: with legal training, with professional certifications, with similar private sector experience, with an MPA degree, and the county-wide percentage of respondents who serve as the human resources department head, who are minority, and who are female. Also included are the county level mean of

years of experience in the public sector, the county level mean of tenure in the current position, the county level mean age of the respondents, and the county budget.

Using a single observation for each county, I implemented 16 separate OLS models in order to capture the determinants of each of the four categories of dependent variable: the number of EEOC charges per capita, number of bases per capita, number of allegations per capita, and number of federal cases per capita and the possible influence of each of the four examples of knowledge of law: total knowledge of EEO law, knowledge of Title VII, knowledge of the ADEA, and knowledge of the ADA. The above described county measures of previous employment law training, professional certifications, years of experience in the public sector, tenure in current position, private sector work experience, current position as the human resources department head, MPA degree, female, minority, age, and county budget complete the models.

It is important to note a significant methodological limitation to using my survey responses to explain variation in the number of EEOC and federal cases filed. The survey was conducted in the fall of 2008, and it is not possible to know when the respondents gained their knowledge of law. Due to the need to pool data to achieve variation in federal cases filed, the data on EEOC filings and federal cases covers the entire period from 1997 to 2007. I took steps to ensure that the reduced sample of respondents only included those managers and department heads who served in their current position throughout the 1997-2007 period, but the results of the models must be considered in light of this significant limitation. I provide detailed information regarding the potential problems associated with the analysis in Chapter Five.

Chapter Three – Survey Results Analysis

The law both supports and constrains public administrators, yet little quantitative research examines the relationship. Interestingly, the theme of public administrators' professionalism taps the dual significance of law as a foundation of and a limitation on public administrator's practice. As recently proposed by Bowman, West, Berman, and Van Wart (2004), knowledge of law is an essential element of the technical expertise necessary to public administrators' professionalism. Accordingly, as described in Chapter Two, Research Methodology, I employed an original survey of Georgia county managers' and department heads' to assess knowledge of law as one element of public administrators professionalism.

My survey questions as well as my measures of previous experience with the law all focus on three federal EEO statutes: Title VII, the ADEA, and the ADA. My choice of relevant statutes reflects a two-fold interest in employment law. First, the imbalance of power in the employer-employee relationship advocates for guidelines to bar discrimination. Second, the government has an opportunity to model non-discrimination in employment to advance equity across the country. These three statutes form the bulk of employee protection from discrimination, and public employee claims of violation may be associated with public administrators' knowledge of law.

In this chapter, I first detail the survey's findings to assess respondents' characteristics as well as their certainty and level of knowledge of law. Analyzing

variation in responses offers new information regarding the range and concentration of managers' and department heads' legal knowledge. To conclude, I offer the results of my regression analyses of the potential determinants of knowledge of law. In this exploratory study, I am especially interested in examining the relationship between knowledge of law and previous experience with the law, as evidenced by EEOC and federal case filings. This assessment has the potential to increase our understanding of county managers' knowledge of employment law and how education, training, and experience contribute to professionalism. This increased knowledge can inform decisions on pre-service public administration curricula as well as on-going certification programs. The goal is to examine legal knowledge that is of critical importance to county human resource management.

Survey Descriptive Statistics

Following the substantive survey sections dealing with EEO law, the survey requested a variety of respondent information to be used as controls in the proposed models of determinants of county manager and department head knowledge of law. Respondents were asked to indicate inherent characteristics such as sex, race, and date of birth, as well as information about their educational background and professional training.

The survey response rate response rate was 64%, with replies from 514 county managers and department heads who represent 94% of Georgia's counties. Additionally, 98% of respondents answered at least twenty of the twenty-two "knowledge of law"

questions. The sample was limited to these 98% of respondents who answered at least twenty questions, dropping the total number of observations to 504.

Respondents' Characteristics

Table 1 presents inherent characteristics of the survey respondents. The great majority of managers and department heads who responded to the survey are male and white. Men comprised almost 75 percent of the survey respondents, and more than 91 percent of respondents are white. Further, in 2008, survey respondents' ages ranged from 23 years to 76 years with a mean of just over 52 years, and a standard deviation of 9.45 years.

The managers and department heads who responded to the survey broke down fairly evenly across the seven types of county positions surveyed, and respondents average not quite nine years tenure in their current positions (see Table 2). Finance department heads responded in the lowest number at just under 10 percent of total respondents, while, at the high end, public works department heads and sheriffs each accounted for more than 17.25 percent of respondents. Respondents have served a mean of 8.86 years in their current position. Overall, respondents' years of tenure ranged from 0 years to 36 years, with a standard deviation of 7.79 years. Further, the managers and department heads that responded to the survey have a mean of almost 21 years of total public sector service, with a range of between zero and 58 years in the public sector, and standard deviation of 11.78. Additionally, more than 40 percent of respondents have private sector experience in a position similar to their current role.

Table 3 describes respondents' academic attainment and professional training and certification. More than half of the county managers and department heads who responded to the survey have attained a bachelor's degree or graduate degree, although only just over eight percent have completed a masters degree in public administration (MPA). Additionally, over half of respondents have augmented their academic achievements with specific training in employment law. Further, almost eight percent of respondents have completed a human resources-related certification program (as explained in Chapter Two, *Individual Characteristics and County Demographics* Section).

Respondents' Certainty Regarding Knowledge of Law

The modified Likert response categories measure both the respondents' level of certainty regarding each statement of law and the level of their knowledge of law. The survey results indicate that county managers' and department heads' declared certainty varied across the statutes surveyed as well as the across the specific requirements of each statute. Within that variation, patterns emerged that offer insight into those areas of law where county managers and department heads express the most or the least confidence.

County managers and department heads express the greatest certainty on those statements regarding Title VII (presented in Table 4). For ten out of eleven statements on Title VII, at least 50 percent of respondents expressed complete certainty in the correct answer. Considering all 22 survey statements, respondents indicated the highest overall level of certainty regarding Title VII survey statement #1, "It is unlawful for a county to discriminate in employment based on any of the following: race, color, sex, religion, and

national origin.” More than 97 percent of survey respondents indicated that they were completely certain that Title VII survey statement #1 is true. Similarly, Title VII survey statement #6, “It is unlawful for a county to discriminate based on race, color, sex, religion, or national origin in any personnel function, including: hiring, training, pay and promotion,” garnered 91 percent certainty of response. Both of these statements highlight the types of individual rights that are protected under Title VII.

While respondents appear to be highly certain regarding these types of protected rights, they do not express as much certainty regarding the technical procedures required for counties to protect those rights. For example, Title VII survey statement #5, “The county may be required by law to allow an employee to wear a religious head covering,” received the lowest certainty response of any of the Title VII survey statements. In the case of Title VII survey statement #5, only 29.37 percent of respondents were completely certain it is true while an additional 50.79 percent of respondents were somewhat certain the statement is true. No other survey statement on any of the three statutes received as high a frequency of response for a “somewhat certain” category. This expressed lack of certainty is particularly interesting in light of the fact that the managers’ and department heads’ exhibited their greatest overall knowledge of law on the Title VII survey statements (as described in the *Respondents’ Level of Knowledge of Law* section below). The lack of response certainty for Title VII survey statement #5 suggests that managers and department heads recognize the statutory requirement to protect against religious discrimination, but are less certain regarding the steps they must take to ensure that protection.

The four Title VII survey statements that address sexual harassment, #4, #7, #11 and #12, follow a similar trend regarding respondents' high certainty about protected rights, but lower certainty regarding the county performance required to apply protection against sexual harassment. When managers and department heads were faced with Title VII survey statement #4, "If one county employee commits sexual harassment against another county employee, the county cannot be liable under the law," and Title VII survey statement #12, "Sexual harassment by a female county supervisor against a male county employee does not violate the law," more than 70 percent correctly indicated that they were completely certain statement #4 is false, and more than 90 percent correctly indicated that they were completely certain statement #12 is false. Both Title VII survey statement #4 and statement #12 detail prohibited behavior that constitutes sexual harassment, and respondents exhibited correct perceptions of those prohibited behaviors with high levels of certainty. Conversely, Title VII survey statements #7, "The law requires the county to develop a sexual harassment policy, to distribute the policy to all employees, and to train employees on the policy," and #11 "The law requires a county to have a sexual harassment policy that allows a complaint about a supervisor to be made outside of the employee's chain of command," describe the types of action a county must take to protect against sexual harassment. Here, the managers and department heads express less certainty regarding the procedures required for counties than they do regarding the employees' right to be free from sexual harassment in the workplace.

Overall, respondents were notably more certain about their knowledge of Title VII than they are about their knowledge of either the ADEA or the ADA (presented in Table 5). More than 50 percent of respondents were completely certain about the correct

answer for two of the six survey statements regarding the ADEA. Similarly, more than 50 percent of respondents were completely certain regarding the correct answer to two of five survey statements regarding the ADA. These levels of ADEA and ADA certainty were far lower than the 50 percent or more respondents who were completely certain about the correct answer in ten of the eleven Title VII survey statements.

Considering all of the survey statements on Title VII, the ADEA, and the ADA, respondents expressed the least certainty overall regarding two of the ADEA survey statements. First, managers and department heads were completely certain regarding the correct response 26.59 percent of the time for ADEA survey statement #3, “The law allows a county to use mandatory retirement rules for certain public safety personnel.” Further, 27.98 percent of respondents were completely certain regarding the correct answer for ADEA survey statement #4, “It does not violate the law if a county requires every employee to take a medical exam at age 70 to continue employment.”

Although respondents were markedly less certain about their responses to the ADEA survey statements than to the Title VII survey statements, two of the ADEA statements earned considerably higher levels of certainty than the others. Of the statements regarding the ADEA, managers and department heads were most certain that the statutory protection against age discrimination begins before age 50, and that counties are not permitted to offer fewer training opportunities based on an employee’s age. The ADEA survey statement #1, “The law protects county employees from age discrimination in employment beginning at age 50 – younger employees are not protected” garnered 57.74 percent certainty in the correct response. Similarly, ADEA survey statement #6,

“It does not violate the law if a county offers fewer training opportunities once an employee reaches the age of 50,” acquired 56.35 percent certainty in the correct response.

In general, managers and department heads were somewhat more certain about their knowledge of the ADA than they were about their knowledge of the ADEA. To start, 73.21 percent of respondents indicated complete certainty regarding the correct response to ADA survey statement #1, “According to the law, a county must provide a reasonable accommodation to a qualified candidate who needs that accommodation to take and employment exam.” Further, ADA survey statement #3, “According to the law, current illegal drug use by a county employee is a disability,” collected 60.52 percent of respondents who were completely certain about the correct answer (the statement is false).

Alternatively, managers and department heads expressed far less certainty regarding the survey statement concerning ADA exceptions to a county leave policy. Specifically, for ADA survey statement #2, “It is unlawful for a county to refuse an exception to its leave policy when a qualified employee needs extended leave to treat a disability,” almost equal numbers of respondents were somewhat certain the statement is false (27.18 percent), somewhat certain the statement is true (28.37 percent), and completely certain the statement is true (28.17 percent).

Perhaps most interestingly, county managers’ and department heads’ responses suggest that they are also less certain of the limits to their responsibility to provide a reasonable accommodation under the ADA. For ADA survey statement #5, “According to the law, a county is not required to provide a reasonable accommodation in the job setting unless a person is qualified to perform the essential job functions,” almost

equivalent numbers of respondents were somewhat certain the statement is true (34.52 percent) as those that were completely certain the statement is true (36.11 percent). Similarly, when considering ADA survey statement #6, “The law does not require a county to suffer undue financial hardship to make a reasonable accommodation,” 36.71 percent of managers and department heads responded that they were somewhat certain the statement is true, while 36.51 percent responded that they were completely certain the statement is true.

Specifically, it is worthy of note that managers’ and department heads’ levels of certainty regarding Title VII appear to underestimate the extent of their procedural responsibilities under that statute, as demonstrated by Title VII survey statements #5 (permit religious head covering), #7 (develop, distribute, and train for sexual harassment policy), and #11 (allow sexual harassment complaints outside of chain of command). On the contrary, the certainty of responses to ADA survey statements #5 (qualified before reasonable accommodation) and #6 (no undue financial hardship) suggest that managers and department heads may overestimate their responsibility to provide a reasonable accommodation under the ADA.

Taken as a whole, these survey findings suggest that Georgia county managers and department heads are more certain regarding their knowledge of Title VII as compared to their certainty regarding their knowledge of the ADEA and the ADA. Further, these findings indicate that Georgia county managers and department heads are more certain regarding the specific types of rights protected under Title VII than they are regarding the procedures required to protect these statutory rights.

Respondents' Level of Knowledge of Law

As described in the previous chapter, I developed four summative indices to evaluate respondents' knowledge of law (see Chapter Two, *Measuring Expertise in Law* Section). Summing managers' and department heads' scores based on the individual laws surveyed offers an opportunity to distinguish the areas of law in which respondents are more well-informed and to assess the contributions to overall knowledge of employment law made by specific areas of expertise.

The above description of respondents' certainty regarding knowledge of law illustrated several trends: greater *certainty* regarding Title VII, and more confidence generally in statements addressing the types of rights protected by the three EEO statutes. The level of knowledge of law among responding managers and department heads also demonstrated a greater knowledge of Title VII. The following paragraphs detail the survey findings related to respondents' knowledge of Title VII, the ADEA, the ADA, and overall knowledge of federal EEO law, as summarized in Table 6.

On a scale from 0 to 33, the mean score reflecting knowledge of Title VII was 28.71, or 86.99 percent of the highest possible score. Scores ranged from 17 to 33, and the standard deviation was 3.14. The mean of respondents' Title VII scores seems striking when compared with their scores on those survey statements related to the ADEA. Out of 18 possible points, Georgia county managers and department heads had a mean score of 12.10 on the ADEA, or 66.99 percent of the highest possible score. Individual scores began at a low of 4 points and ranged up to the maximum possible 18 points, with a standard deviation of 2.60. Similarly, the mean score on ADA survey statements was 10.65 out of a possible 15 points. The mean ADA score was 71.01

percent of the highest possible score. Individuals' scores ranged from 3 to 15 and the standard deviation was 2.23.

These findings suggest, once more, that Georgia county managers and department heads have a notably higher knowledge of Title VII than of the ADEA or the ADA. Title VII prohibits employment discrimination based on a wide variety of protected classifications: race, sex, color, national origin, and religion, whereas the ADEA and ADA each focus on one protected classification (age and disability, respectively). To address the diversity of topics under Title VII, the number of survey statements regarding Title VII was equal to the number regarding the ADEA and the ADA combined. Even given the larger number of statements and variety of topics related to Title VII, respondents consistently indicated complete certainty for the correct response on Title VII. This consistency produced mean Title VII score 20 percent higher than the mean score for the ADEA and more than 15 percent higher than the mean score for the ADA.

Considering managers' and department heads' responses to statements on all three federal EEO statutes, the mean score for knowledge of law was 51.42 with a standard deviation of 5.43. The overall knowledge of EEO law score had maximum possible score of 66, so the mean score is 77.91 percent of the highest possible score. The observed scores for overall knowledge of EEO law ranged from 35 to 65.

These findings from my survey of Georgia county managers and department heads suggest that respondents have a relatively high level of knowledge of federal EEO law. Respondents' mean of overall knowledge of EEO law is marked by a notably high level of knowledge of Title VII. However, their expertise regarding Title VII is accompanied by considerably lower levels of knowledge of the ADEA and the ADA.

With this information regarding the level of Georgia county managers' and department heads' knowledge of law, the following section moves on to examine the findings from regression models addressing the determinants of knowledge of law.

Determinants of Knowledge of Law

The survey results demonstrate that managers' and department heads' knowledge of EEO law varies not only across respondents but also across the specific federal EEO statute examined. Accordingly, I test my explanatory model separately using as dependent variables each of the four types of knowledge examined in the survey, knowledge of: Title VII, the ADEA, the ADA, and overall knowledge of federal EEO law. In the following sections, I describe those variables that I include in my models as expected determinants of knowledge of law.

Previous Experience with the Law

I am particularly interested in any possible association between a manager's or department head's previous experience with the law and their level of knowledge of law. The professionalism literature highlights many avenues of professional knowledge, including on-the-job or practical knowledge (Bowman, et al 2004; Evetts, 2003; van Bockel and Noordegraff, 2006). Considering the relevance of practical knowledge, it is possible that manager's or department head's previous experience responding to EEOC claims or federal cases could be determinant of a knowledge of law. Although questions remain regarding the direction of causality, I anticipate that previous experience with the law will be significantly associated to a manager's or department head's knowledge of

law. I will more fully address the direction of the expected relationship later in this Chapter, in Chapter Four, Case Study Analysis, and in Chapter Five, Alternative Models Analysis.

In this initial analysis, I examine whether previous experience with federal EEO law is a determinant of a county managers' or department head's knowledge of federal EEO law. I include a total of four measures related to EEOC and federal case claims to capture a wide range of possible influences from previous experiences with EEO law. My three EEOC variables are the numbers of charges, allegations, and bases that county employees filed against each Georgia county asserting violation of Title VII, the ADEA, or the ADA during calendar years 1997 through 2007 (detailed in Chapter Two, *Previous experience with the law – EEOC filings* Section). My measure of federal cases is the number of federal cases filed against each Georgia county during calendar years 1997 through 2007 where county employees alleged violations of Title VII, the ADEA, or the ADA (detailed in Chapter Two, *Previous experience with the law – federal case filings* Section).

By including EEOC filings and federal cases as independent variables, I consider whether a manager or department head could gather additional knowledge of law as a result of practical experience with EEOC or federal case filings. Presuming that previous experience with the law influences knowledge of law (rather than the reverse), I hypothesize that my four measures of previous experience with the law will be positively related to knowledge of law.

Education, Experience, and Training

The Bowman, West, Berman, and Van Wart model of public service competencies clarifies those factors that are most relevant to public administrative professionalism, and their model is grounded in the technical skills necessary to effectively manage public organizations (2004). This emphasis on technical skill also coincides with the significance of training and technical skill in the broader literature on professionalism (Freidson 1971, Larson 1977). In order to achieve the technical skills required for professional competency, general education is required as the “crucial baseline for acquiring necessary skills, knowledge and abilities” (Bowman, West, Berman, and Van Wart 2004, 35-37). With basic education, an individual is then prepared to undertake both the technical training and practical learning needed to develop full professional competency. Accordingly, basic education, technical training, and practical experience are all necessary components of professional expertise.

Education serves as the foundation, while technical training and on-the-job experience combine to develop professional expertise (Bowman, West, Berman, and Van Wart 2004). Considering the weight given to education and professional training, I expect that whether a county manager or department head has an MPA degree, has participation in employment law training, or has received an HR relevant professional certification will all have a positive relationship with his or her knowledge of law. Moreover, given the relevance of practical experience, I also anticipate that a county manager’s or department head’s years of experience in the public sector, tenure in their current position, experience as the human resources department head, or practice in a

similar position in the private sector will also be positively related to his or her knowledge of law.

County Demographics

Bearing in mind the research by Fox (1993), Benton (2005), and Krane (2008) connecting county population and economic indicators to county professionalism, I consider it necessary to include a county demographic measure in my model of managers' and department heads' knowledge of law. Fox's (1993) findings suggest that counties with smaller populations have fewer professional resources. Further, Benton associated the level of wealth in a county with county government performance (2005). Because counties that are larger and more wealthy would be expected to have a greater capacity to compensate and train managers, one would further expect that both population and income are indicative of more professional managers with greater knowledge of law. I include the 2007 county budget as self-reported to the Georgia Department of Community Affairs. I predict that county budget will be positively associated with managers' and department heads' knowledge of law.

Regression Results

Before conducting the regression analyses, I dropped the five respondents from Fulton County, metropolitan Atlanta, Georgia. These respondents are not included in the analyses because Fulton County is an extreme outlier with respect to both county population (used to develop the EEOC and federal case variables) and the number of

federal cases filed between 1997 and 2007.⁹ The following discussion of results from my 16 models is clustered into four sets, considering together each group of four regression models related to each of the four dependent variables: knowledge of Title VII, knowledge of the ADEA, knowledge of the ADA, and overall knowledge of federal EEO law¹⁰. Tables 7 – 22 illustrate the results of my regression analyses.

Knowledge of Title VII

Tables 7 through 10 present the results from my regression models examining knowledge of Title VII. The independent variables examined explain a relatively small amount of the variation in the knowledge of Title VII score. The R^2 values range between 0.0640 and 0.0670 and indicate that the individual characteristics, county budget, and controls combined account for not quite seven percent of the variation in a county manager's or department head's knowledge of Title VII. This research represents an initial exploration of a previously unexamined area of public management, so while the explained variance is not large, the statistical significance associated with several determinants of a county manager's professional knowledge of law provides meaningful insight.

Possibly the most interesting implication of these findings stems from the fact that none of the four models of knowledge of Title VII supports my hypothesis that previous

⁹ In 2007, the United States Census Bureau estimated Fulton County's population at 960,009, when the median population for Georgia counties was 28,725, and the mean population for Georgia counties was 82,109. Additionally, in Fulton County, the number of federal cases filed between 1997 and 2007 was 126, when the median number of federal cases filed per county was 1 and the mean number of federal cases filed was 5.4.

¹⁰ The variance inflation factors for all 16 determinants models of knowledge of law ranged from 1.26 to 1.27 indicating there is not cause for concern that the independent variables exhibit multicollinearity.

experience with the law would be positively related to a managers' or department heads' knowledge of law. Each of the four predictor variables, EEOC charges, bases, allegations, and federal cases, is significantly related to knowledge of Title VII. The three EEOC measures of previous experience with the law are statistically significant at the .05 level for a one-tailed test. The variable measuring federal cases filed is statistically significant at the 0.10 level for a one-tailed test. The *t* scores reach from -1.32 for federal cases filed to -1.80 for the number of EEOC bases filed. However, I predicted that greater previous experience with the law would offer practical instruction that would positively influence knowledge of law. It does not follow logically that greater previous experience would reduce a managers' or department heads' knowledge of the law.

Notably, the significance of the relationships and the negative coefficient for each measure of previous experience with law suggests that the direction of causality is actually from knowledge of Title VII to the number of EEOC claims and federal cases filed against a county. In short, the consistently significant, negative relationship between previous experience with the law and knowledge of Title VII suggests that managers' or department heads' higher knowledge of the law produces fewer EEOC claims and federal cases filed against a county. This possibility will be examined explicitly in later analyses.

Moreover, several of the measures of managers' or department heads' training and education are also statistically significant predictors of their knowledge of Title VII. The strength of the statistical relationship between employment law training and knowledge of Title VII stands out among the results. The variable is statistically significant at the

0.01 level for a one-tailed test for each of the four models, $t = 2.42$ to 2.63 , and the unstandardized coefficient for legal training ranges from 0.728 to 0.7899 . Those results support the hypothesis that legal training is positively related to knowledge of employment law. The practical implication from the unstandardized coefficient is that participation in employment law training yields a 0.7 to 0.8 point increase in a manager's or department head's knowledge of Title VII score.

Two additional training and education variables have statistically significant effects in the predicted directions: completion of a human resource-related professional certification program and educational preparation in public administration (as evidenced by an MPA). Each is positively related to knowledge of Title VII and each is significant at the 0.10 level for a one-tailed test. The coefficients for professional human resources certification run from 0.858 to 0.893 , and $t =$ between 1.50 and 1.56 . The coefficient for having an MPA ranges from 1.119 and 1.167 , with t scores between 2.08 and 2.17 . These findings support the hypotheses that foundational education and professional training are positively related to knowledge of law. Furthermore, the unstandardized coefficients signify that completing human resource-related certification is associated with an approximately 1.5 point increase in a managers' or department head's knowledge of Title VII score, while holding an MPA degree is associated with a 1.1 point increase in the knowledge of Title VII score.

These data offer two ways to operationalize the concept of professional training and four ways to operationalize the concept of practical experience. Whether a respondent had participated in employment law training and whether a respondent had received a human resources related professional certification are both used as measures of

professional training. Similarly, years of experience in the public sector, years in the current position, similar experience in the private sector, and serving as the human resources department head are each used as measures of practical experience.

As described previously, participation in employment law training and professional human resources certification are positively related to a respondent's knowledge of employment law. Conversely, years in the public sector, tenure in current position, similar private sector experience and serving as the human resources department head do not support the hypotheses that predicted positive relationships with knowledge of Title VII. These results suggest that specific employment law or human resources training prepares respondents for the types of questions included in the knowledge of law score while practical experience does not.

The regression findings regarding county budget do not support the hypothesis that it would be positively related to knowledge of Title VII. Instead, county budget is not significantly related to knowledge of Title VII with a *t* score range from -0.96 to -1.07 and an unstandardized coefficient of 0.000 . These results demonstrate that the county budget variable is neither positively nor significantly associated with knowledge of Title VII.

I did not predict direction of relationship for the individual manager control variables, sex, race, and age that complete the determinants of knowledge of Title VII models. Results indicate that the measures of race and age are not significantly related to a manager's or department head's knowledge of Title VII. However, a female manager or department head is positively associated with knowledge of Title VII. The unstandardized coefficient values between 0.758 and 0.853 and $t =$ at least 2.03 for a two-

tailed test denote that a female manager or department head is likely to have a 0.8 point higher knowledge of Title VII score.

Knowledge of the ADEA

The results of the four regression models examining the determinants of knowledge of the ADEA are presented in Tables 11 –14. The models explain not quite five and a half percent of the variance on knowledge of the ADEA, with R^2 values from 0.0537 to 0.0549. Perhaps the most conspicuous difference between these four models and those regarding knowledge of Title VII is that the previous experience with the law variables are no longer statistically significant, although the coefficients are once more negative (t scores range from -1.17 to -0.90).

However, there are many similarities between the knowledge of Title VII regression results and the results regarding knowledge of the ADEA. Foremost, the manager's or department head's participation in employment law training or completion of a human resources-related professional certification again support the hypotheses of a positive association with knowledge of the ADEA. Training in employment law is again significant at the 0.01 level for a one-tailed test, and completing human resource-related certification is again significant at the 0.10 level for a one-tailed test in all models. These two variables have slightly less practical impact in the knowledge of the ADEA models; unstandardized coefficients for employment law training range from 0.606 to 0.640 indicating that a manager or department head who has participated in training would have a 0.6 point higher knowledge of the ADEA score. Unstandardized coefficients for human resource-related certification range from 0.670 to 0.683 indicting a similarly sized

advantage for managers and department heads who have completed human resource-related professional certification.

Interestingly, two measures of practical, or on-the-job, experience also rise to statistical significance in the models estimating knowledge of the ADEA. Meanwhile, the value of an MPA degree does not support expectations and is not statistically significant regarding knowledge of the ADEA. Unlike the knowledge of Title VII models, both years of experience in the public sector and current experience as the human resources department head support the hypotheses of positive association with knowledge of the ADEA. Years of experience is statistically significant at the 0.10 level for a one-tailed test with very little practical significance. For the years of experience in the public sector variable, t scores range from 1.54 to 1.57, with an unstandardized coefficient of 0.021. Service as the human resources department head is statistically significant at the 0.05 level for a one-tailed test, $t = 2.14$ to 2.25. Moreover, the unstandardized coefficient for current work as the human resources department head exhibits the highest practical significance in the knowledge of ADEA models. Results range from 0.922 to 0.965 indicating that serving as the human resources department head is associated with an almost one point increase in knowledge of the ADEA.

Again, the regression findings regarding county budget do not support the hypothesis that it would be positively related to knowledge of Title VII. However, in the case of knowledge of the ADEA, county budget is significantly related, but in the opposite direction to that predicted. For the knowledge of the ADEA models, county budget t scores range from -1.40 to -1.49 , with very small practical influence as indicated by the unstandardized coefficient of 0.000.

Although the results of the models assessing the determinants of knowledge of the ADEA are in many ways consistent with the models related to knowledge of Title VII, some striking differences arise. Notably, previous experience with the law is not statistically significant to knowledge of the ADEA. Moreover, while the two training variables offer continued support of the predicted positive relationship, the MPA education variable is no longer associated. Instead, two measures of practical experience are positively related to knowledge of the ADEA: years of experience in the public sector, and current service as the human resources department head. These results suggest that educational preparation in an MPA program may not prepare respondents for questions related to the ADEA as well as in-service training and practical experience.

Knowledge of the ADA

The results from the four regression models assessing knowledge of the ADA are quite similar to those from the models measuring knowledge of the ADEA. The knowledge of the ADA models are presented in Tables 15 through 18, and the models explain not quite eight percent of the variance in knowledge of the ADA ($R^2 = 0.0750 - 0.0777$). Following the same pattern, as the ADEA, previous experience with the law is not statistically significant in any of the models examining knowledge of the ADA. Further, participation in employment law training is again the variable most strongly associated with knowledge of law. Employment law training is statistically significant at the 0.01 level for a one-tailed test, with t scores reaching from 3.56 to 3.64. The practical significance indicated by the unstandardized coefficients between .752 and .765 suggests that participation in employment law training is associated with an almost 0.8 point

increase in a manager's or department head's knowledge of ADA score. Finally, the respondent's status as the human resources department head is significant to knowledge of the ADA as it was to knowledge of the ADEA. The statistical significance of the human resource department head variable climbed to the 0.01 level for a one-tailed test with t scores between 2.38 and 2.42. Practically, the unstandardized coefficient values of between 0.858 and 0.888 once again suggest a relationship with an almost 0.8 point increase in a manager's or department head's knowledge of ADA score.

The statistical significance of the MPA degree is again relevant, and with a twist from the models examining knowledge of ADEA, for the first time a manager's or department head's similar experience in the private sector supports the hypothesis that this measure of practical experience would be positively related to knowledge of law. The knowledge of the ADA results indicate that similar experience in private sector is relevant to a manager's or department head's knowledge of law. The t scores between 1.95 and 1.97 indicate that the variable is statistically significant at the 0.05 level for a one-tailed test. However, the practical significance of a similar position in the private sector runs from 0.437 to 0.441 implying that a manager or department head with such experience would likely demonstrate a 0.4 point higher knowledge of the ADA score.

Overall Knowledge of Federal EEO Law

The four models of overall knowledge of federal EEO law, presented in Tables 19 – 22, each explain about twelve percent of the variance in overall knowledge of federal employment law ($R^2 = 0.1190 - 0.1237$). The four models of overall knowledge are marked by two distinguishing features. First, the EEOC and federal case variables

measuring previous experience with law again exhibit negative coefficients and are statistically significant. As was described earlier in these results, the negative coefficients on the variables measuring previous experience with the law suggest the need to explore alternative models that presume that knowledge of law causes change in EEOC claims and federal cases, rather than the reverse. Second, each of the models supports a balanced set of determinants of knowledge of law, with significant variables that track the basic education, practical experience, and technical training highlighted in the professionalism literature.

Considering the results from the four overall knowledge models, an MPA degree, measuring applicable basic education, is statistically significant to knowledge of law at the 0.05 level for a two tailed test ($t = 2.21 - 2.30$). The related unstandardized coefficients indicate that having an MPA is associated with an approximately two point increase in a manager's or department head's overall knowledge score. The relationship between practical experience and overall knowledge of federal employment law is illustrated by the significance at the 0.01 level for a one-tailed test of current service as the human resources department head ($t = 2.65 - 2.83$). The practical influence of a respondent serving as the human resource department head is again an approximately two point increase in the overall knowledge of federal employment law score.

Rounding out the four models of determinants of overall knowledge of federal employment law are the two explanatory variables that assess technical training: participation in employment law training and completion of a human resource-related certification. The employment law training variable is statistically significant at the 0.01 level across all four models ($t = 4.11 - 4.34$). The practical significance of having

participated in employment law training is again an average two point increase in overall score. Similarly, completing a human resource-related certification is statistically significant at the 0.05 level for a one-tailed test ($t = 1.71 - 1.79$), and such a certification is associated with an average of 1.7 points increase in overall score.

Chapter Summary

These findings indicate that many factors contribute to knowledge of law and that more research is needed to establish additional determinants in this exploratory area of public administration research. Most notably, the repeated, significant, negative association between previous experience with the law and knowledge of law suggests a need to develop alternative models to test knowledge of law as a predictor of EEOC claims and federal cases. Results from these alternative models are described in the following two chapters, Case Study Analysis and Alternative Model Analysis.

Interestingly, while none of the possible determinants exhibited a strong practical impact on knowledge of employment opportunity law, training in employment law was the most significant. The additional significance of having an MPA, or a human-resources related certificate, lends support to the principle that public administrative professionalism depends on foundational education as well as technical, in-service training.

Table 1. Survey Respondents' Inherent Characteristics**Sex**

	frequency	percent
male	376	74.60
female	126	25.00
missing	2	0.40
	N = 504	

Race

	frequency	percent
white	461	91.47
non white	40	7.94
missing	3	0.60
	N = 504	

Age in Years, 2008

mean	standard deviation	range
52.09533	9.447385	23 - 76
	N = 493	

Table 2. Survey Respondents' Position & Tenure**Position**

	frequency	percent
Recreation & Parks Department Head	75	14.88
Public Works Department Head	87	17.26
Planning Department Head	63	12.50
Finance Department Head	50	9.92
Sheriff	87	17.26
County Manager	81	16.07
Human Resources Department Head	61	12.10
	N = 504	

Years of Tenure in Current Position

mean	standard deviation	range
8.861723	7.786233	0 - 36
	N = 499	

Years of Tenure in the Public Sector

mean	standard deviation	range
20.94389	11.78475	0 - 58
	N = 499	

Respondent Held a Similar Private Sector Position

	frequency	percent
No	298.00	59.13
Yes	203.00	40.28
Missing	3.00	0.6
	N = 504	

Table 3. Survey Respondents' Educational Attainment & Training**Highest Educational Attainment**

	frequency	percent
High School	95	18.85
Some College	88	17.46
2-yr, Associate's Degree	54	10.71
4-yr, Bachelor's Degree	155	30.75
Master's Degree	104	20.63
Law Degree	5	0.99
Ph.D. or Equivalent	1	0.2
Missing	2	0.4
	N = 504	

Respondent has Masters of Public Administration, MPA

	frequency	percent
No	462	91.67
Yes	42	8.33
	N = 504	

Respondent has Participated in Employment Law Training

	frequency	percent
No	216	43.11
Yes	285	56.89
	N = 504	

Respondent has Completed HR-Related Certification

	frequency	percent
No	465	92.26
Yes	39	7.74
	N = 504	

Table 4. Certainty of Knowledge of Law - Title VII, Frequency of Response (%)

	Frequency of Completely Certain it is False (%)	Frequency of Somewhat Certain it is False (%)	Frequency of Somewhat Certain it is True (%)	Frequency of Completely Certain it is True (%)	Frequency of Missing (%)
Title VII-Question One					
It is unlawful for a county to discriminate in employment based on any of the following: race, color, sex, religion, and national origin. (True)	0.99	0.20	1.39	97.22	0.20
Title VII-Question Two					
If a county refuses to let a pregnant county employee work full-time, even though she is capable of performing all job functions, that action does not violate the law. (False)	71.63	17.26	6.94	3.97	0.20
Title VII-Question Three					
The law allows a county to implement any cost-saving employment policy, even when the policy has an adverse impact against employees based on race. (False)	73.61	13.89	4.96	7.34	0.20
Title VII-Question Four					
If one county employee commits sexual harassment against another county employee, the county cannot be liable under the law. (False)	72.22	18.45	5.75	3.37	0.20
Title VII-Question Five					
The county may be required by law to allow an employee to wear a religious head covering. (True)	6.94	12.50	50.79	29.37	0.40
Title VII-Question Six					
It is unlawful for a county to discriminate based on race, color, sex, religion, or national origin in any personnel function, including: hiring, training, pay and promotion. (True)	2.38	0.99	4.76	91.47	0.40
Title VII-Question Seven					
The law requires a county to develop a sexual harassment policy, to distribute the policy to all employees, and to train employees on the policy. (True)	5.36	8.33	26.19	60.12	0.00
Title VII-Question Nine					
It is unlawful when a county supervisor refuses to promote an employee in retaliation for filing a sexual harassment claim. (True)	4.56	1.19	7.34	86.71	0.20
Title VII-Question Ten					
It is unlawful for a county to discriminate in employment based on ancestry or ethnic characteristics. (True)	3.97	2.38	9.13	84.13	0.40
Title VII-Question Eleven					
The law requires a county to have a sexual harassment policy that allows a complaint about a supervisor to be made outside of the employee's chain of command. (True)	4.37	8.93	28.37	57.54	0.79
Title VII-Question Twelve					
Sexual harassment by a female county supervisor against a male county employee does not violate the law. (False)	92.26	2.78	0.40	4.17	0.40

N = 504

Table 5. Certainty of Knowledge of Law - ADEA & ADA, Frequency of Response (%)

	Frequency of Completely Certain it is False (%)	Frequency of Somewhat Certain it is False (%)	Frequency of Somewhat Certain it is True (%)	Frequency of Completely Certain it is True (%)	Frequency of Missing (%)
ADEA - Question One					
The law protects county employees from age discrimination in employment beginning at age 50-younger employees are not protected. (False)	57.74	24.01	13.49	4.56	0.20
ADEA - Question Two					
A county early retirement cash incentive plan that gives lower payments to older workers based on age does not violate the law. (False)	45.83	30.36	16.27	6.15	1.39
ADEA - Question Three					
The law allows a county to use mandatory retirement rules for certain public safety personnel. (True)	17.06	20.63	35.52	26.59	0.20
ADEA - Question Four					
It does not violate the law if a county requires every employee to pass a medical exam at age 70 in order to continue employment. (False)	27.98	25.40	31.75	13.89	0.99
ADEA - Question Five					
health insurance coverage than retirees who are not Medicare-eligible. (True)	19.84	21.43	27.18	30.95	0.60
ADEA - Question Six					
It does not violate the law if a county offers fewer training opportunities once an employee reaches the age of 50. (False)	56.35	32.34	8.93	1.98	0.40
ADA - Question One					
According to the law, a county must provide a reasonable accommodation to a qualified candidate who needs that accommodation to take an employment exam. (True)	2.98	1.98	21.23	73.21	0.60
ADA - Question Two					
It is unlawful for a county to refuse an exception to its leave policy when a qualified employee needs extended leave to treat a disability. (True)	16.07	27.18	28.37	28.17	0.20
ADA - Question Three					
According to the law, current illegal drug use by a county employee is a disability. (False)	60.52	24.01	10.12	4.56	0.79
ADA - Question Five					
According to the law, a county is not required to provide a reasonable accommodation in the job setting unless a person is qualified to perform the essential job functions. (True)	15.87	13.29	34.52	36.11	0.20
ADA - Question Six					
The law does not require a county to suffer undue financial hardship to make a reasonable accommodation. (True)	12.30	13.89	36.71	36.51	0.60

N = 504

Table 6. Survey Respondents' Level of Knowledge of Law

Variable	Mean	Std. Dev.	Range	Maximum Possible Score	Mean/Maximum Possible Score
Knowledge of Title VII	28.70828	3.138204	17 - 33	33	86.99%
Knowledge of the ADEA	12.05886	2.597465	4 - 18	18	66.99%
Knowledge of the ADA	10.65114	2.233229	3 - 15	15	71.01%
Overall Knowledge of EEO Law	51.41827	5.425428	35 - 65	66	77.91%
N = 504					

Table 7. Determinants of Knowledge of Title VII with EEOC charges

Dependent Variable: Knowledge of Title VII			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC charges per 1000 capita, 1997 - 2007	-1.100	-1.75**	-0.081
Respondent participated in employment law training (dummy)	0.777	2.59***	0.122
Respondent completed HR-related professional certification (dummy)	0.860	1.51*	0.072
Respondent's experience in the public sector (years)	0.004	0.27	0.016
Respondent's tenure in current position (years)	-0.011	-0.51	-0.027
Respondent held similar position in the private sector (dummy)	0.031	0.10	0.005
Respondent is HR department head (dummy)	0.519	1.01	0.054
Respondent has MPA degree (dummy)	1.159	2.16**	0.100
Respondent is female (dummy)	0.843	2.25^^	0.116
Respondent is nonwhite (dummy)	0.885	1.56	0.073
Respondent's age in 2008 (years)	0.012	0.62	0.036
2007 county budget (dollars)	0.000	-0.96	-0.044
N =	472	*p < .10 one-tailed test	^ p < .10 two-tailed test
R-squared =	0.0667	**p < .05 one-tailed test	^^ p < .05 two-tailed test
F =	2.73***	***p < .01 one-tailed test	

Table 8. Determinants of Knowledge of Title VII with EEOC bases

Dependent Variable: Knowledge of Title VII			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC bases per 1000 capita, 1997 - 2007	-0.649	-1.80**	-0.083
Respondent participated in employment law training (dummy)	0.788	2.63***	0.124
Respondent completed HR-related professional certification (dummy)	0.879	1.54*	0.073
Respondent's experience in the public sector (years)	0.005	0.32	0.019
Respondent's tenure in current position (years)	-0.011	-0.53	-0.028
Respondent held similar position in the private sector (dummy)	0.024	0.08	0.004
Respondent is HR department head (dummy)	0.514	1.00	0.053
Respondent has MPA degree (dummy)	1.167	2.17**	0.101
Respondent is female (dummy)	0.850	2.27^^	0.117
Respondent is nonwhite (dummy)	0.890	1.57	0.073
Respondent's age in 2008 (years)	0.012	0.60	0.035
2007 county budget (dollars)	0.000	-0.98	-0.045
N =	472	*p < .10 one-tailed test	^ p < .10 two-tailed test
R-squared =	0.0670	**p < .05 one-tailed test	^^ p < .05 two-tailed test
F =	2.75***	***p < .01 one-tailed test	

Table 9. Determinants of Knowledge of Title VII with EEOC allegations

Dependent Variable: Knowledge of Title VII			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC allegations per 1000 capita, 1997 - 2007	-0.892	-1.77**	-0.082
Respondent participated in employment law training (dummy)	0.789	2.63***	0.124
Respondent completed HR-related professional certification (dummy)	0.893	1.56*	0.074
Respondent's experience in the public sector (years)	0.005	0.30	0.018
Respondent's tenure in current position (years)	-0.011	-0.51	-0.026
Respondent held similar position in the private sector (dummy)	0.030	0.09	0.005
Respondent is HR department head (dummy)	0.510	0.99	0.053
Respondent has MPA degree (dummy)	1.158	2.16**	0.100
Respondent is female (dummy)	0.853	2.28^^	0.118
Respondent is nonwhite (dummy)	0.887	1.56	0.073
Respondent's age in 2008 (years)	0.012	0.61	0.036
2007 county budget (dollars)	0.000	-0.99	-0.046
N =	472	*p < .10 one-tailed test	^ p < .10 two-tailed test
R-squared =	0.0668	**p < .05 one-tailed test	^^ p < .05 two-tailed test
F =	2.74***	***p < .01 one-tailed test	

Table 10. Determinants of Knowledge of Title VII with federal cases

Dependent Variable: Knowledge of Title VII			
	Unstandardized coefficient	t statistic	Standardized coefficient
County federal cases per 1000 capita, 1997 - 2007	-2.320	-1.32*	-0.062
Respondent participated in employment law training (dummy)	0.728	2.42***	0.115
Respondent completed HR-related professional certification (dummy)	0.858	1.50*	0.072
Respondent's experience in the public sector (years)	0.004	0.24	0.015
Respondent's tenure in current position (years)	-0.012	-0.58	-0.031
Respondent held similar position in the private sector (dummy)	0.022	0.07	0.003
Respondent is HR department head (dummy)	0.593	1.16	0.061
Respondent has MPA degree (dummy)	1.119	2.08**	0.097
Respondent is female (dummy)	0.758	2.03^^	0.105
Respondent is nonwhite (dummy)	0.887	1.55	0.073
Respondent's age in 2008 (years)	0.011	0.59	0.034
2007 county budget (dollars)	0.000	-1.07	-0.050
N =	472	*p < .10 one-tailed test	^ p < .10 two-tailed test
R-squared =	0.0640	**p < .05 one-tailed test	^^ p < .05 two-tailed test
F =	2.62***	***p < .01 one-tailed test	

Table 11. Models of Determinants of Knowledge of the ADEA

Dependent Variable: Knowledge of the ADEA			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC charges per 1000 capita, 1997 - 2007	-0.615	-1.17	-0.054
Respondent participated in employment law training (dummy)	0.636	2.53***	0.120
Respondent completed HR-related professional certification (dummy)	0.670	1.40*	0.067
Respondent's experience in the public sector (years)	0.021	1.55*	0.094
Respondent's tenure in current position (years)	0.003	0.15	0.008
Respondent held similar position in the private sector (dummy)	0.124	0.47	0.023
Respondent is HR department head (dummy)	0.922	2.14**	0.115
Respondent has MPA degree (dummy)	0.185	0.41	0.019
Respondent is female (dummy)	0.241	0.77	0.040
Respondent is nonwhite (dummy)	0.129	0.27	0.013
Respondent's age in 2008 (years)	-0.002	-0.13	-0.007
2007 county budget (dollars)	0.000	-1.40*	-0.065
N = 472 *p < .10 one-tailed test R-squared = 0.0549 **p < .05 one-tailed test F = 2.22** ***p < .01 one-tailed test			

Table 12. Models of Determinants of Knowledge of the ADEA

Dependent Variable: Knowledge of the ADEA			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC bases per 1000 capita, 1997 - 2007	-0.272	-0.90	-0.042
Respondent participated in employment law training (dummy)	0.638	2.54***	0.121
Respondent completed HR-related professional certification (dummy)	0.675	1.41*	0.068
Respondent's experience in the public sector (years)	0.021	1.57*	0.095
Respondent's tenure in current position (years)	0.003	0.14	0.008
Respondent held similar position in the private sector (dummy)	0.120	0.45	0.023
Respondent is HR department head (dummy)	0.928	2.16**	0.116
Respondent has MPA degree (dummy)	0.185	0.41	0.019
Respondent is female (dummy)	0.235	0.75	0.039
Respondent is nonwhite (dummy)	0.111	0.23	0.011
Respondent's age in 2008 (years)	-0.003	-0.16	-0.009
2007 county budget (dollars)	0.000	-1.42*	-0.066
N =	472	*p < .10 one-tailed test	
R-squared =	0.0537	**p < .05 one-tailed test	
F =	2.17**	***p < .01 one-tailed test	

Table 13. Models of Determinants of Knowledge of the ADEA

Dependent Variable: Knowledge of the ADEA			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC allegations per 1000 capita, 1997 - 2007	-0.412	-0.98	-0.045
Respondent participated in employment law training (dummy)	0.640	2.55***	0.121
Respondent completed HR-related professional certification (dummy)	0.683	1.43*	0.068
Respondent's experience in the public sector (years)	0.021	1.57*	0.095
Respondent's tenure in current position (years)	0.003	0.15	0.008
Respondent held similar position in the private sector (dummy)	0.123	0.46	0.023
Respondent is HR department head (dummy)	0.924	2.15**	0.115
Respondent has MPA degree (dummy)	0.182	0.40	0.019
Respondent is female (dummy)	0.239	0.76	0.040
Respondent is nonwhite (dummy)	0.116	0.24	0.011
Respondent's age in 2008 (years)	-0.002	-0.15	-0.008
2007 county budget (dollars)	0.000	-1.42*	-0.067
N =	472	*p < .10 one-tailed test	
R-squared =	0.0541	**p < .05 one-tailed test	
F =	2.19**	***p < .01 one-tailed test	

Table 14. Models of Determinants of Knowledge of the ADEA

Dependent Variable: Knowledge of the ADEA			
	Unstandardized coefficient	t statistic	Standardized coefficient
County federal cases per 1000 capita, 1997 - 2007	-1.513	-1.03	-0.048
Respondent participated in employment law training (dummy)	0.606	2.41***	0.115
Respondent completed HR-related professional certification (dummy)	0.670	1.40*	0.067
Respondent's experience in the public sector (years)	0.021	1.54*	0.093
Respondent's tenure in current position (years)	0.002	0.09	0.005
Respondent held similar position in the private sector (dummy)	0.119	0.45	0.022
Respondent is HR department head (dummy)	0.965	2.25**	0.120
Respondent has MPA degree (dummy)	0.161	0.36	0.017
Respondent is female (dummy)	0.191	0.61	0.032
Respondent is nonwhite (dummy)	0.145	0.30	0.014
Respondent's age in 2008 (years)	-0.002	-0.13	-0.008
2007 county budget (dollars)	0.000	-1.49*	-0.070
N =	472	*p < .10 one-tailed test	
R-squared =	0.0543	**p < .05 one-tailed test	
F =	2.20**	***p < .01 one-tailed test	

Table 15. Models of Determinants of Knowledge of the ADA

Dependent Variable: Knowledge of the ADA			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC charges per 1000 capita, 1997 - 2007	-0.319	-0.72	-0.033
Respondent participated in employment law training (dummy)	0.757	3.60***	0.169
Respondent completed HR-related professional certification (dummy)	0.128	0.32	0.015
Respondent's experience in the public sector (years)	0.004	0.34	0.020
Respondent's tenure in current position (years)	-0.018	-1.22	-0.063
Respondent held similar position in the private sector (dummy)	0.440	1.97**	0.097
Respondent is HR department head (dummy)	0.872	2.42***	0.128
Respondent has MPA degree (dummy)	0.727	1.93**	0.089
Respondent is female (dummy)	0.068	0.26	0.013
Respondent is nonwhite (dummy)	0.509	1.27	0.059
Respondent's age in 2008 (years)	0.008	0.56	0.032
2007 county budget (dollars)	0.000	-1.05	-0.048
N = 472 *p < .10 one-tailed test R-squared = 0.0761 **p < .05 one-tailed test F = 3.15*** ***p < .01 one-tailed test			

Table 16. Models of Determinants of Knowledge of the ADA

Dependent Variable: Knowledge of the ADA			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC bases per 1000 capita, 1997 - 2007	-0.178	-0.70	-0.032
Respondent participated in employment law training (dummy)	0.760	3.61***	0.170
Respondent completed HR-related professional certification (dummy)	0.133	0.33	0.016
Respondent's experience in the public sector (years)	0.004	0.36	0.021
Respondent's tenure in current position (years)	-0.018	-1.22	-0.063
Respondent held similar position in the private sector (dummy)	0.438	1.96**	0.097
Respondent is HR department head (dummy)	0.871	2.42***	0.128
Respondent has MPA degree (dummy)	0.729	1.93**	0.089
Respondent is female (dummy)	0.069	0.26	0.014
Respondent is nonwhite (dummy)	0.508	1.27	0.059
Respondent's age in 2008 (years)	0.007	0.55	0.031
2007 county budget (dollars)	0.000	-1.05	-0.049
N =	472	*p < .10 one-tailed test	
R-squared =	0.0760	**p < .05 one-tailed test	
F =	3.15***	***p < .01 one-tailed test	

Table 17. Models of Determinants of Knowledge of the ADA

Dependent Variable: Knowledge of the ADA			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC allegations per 1000 capita, 1997 - 2007	-0.408	-1.16	-0.053
Respondent participated in employment law training (dummy)	0.765	3.64***	0.171
Respondent completed HR-related professional certification (dummy)	0.146	0.36	0.017
Respondent's experience in the public sector (years)	0.004	0.37	0.022
Respondent's tenure in current position (years)	-0.018	-1.22	-0.063
Respondent held similar position in the private sector (dummy)	0.441	1.97**	0.098
Respondent is HR department head (dummy)	0.858	2.38***	0.126
Respondent has MPA degree (dummy)	0.730	1.94**	0.090
Respondent is female (dummy)	0.083	0.32	0.016
Respondent is nonwhite (dummy)	0.534	1.34	0.062
Respondent's age in 2008 (years)	0.008	0.59	0.034
2007 county budget (dollars)	0.000	-1.06	-0.049
N =	472	*p < .10 one-tailed test	
R-squared =	0.0777	**p < .05 one-tailed test	
F =	3.22***	***p < .01 one-tailed test	

Table 18. Models of Determinants of Knowledge of the ADA

Dependent Variable: Knowledge of the ADA			
	Unstandardized coefficient	t statistic	Standardized coefficient
County federal cases per 1000 capita, 1997 - 2007	0.047	0.04	0.002
Respondent participated in employment law training (dummy)	0.753	3.56***	0.168
Respondent completed HR-related professional certification (dummy)	0.122	0.30	0.014
Respondent's experience in the public sector (years)	0.004	0.32	0.019
Respondent's tenure in current position (years)	-0.018	-1.20	-0.063
Respondent held similar position in the private sector (dummy)	0.437	1.95**	0.097
Respondent is HR department head (dummy)	0.888	2.47***	0.130
Respondent has MPA degree (dummy)	0.721	1.91**	0.088
Respondent is female (dummy)	0.050	0.19	0.010
Respondent is nonwhite (dummy)	0.463	1.15	0.054
Respondent's age in 2008 (years)	0.007	0.49	0.028
2007 county budget (dollars)	0.000	-1.05	-0.049
N =	472	*p < .10 one-tailed test	
R-squared =	0.0750	**p < .05 one-tailed test	
F =	3.10***	***p < .01 one-tailed test	

Table 19. Models of Determinants of Total Knowledge of Employment Law

Dependent Variable: Total Knowledge of Employment Law			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC charges per 1000 capita, 1997 - 2007	-2.034	-1.92**	-0.086
Respondent participated in employment law training (dummy)	2.170	4.30***	0.197
Respondent completed HR-related professional certification (dummy)	1.658	1.73**	0.080
Respondent's experience in the public sector (years)	0.029	1.07	0.063
Respondent's tenure in current position (years)	-0.026	-0.74	-0.037
Respondent held similar position in the private sector (dummy)	0.595	1.11	0.054
Respondent is HR department head (dummy)	2.313	2.67***	0.138
Respondent has MPA degree (dummy)	2.071	2.29**	0.103
Respondent is female (dummy)	1.152	1.83^	0.092
Respondent is nonwhite (dummy)	1.523	1.59	0.072
Respondent's age in 2008 (years)	0.018	0.54	0.030
2007 county budget (dollars)	0.000	-1.70**	-0.076
N =	472	*p < .10 one-tailed test	^ p < .10 two-tailed test
R-squared =	0.1229	**p < .05 one-tailed test	^^ p < .05 two-tailed test
F =	5.36***	***p < .01 one-tailed test	

Table 20. Models of Determinants of Total Knowledge of Employment Law

Dependent Variable: Total Knowledge of Employment Law			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC bases per 1000 capita, 1997 - 2007	-1.098	-1.81**	-0.081
Respondent participated in employment law training (dummy)	2.186	4.32***	0.198
Respondent completed HR-related professional certification (dummy)	1.687	1.75**	0.081
Respondent's experience in the public sector (years)	0.030	1.12	0.065
Respondent's tenure in current position (years)	-0.027	-0.75	-0.038
Respondent held similar position in the private sector (dummy)	0.582	1.08	0.052
Respondent is HR department head (dummy)	2.313	2.67***	0.138
Respondent has MPA degree (dummy)	2.080	2.30**	0.104
Respondent is female (dummy)	1.154	1.83^	0.092
Respondent is nonwhite (dummy)	1.509	1.57	0.071
Respondent's age in 2008 (years)	0.017	0.51	0.028
2007 county budget (dollars)	0.000	-1.73**	-0.078
N =	472	*p < .10 one-tailed test	^ p < .10 two-tailed test
R-squared =	0.1221	**p < .05 one-tailed test	^^ p < .05 two-tailed test
F =	5.32***	***p < .01 one-tailed test	

Table 21. Models of Determinants of Total Knowledge of Employment Law

Dependent Variable: Total Knowledge of Employment Law			
	Unstandardized coefficient	t statistic	Standardized coefficient
County EEOC allegations per 1000 capita, 1997 - 2007	-1.713	-2.02**	-0.091
Respondent participated in employment law training (dummy)	2.194	4.34***	0.199
Respondent completed HR-related professional certification (dummy)	1.722	1.79**	0.083
Respondent's experience in the public sector (years)	0.030	1.11	0.065
Respondent's tenure in current position (years)	-0.026	-0.73	-0.037
Respondent held similar position in the private sector (dummy)	0.594	1.11	0.053
Respondent is HR department head (dummy)	2.292	2.65***	0.137
Respondent has MPA degree (dummy)	2.070	2.29**	0.103
Respondent is female (dummy)	1.175	1.86^	0.093
Respondent is nonwhite (dummy)	1.538	1.61	0.073
Respondent's age in 2008 (years)	0.017	0.54	0.030
2007 county budget (dollars)	0.000	-1.74**	-0.078
N =	472	*p < .10 one-tailed test	^ p < .10 two-tailed test
R-squared =	0.1237	**p < .05 one-tailed test	^^ p < .05 two-tailed test
F =	5.40***	***p < .01 one-tailed test	

Table 22. Models of Determinants of Total Knowledge of Employment Law

Dependent Variable: Total Knowledge of Employment Law			
	Unstandardized coefficient	t statistic	Standardized coefficient
County federal cases per 1000 capita, 1997 - 2007	-3.785	-1.28**	-0.058
Respondent participated in employment law training (dummy)	2.087	4.11***	0.189
Respondent completed HR-related professional certification (dummy)	1.650	1.71**	0.079
Respondent's experience in the public sector (years)	0.028	1.04	0.061
Respondent's tenure in current position (years)	-0.029	-0.80	-0.041
Respondent held similar position in the private sector (dummy)	0.579	1.08	0.052
Respondent is HR department head (dummy)	2.446	2.83***	0.146
Respondent has MPA degree (dummy)	2.001	2.21**	0.100
Respondent is female (dummy)	0.999	1.59	0.079
Respondent is nonwhite (dummy)	1.495	1.54	0.071
Respondent's age in 2008 (years)	0.016	0.49	0.028
2007 county budget (dollars)	0.000	-1.81**	-0.082
N =	472	*p < .10 one-tailed test	^ p < .10 two-tailed test
R-squared =	0.1190	**p < .05 one-tailed test	^^ p < .05 two-tailed test
F =	5.17***	***p < .01 one-tailed test	

Chapter Four – Case Studies’ Analysis

In addition to the survey research, I conducted case studies of two counties that appear as outliers on my measure of understanding of federal employment discrimination laws. The goal of the case studies and of the regression analyses described later in the next chapter is to further clarify the relationship between knowledge of law and the EEOC claims and federal case filings that measure alleged violations of law. Three areas of information should help me to more closely scrutinize this relationship: the sources of an individual respondent’s knowledge of EEO law, an individual’s assessment of the significance of EEO law, and the county-wide emphasis on EEO law. To facilitate the revelation of this type of distinctive, individual information, I traveled to the two counties and conducted individual interviews with each of the survey respondents. Both survey participants and case study interviewees received a promise of confidentiality in exchange for their participation. Therefore, I will not reveal county names or interviewee names when describing the case studies, and I will refer to all interviewees in the masculine address.

I conducted interviews in one county where my survey results indicated that managers and department heads expressed an extremely high level of knowledge of the three relevant federal employment discrimination laws and one county where managers and department heads expressed an extremely low understanding of the three relevant federal employment discrimination three laws. To select the two counties for case study, I first created an aggregate, county-level knowledge of law score using the mean of the knowledge of law scores for each manager and department head in each county. From

the 148 counties that responded to the survey, I calculated the top and bottom five percent of county level scores and compared the counties in these ranges. I selected the two counties for case study considering both the maximize number of survey respondents who would be eligible to interview, the highest scoring county with a minimum number of alleged violations of federal case law, and the lowest scoring with a maximum number of alleged violations of federal case law. My final selection yielded my high county from the top two county knowledge of law scores¹¹ and my low county from the bottom three county knowledge of law scores¹².

The results from the initial models of the determinants of knowledge of law suggest that the direction of causality may proceed from knowledge of law to alleged violations of law. If this is the situation, a county where managers and department heads exhibit greater knowledge of law could be expected to receive fewer alleged violations of the law, and a county with lower knowledge of law could be expected to receive greater alleged violations of the law. Employing the case study technique offered the opportunity to enhance the information collected from a short survey instrument, EEOC complaints, and federal court filings by gathering information from additional sources (O'Sullivan and Rassel, 1999). Ultimately, the case studies enabled me to more closely examine the direction of causality using greater detail regarding managers' and

¹¹ The selected high knowledge of law county tied for the second highest overall county knowledge of law score, 58.33, and had three respondents whereas the highest scoring county only had two respondents. Further, the county selected for case study had 0.07 relevant federal EEO cases filed per thousand population between 1997 and 2007 while the county it tied with for second highest score had 0.11 relevant federal EEO cases filed per thousand population between 1997 and 2007.

¹² The low knowledge of law county selected for case study was the only county with more than one respondent in the bottom five percent of county knowledge of law scores. The selected county had the third lowest knowledge of law score, 43.63, and also had 0.41 relevant federal EEO cases filed per thousand population between 1997 and 2007.

department heads' sources of knowledge of EEO law, assessment of the significance of EEO law, and their county's emphasis on EEO law.

In order to investigate the direction of the association between knowledge of employment law and violations of law, my questions focused on the individual manager's or department head's sources of law and significance accorded to law, as well as the county's emphasis on employment law. To explore sources of law, I asked managers and department heads to describe previous types of work experience, previous claims of employment discrimination made against the county, and any employment law training they had attended. I additionally asked them to designate their most important current source of employment law information. Subsequently, I inquired about the significance that they accord EEO law with questions regarding the impact of EEO law on their daily responsibilities, challenges posed by Title VII, the ADEA, and the ADA, and technical complexity of each statute. Eventually, I explored the county's emphasis on EEO law by asking about the county's human resource policies and procedures for addressing a claim of employment discrimination.

Case Studies

County with High Knowledge of Law

The Georgia county selected for case analysis for its high overall knowledge of federal EEO law has a county administrator and employs just under 200 full-time employees. The county had a 2007 population in the 20,000 and 30,000 category, and the county population increased by under ten percent between 2000 and 2007. The state of Georgia as a whole experienced a 16.6 percent population increase during the same

period. The high knowledge of law county is generally characterized by fewer minority residents than the state average, a lower per capita median income and a higher percent of persons in poverty than the state of Georgia. The high knowledge of law county had three survey respondents: the county administrator, the parks and recreation director, and the sheriff. I interviewed each individually and the results of those interviews appear immediately below.

One of the key issues I was interested in examining during the case study interviews was the source of the managers' and department heads' knowledge of federal EEO law. In order to investigate the source of their knowledge of EEO law, I first asked interviewees to describe their human resources management responsibilities during previous positions and any previous training in employment law. The county administrator has held that position for two and a half years, but he served for more than three decades as officer, detective, and chief of police for a local city. The county administrator described extensive human resources responsibilities while serving as chief of police, and he has participated in employment law training since assuming his position as county administrator. The parks and recreation department head has held his current position for 11 years and previously served for five years as a parks and recreation director for another Georgia local government. He did not participate in employment law training before beginning his current position, but has completed multiple courses since starting his current employment, most recently in February of 2009. The sheriff in the high knowledge of law county is completing his fifth year as sheriff after serving as chief deputy sheriff for 16 years. He now attends training through the Georgia Sheriff's Association, including instruction in employment law, three times each year. Finally, and

perhaps most notably, the county administrator and department heads collaborate about a variety of risk management issues (including employment law) at standard monthly meetings. The meetings offer the county's administrator and department heads a regularly-scheduled opportunity to discuss, collaborate, and resolve any concerns.

To more fully capture the interviewees' sources of knowledge of law, I also asked them to select their most important sources for knowledge of employment law. Each mentioned a combination of sources, and each highlighted the employment law updates produced by different Georgia county organizations. The county manager marks his managerial experience as chief of police as the foundation of his knowledge of employment law. As an additional source, he turns to Association of County Commissioners of Georgia risk management updates for current changes in employment law. The parks and recreation director gains the majority of his employment law knowledge through several electronic sources: Georgia Recreation and Parks Association electronic updates and e-mail newsletters from his state representatives and senator. The sheriff cites risk management updates disseminated through the Association of County Commissioners of Georgia, the Georgia Sheriff's Association, and the internet as the main sources of his information about employment law.

Although none of the interviewees has experienced federal employment law discrimination claims during his current tenure, both the county administrator and sheriff encountered claims earlier in their careers. During his previous tenure as chief of police, the county administrator had experience with multiple federal employment lawsuits, most often dealing with wage and hour disputes. As city administrator, he has not faced any federal EEO lawsuits. There have also been no federal EEO lawsuits arising from the

parks and recreation department during the 11 year tenure of the current department head. Finally, the sheriff has responded to EEO lawsuits filed under his predecessor, but has had none arise under his tenure.

The county administrator, parks and recreation department head, and sheriff in the high knowledge of law county all agreed that knowledge of employment law has a substantial impact on daily managerial responsibilities. The county administrator remarked that his county's employment law success is due in part to the fact that he treats EEO issues seriously and that his department heads do as well. He stated, "I won't tolerate discrimination, and my managers and employees know this." Both the county administrator and sheriff noted that their knowledge of employment law provides an advantage in daily responsibilities because it enables them to address potential EEO concerns before they rise to the level of employment law violations. The sheriff inherited a department with very low minority and female officers. He credits his knowledge of EEO law for his recognition of the overall impact of EEO through his department and for motivating his deliberate efforts to increase representation before the lack of minority officers contributed to a claim of EEO violation.

Both the parks and recreation director and the sheriff indicated that each of the three employment statutes included in the survey is equally technical and poses similar challenges for daily managerial responsibilities. Alternatively, the county administrator highlighted the county's large proportion of older employees as an important factor requiring an especially detailed understanding of the ADEA. Moreover, the county manager cited practical implications of EEO and failure to hire as an important consideration for his county leadership.

Policy for addressing employment discrimination complaints is one potential measure of the emphasis that the county places on EEO law. Each of the three interviewees from the high knowledge of law county described an established program for responding to a claim of employment discrimination. The county administrator (former police chief) highlighted the investigatory and disciplinary elements of the county policy. The parks and recreation department head offered a detailed strategy for addressing employee complaints that began with collaborating with the county administrator. The sheriff reiterated the county administrator's focus on investigation and also indicated that he could consult the county attorney for counsel to address a minor concern before it becomes a significant problem.

To conclude each of the interviews, I asked the county administrator, parks and recreation director, and sheriff for their opinions regarding why the county had performed so well on knowledge of employment law. The county administrator gave credit to his department heads and the county elected leadership. He strongly emphasized the value of having elected leadership and appointed managers who have completed "four year degrees." Both his commissioners and his department heads "understand the importance of EEO law and what a county can and cannot do."

The parks and recreation director cited the monthly department head collaboration meetings as especially useful opportunities to gather information and counsel from their fellow county supervisors as one of the elements that contributed to high knowledge of law. The parks and recreation director also underscored the support he receives from county leadership, the advantages of implementing an equitable and consistent hiring process, and the value of being proactive and communicating with his employees. He

mentioned that the county administrator and elected commissioners provide funding for him to participate in training and recognize the value of the time he spends participating in training courses. Additionally, he practices his knowledge of law with very specific hiring practices to ensure EEO compliance. Each interview question is documented and asked of all candidates, and a witness is present for all hiring interviews. Finally, the parks and recreation director educates his employees through regular meetings, and he maintains clear and open communication with all his employees.

The sheriff described two elements that contribute to the high knowledge of law throughout his department, he models anti discrimination behavior and has established a fair and competitive system of promotions. The sheriff believes that by modeling EEO, he is able to “stay on top of potential issues, stay on top of the law, and influence managers and employees” below him. Part of his modeling behavior includes a consistent, fair, and competitive system of promotions throughout the sheriff’s department. Staff are eligible to apply for promotion once they reach a specific tenure in position and all applicants receive instructions on the promotion test topics and procedures. Raters from outside the county conduct the promotional tests which include topics on policies and procedures but also highlight relevant statutes.

Certainly, each of the interviewees from the high knowledge of law county demonstrates a widespread commitment to EEO law. The county administrator puts his EEO knowledge in practice by modeling effective EEO behavior. Also, he supports and funds his department heads’ continuing legal education, and maintains his own high knowledge of EEO law by staying up to date with regular periodicals produced by county organizations. The sheriff in the high knowledge of law county demonstrates an inherent

sense of what should happen to both project the importance of EEO law and to implement EEO practices. He is proactive in working to increase minority representation and maintains an equitable system of competitive promotions. Those behaviors offer sheriff's department employees confirmation of how seriously the sheriff would treat issues of discrimination. Furthermore, the parks and recreation department head relies on collaboration with his fellow department heads and training support from the county leadership to enhance his knowledge of EEO law. He implements that knowledge through open communication with his staff and EEO-based hiring practices. However, those individual behaviors do not capture the full influence of EEO law throughout the high knowledge of law county.

Interviews with the county administrator and department heads in the high knowledge of law county suggest that the county's significantly higher performance on the survey may be attributable to more than just the respondents individual characteristics. Rather, indications from the high knowledge of law county advocate for an organization-level explanation for extremely high score on knowledge of law. The high knowledge of law county demonstrates a commitment to the importance of EEO and to use the organizational tools necessary to see that commitment through. As examples: elected and appointed leaders exhibit ongoing managerial modeling of EEO behaviors which demonstrates a recognition of importance of EEO law; the county allocates funding for on-going EEO law training; and county leaders allocate time for monthly meetings that enable collaboration on knowledge of law. Taken as a whole, the high knowledge of law county reflects the ramifications of an organization-wide emphasis on EEO law.

County with Low Knowledge of Law

The Georgia county selected for case study analysis for its low overall knowledge of federal EEO law among department heads has no county manager or administrator and employs approximately 100 full-time employees. The county had a 2007 population in the category of under 10,000, and the county population decreased between 2000 and 2007. The low knowledge of law county is generally characterized by a greater number of minority residents than the state average, a lower per capita median income and a higher percent of persons in poverty than the state of Georgia. The low knowledge of law county differs most significantly from the high knowledge of law county in its smaller, and decreasing, population, and in its much higher percentage of minority residents. There are two survey respondents from the low knowledge of law county: the payroll clerk/human resources department head and the public works director. I interviewed each individually, and I describe the results of those interviews below.

My interviews in the low knowledge of law county also began with questions designed to assess the sources of their knowledge of employment law. The payroll clerk has served as the county human resources department head for three years after being promoted from an administrative position with the county. He attended Association of County Commissioners of Georgia sponsored training on employment law before beginning as the payroll clerk and attends regular human resources department head training that includes employment law. The road superintendent in the low knowledge of law county has served in that capacity for 26 years. He did not have employment law training before starting his position as road superintendent, but he has participated in an

Association of County Commissioners of Georgia sponsored training program at one point during his tenure.

When asked about the most important sources of knowledge of EEO law, the payroll clerk cited numerous of training courses presented by attorneys with expertise in employment law. The courses were sponsored either by Association of County Commissioners of Georgia or by a private consultant specializing in human resources and risk management training. In contrast, the road superintendent noted that the main source of his knowledge of EEO law is a current legal update produced by the private Federal Publishing company. The update was published in 2009 and provides a wide variety of information on law relevant to public works administration. The text includes information on EEO law as well as regulations from the Occupational Safety and Health Administration and the Environmental Protection Agency.

Neither the payroll clerk nor the road superintendent in the low knowledge of law county has experienced a claim of federal employment law violation. However, the payroll clerk asserts that EEO law has a significant impact on his day-to-day responsibilities, mostly in terms of helping the county avoid liability. Alternatively, the road superintendent, who has not received a claim of EEO discrimination throughout his 26 years with the county, remarked that EEO law “does not matter much” for his day-to-day responsibilities. While the road superintendent and payroll clerk both consider each of the three federal employment statutes surveyed equally technical, the payroll clerk noted that approximately 50 percent of the county’s employees are over the age of 40, and the ADEA would offer the county’s biggest implementation challenges.

The low knowledge of law county does not have a policy in place to specifically address the necessary steps in case of a claim of EEO law violation. The road superintendent noted that he would first contact the payroll clerk for directions if a claim arose. The payroll clerk indicated that he could contact experts at the Association of County Commissioners of Georgia or a private risk management consulting firm with any questions. However, the payroll clerk indicated that the county's personnel policy has not been updated in more than eighteen years, and that the lack of an up-to-date policy poses a concern for the county's potential EEO law liability. He remarked that the other county department heads do not consider the EEO law implications when making human resources decisions. Without the support of the other department heads or an effective personnel policy, the payroll clerk is often unable to locate required documentation when investigating an employment action.

To conclude each of the interviews, I asked the road superintendent and the payroll clerk for any additional thoughts on the role of EEO law generally. The road superintendent suggested that while he does not often have to deal with EEO law, the law offers valuable protection for an employee who happens to have an unethical supervisor or employer. The payroll clerk offered a different perspective. He noted that it is a big challenge to make elected officials and department heads take EEO law seriously in his county. For example, he explained that EEO concerns often arise when an elected official acts to dismiss or to suspend an employee without an acceptable justification. Without an effective personnel policy in place, the payroll clerk has nothing to support his recommendations, and the elected officials generally treat EEO law as if it is not applicable to them.

The interviews in the low knowledge of law county offer a stark contrast to those from the high knowledge of law county. In the county that demonstrated a significantly lower knowledge of law than the standard for Georgia counties, there is no widespread commitment to EEO law, no modeling EEO behavior by the elected leadership or other department heads, no financial support for EEO law training, and no collaboration on EEO law issues among department heads. The payroll clerk noted that he has to work to convince elected leadership and other department heads to take EEO law seriously.

Notably, the payroll clerk emphasized that there is a significant need for elected and appointed county leaders to attend EEO law training. Without that training, he believes that it is difficult getting county leadership to recognize the importance of EEO law. Lacking a network of support and collaboration, he cannot properly address EEO concerns and expresses a sense that he is hopeless to change the situation. He believes that he is the only official in the low knowledge of law county who recognizes the significance of EEO law in the county's day-to-day functions, and he has been unable to convince his colleagues of the importance of EEO considerations.

As described by the two interviewees, the low knowledge of law county is characterized by disinterest in EEO law. The road superintendent expressed the opinion that EEO law is necessary, but primarily serves as protection against a bad supervisor. The payroll clerk strongly recommends that EEO law training is needed for elected and appointed county leaders to recognize the value and relevance for EEO law in their organization. Without a county manager or administrator, leadership on the issue of EEO law has rested on the payroll clerk, and he indicated that he has been unable to develop county-wide support.

Summary and Analysis

My case study interviews raised the question of whether leadership behavior may influence organizational culture and consequently lead to higher or lower performance regarding knowledge of employment law. Specifically, whether leadership support for EEO law could facilitate an organizational culture that values EEO, could sustain efforts to learn and implement EEO law, and could therefore contribute to the substantially higher knowledge of law scores in my high knowledge of law county. Alternatively, whether leadership disregard for EEO law could contribute to an organizational culture where EEO law is neither valued nor supported, making it less likely that managers and department heads could achieve a high knowledge of employment law.

Through such a connection between leadership and organizational culture, the county knowledge of law score could be influenced by the level of support of and the emphasis on the importance of EEO law throughout the organization. In furtherance of this premise, in the high knowledge of law county, from the elected and appointed leadership down through department heads, the emphasis on EEO appears to sustain an organizational culture where knowledge of EEO law is valued and rewarded. In contrast, it was reported that the elected leaders in the low knowledge of law county disregard EEO law, department heads fail maintain the basic documentation needed to investigate claims of discrimination, and that indifference may be relevant to a culture of EEO neglect. In the low knowledge of law county, a single department head attempts to disseminate information about EEO law and to convince colleagues of the consequences associated with failure to follow the law.

There is significant debate on the subject of whether leaders have the power to influence organizational culture (Rainey, 2003; Khademian, 2002). Rainey (2003) also notes that the question of whether leadership behavior has the potential to influence organizational culture is particularly relevant in public organizations where there are multiple sources of authority, resources, and regulations. Certainly, the topics of public organizational culture and leadership are multifaceted and interrelated. This section does not attempt a full overview of either topic, nor does it attempt to validate the influence of leadership on public organizational culture generally. Rather, I incorporate specialized analyses of leadership and culture in public organizations to serve exclusively as a framework for exploring the variation in knowledge of law between the two case study counties.

Research into organizational theory observes that leadership behavior and leader communication are both important elements in the assessment of how leadership affects culture to influence organizational performance. Accordingly, I highlight communication, leaders' modeling behavior, and leaders' performance appraisal behavior in my analysis of the level of knowledge of law in the two case study counties. Rainey describes a series of leader behaviors that support effective organizational culture, and notes the value of leaders communicating what they will "monitor, ignore, measure, or control," "practice(ing) deliberate role modeling, teaching, and coaching," and "establish(ing) effective criteria for granting rewards and status, for selection and promotion of employees, and for dismissal or punishment" (2003, pp. 213-214).

Communication, modeling and performance appraisal are all relevant to the function of EEO in the high knowledge of law county. The county administrator

remarked on the dual importance of his elected leaders' clear support of EEO law and his efforts to model the importance of EEO to his department heads and employees. Further, the parks and recreation director receives signals about the value of EEO through financial support from elected and appointed officials and he offers signals of what the importance of EEO with careful monitoring of the hiring process. The sheriff in the high knowledge of law county both models EEO behavior and clarifies the relevance of EEO by actively seeking to increase the ratio of minority officers. Further, the sheriff has clearly established criteria for promotions that communicate his commitment to EEO throughout his department.

In Nollenberger's (2007) analysis of leadership in local government, he repeatedly emphasized the importance of a leader's role in facilitating communication throughout the organization. Moreover, in a detailed, empirical analysis, Garnett, Marlowe, and Pandey (2008) examined communication's influence on how organizational culture affects organizational performance. The authors contended that communication mediates performance in organizations defined as mission-oriented, while communication moderates performance in organizations defined as rule-oriented. This recent scholarship offers support for the argument that emphasis on communicating effective EEO practice in the high knowledge of law county may contribute to the substantially higher knowledge of law scores. In the high knowledge of law county, the county administrator communicates the value of EEO to his department heads and holds regular monthly meetings designed to facilitate communication among these supervisors. The department heads then foster communication with their own employees through open

engagement and convey the significance of EEO with consistently-applied, equitable treatment.

The results of the interviews in the low knowledge of law county suggest that the individual motivation of a single department head is insufficient to achieve high knowledge of law throughout the organization. If, instead, leadership has the potential to alter the organizational culture in the low knowledge of law county, the high knowledge of law county offers a model of the commitment, communication, and resources that influence organizational knowledge of law. According to Rainey, a successful change in organizational culture in the low knowledge of law county would require county leaders to, “Approach cultural leadership as comprehensive organizational change” (2003, p. 213). Shifting to an organization that emphasizes the importance of EEO law would necessitate concerted leadership action in the low knowledge of law county to: create a comprehensive effort to build backing for EEO law, implement the organizational policies needed to support EEO law, and allocate the resources required to training elected and appointed leaders.

Springer’s (2007) recent analysis of leadership in ethics and decision making offers ideas regarding the possible organizational value stemming from leadership influence for county knowledge of EEO law. Springer’s analysis of survey responses from 250 city, county, and federal managers found that they are most influenced by a leader’s open communication. The administrator and department heads in the high knowledge of law county each cited both receiving communication from their leadership and implementing open communication with their staff as a means of instilling value for EEO law.

Further, during follow-up interviews with 25 survey respondents, Springer learned that public managers cite fair treatment or obedience of law as key considerations for their employees and communities (2007, p. 350). Equitable treatment in employment is the focus of the EEO statutes considered in the survey, and Springer's findings seem relevant to compliance with federal statutes that emphasize equity. The comprehensive leadership commitment to EEO law in the high knowledge of law county and the dearth of leadership support for EEO law on the low knowledge of law county offer indications that leadership may have a role to play in sustaining EEO law, and Springer's findings suggest that support for EEO law could enhance perceptions of both employees and the community.

Chapter Five – Alternative Models’ Results Analyses

The regression results from the models of the determinants of county managers’ and department heads’ knowledge of law (described in Chapter Three, Survey Results Analysis) suggest that the direction of causality may run from knowledge of EEO law to claims of EEO law violations, rather than in the opposite direction. In order to more closely examine the direction of causality, I have tested 16 alternative regression models where the dependent variables are the number of EEOC and federal case claims against the county. Because these models attempt to explain variation in a county level dependent variable (the number of EEOC charges, EEOC bases, EEOC allegations, or federal cases filed against the county) each of the variables in the model are constructed as a county-level measure (described in detail below).

As mentioned previously, the four measures of claims of Title VII, ADEA, and ADA violations made to the EEOC and to the federal courts are pooled over the ten year period from 1997 through 2007 in order to capture variation that does not occur in a single year period in many counties (see Chapter Two, Research Methodology, *previous experience with the law – federal case filings* section). Given this construction of the dependent variables, I limit my sample to only those survey respondents with more than ten years of tenure in their current positions as county manager or department head. Of the 504 respondents included in the initial regression models of the determinants of knowledge of law, 153 respondents have served in their current position for the period from 1997 through 2007. In addition, because I have county-level dependent variables, I observe the county average for each independent variable.

Nevertheless, this approach to the analysis of EEOC and federal case filings has a significant methodological limitation. The survey was conducted in the fall of 2008, and it is not possible to know precisely when respondents gained the knowledge of law they exhibited in 2008. At the same time, data on EEOC filings and federal cases cover the entire period from 1997 to 2007. Although the sample has been reduced to only include those managers and department heads who served in their current position throughout the 1997-2007 period, I am still in the position of using knowledge of law observed in 2008 to explain claims of violations of the law during the period of 1997 to 2007. This being the case, the results should be read as suggestive and preliminary.

Modeling EEOC and federal case claims against counties

As noted above, I used the reduced sample of 153 respondents to create county-level measures for each of the explanatory variables. The variables including measures of the respondent's knowledge of law, years of experience in the public sector, years of tenure in current position, and age were reworked within each county as the mean for those county respondents with greater than ten years tenure in their current positions. The initial models' variables that were originally constructed as binary measures (participation in employment law training, completion of an human resources-related professional certification, previous experience in a similar private sector position, current work as the human resources department head, completion of an MPA degree, respondent is female, respondent is nonwhite) were adjusted as the percentage of county respondents with greater than ten years in their position who met the condition measured. Each of the variables in the alternative regression models was described in depth in Chapter Two, Research Methodology.

To examine the relationship between knowledge of law and the number of EEOC claims and federal cases filed against a county, I regress (using ordinary least squares (OLS)) the claims against the county on my new set of independent variables.

The model takes the following form:

$$y = x_1b_1 + x_2b_2 + x_3b_3 + x_4b_4 + x_5b_5 + x_6b_6 + x_7b_7 + x_8b_8 + x_9b_9 + x_{10}b_{10} + x_{11}b_{11} + x_{12}b_{12} + \varepsilon$$

Where:

y = per 1000 capita EEOC charges, or EEOC bases, or EEOC

allegations, or per 1000 capita federal cases filed

x_1 = county respondents' mean knowledge of law

x_2 = percentage of managers/department heads with employment law training

x_3 = percentage of managers/department heads with human resource-related professional certification

x_4 = county respondents' mean years of service in the public sector

x_5 = county respondents' mean tenure in current position measured in years

x_6 = percentage of managers/department heads with previous experience in a similar position in the private sector

x_7 = dummy variable for the presence of a human resource department head

x_8 = percentage of managers/department heads with an MPA degree

x_9 = percentage of managers/department heads who are female

x_{10} = percentage of managers/department heads who are non-white

x_{11} = county respondents' mean age in years

x_{12} = 2007 county budget in dollars

This analysis should underscore the factors associated with the costs and benefits of county managers' professionalism.

I implemented 16 separate multivariate OLS models in order to capture the determinants of each of the four categories of my dependent variable: the number of EEOC charges per 1000 capita, EEOC bases per 1000 capita, EEOC allegations per 1000 capita, and federal cases per 1000 capita. I am particularly interested in the possible influence of each of the four examples of knowledge of federal EEO law, including: total knowledge of EEO law, knowledge of Title VII, knowledge of the ADEA, and knowledge of the ADA.

My findings from the 16 models examining the determinants of county managers' and department head's knowledge of law (described in Chapter Three) guide my hypotheses for these alternative models. First, I expect that knowledge of law (as an independent variable) will be negatively associated with the number of EEOC charges, the number of EEOC bases, the number of EEOC allegations, and the number of federal cases filed counties from 1997 through 2007. Such a relationship would suggest that a county with higher knowledge of EEO law could expect to receive fewer EEOC claims and federal cases filed under Title VII, the ADEA, and the ADA, all other factors considered. Further, I expect that the county level measures of training (employment law training and human resources certification), practical experience (years of service in the public sector, tenure in current position, similar private sector experience, and current experience as the human resources department head) and base education (an MPA degree) will also be negatively related to the number of EEOC claims and federal cases filed.

In a departure from my predictions for my initial models, I expect to find associations between the number of claims of EEO violations and my county level

measures for mean age of respondents, the percentage of county respondents who are women, and the percentage of respondents who are non white. For my alternative models, these measures indicate whether the respondent county managers and department heads share a protective status with employees who might consider filing EEOC claims and federal cases for discrimination based on age, sex, or race. That common status might prompt a sense of understanding between employee and supervisor and make employees feel more comfortable claiming that a county committed an EEO violation. Consequently, I anticipate that my county level measures for age, sex, and race will be positively related to the number of charges and cases filed against the county.

Descriptive statistics

Table 23 presents inherent characteristics of the alternative models' subset of county survey respondents with greater than 10 years of tenure in their current positions. First, I should note that almost 75 percent of counties had zero female managers and department heads with more than ten years tenure in their current position. More than 85 percent of counties had zero non white managers and department heads with more than ten years tenure in their current position. Further, in 2008, the subset of survey respondents with more than ten years tenure in their current position ranged in age from 44 to 75 years with a mean of just over 57 years, and a standard deviation of 6.02 years.

The subset of managers and department heads with more than ten years tenure in their current positions were weighted heavily in favor of sheriffs at more than 30 percent of the sample (see Table 24). Overall, respondents' years of tenure in their current position ranged from 11 years to 34 years, with a mean of 18.92 years and a standard

deviation of 5.64 years. Further, the managers and department heads in the subset have a mean of almost 28 years of total public sector service, with a range of between 10 and 50 years in the public sector, and standard deviation of 8.04 years. Additionally, more than 55 percent of respondents did not have private sector experience in a position similar to their current role.

Table 25 describes respondents' academic attainment and professional training and certification. More than half of the county managers and department heads in the subset of respondents with more than ten years of tenure have a highest educational attainment of high school or some college, although almost ten percent have completed a masters degree in public administration (MPA). Additionally, over two thirds of the subset have augmented their academic achievements with specific training in employment law. Further, just over ten percent have completed a human resources-related certification program (as explained in Chapter Two, *Individual Characteristics and County Demographics* Section).

Regression results – models of EEOC charges¹³

Tables 26 through 29 present the results of my regression models examining the association between county knowledge of law and the number of EEOC charges filed per 1000 capita. My four models examining the influences on EEOC charges explained

¹³ In earlier models, results indicated that several of the variables included here were predictive of knowledge of law (described in Chapter Three, Survey Results Analysis). However, the affects of those variables on knowledge of law were so small that including them along with the knowledge of law variable does not pose a problem of multicollinearity for the models described here. The variance inflation factors for all 16 alternative models of EEO claims against counties ranged from 1.34 to 1.38 indicating there is not cause for concern that the independent variables exhibit multicollinearity.

between 10.71 percent and 16.52 percent of the variation in the number of EEOC charges filed against a county from 1997 through 2007 ($R^2 = .1071 - .1652$).

Most interestingly, I find significant, negative relationships between the number of EEOC charges filed against the county from 1997 through 2007 and overall knowledge of law, knowledge of Title VII, and knowledge of the ADEA. The county's overall knowledge of law score is negatively associated with EEOC charges at the 0.01 level for a one tailed test (t score = -2.47). The unstandardized coefficient on county overall knowledge of law is -0.016. The county's knowledge of Title VII score is negatively associated with EEOC charges at the 0.05 level for a one tailed test (t score = -1.80). The unstandardized coefficient on county knowledge of Title VII is -0.019. The county's knowledge of the ADEA score is also negatively associated with EEOC charges at the 0.05 level for a one tailed test (t score = -1.91). The unstandardized coefficient on county knowledge of the ADEA is -0.025. Alternatively, the regression results for the number of EEOC charges filed and county knowledge of the ADA do not support my hypothesis (presented in Table 29). The county knowledge of the ADA is not significantly related to the number of EEOC charges filed against the county from 1997 through 2007.

The regression results indicate some support for the expected relationship between previous employment in a similar private sector position and the number of EEOC charges filed against a county from 1997 through 2007. In the models that included overall county knowledge of law and county knowledge of the ADEA, the percent of respondents with similar private sector experience is negatively related to the number of EEOC charges at the 0.05 level for a one tailed test in the model considering

the county's overall knowledge of law (t score = -1.70) and is negatively related to the number of EEOC charges at the 0.10 level for a one tailed test in the model considering the county's knowledge of the ADEA (t score = -1.44).

As predicted, all four models demonstrate a strong positive relationship between the percentage of county respondents who are female and the number of EEOC charges filed against a county from 1997 thorough 2007. In three of the four models, the percentage of female respondents is positively related to the number of EEOC charges filed at the 0.01 level for a two tailed test (model including overall county knowledge of law, t score = 2.53; model including county knowledge of Title VII, t score = 2.42; model including county knowledge of the ADEA, t score = 2.41). In the model of EEOC charges filed that included county knowledge of the ADA, the percentage of female county respondents variable was positively related to the number of charges filed against a county, with significance at the 0.05 level for a one-tailed test (t score = 2.13).

In several models, variables show an unexpected positive association with the number of EEOC charges filed against a county. The percentage of county respondents having participated in employment law training and the percentage of county respondents having an MPA degree were expected to be negatively related to the number of EEOC charges filed from 1997 through 2007. In the model that included overall county knowledge of EEO law (presented in Table 26), both the participation in employment law training and having an MPA degree are positively associated with the number of EEOC charges filed against a county. The employment law training variable is significantly related to the number of EEOC charges filed at the 0.10 level for a one-tailed test (t score = 1.46) in the model including county overall knowledge of EEO law. The MPA

variable is also significantly related to the number of EEOC charges filed at the 0.10 level for a one-tailed test (t score = 1.33) in the model including county overall knowledge of EEO law. Additionally, the employment law training variable is positively related to the number of EEOC charges filed at the 0.10 level for a one-tailed test (t score = 1.47) in the model including county knowledge of the ADEA. The practical implication is that participation in employment law training or in an MPA program is associated with increases in the number of EEOC charges filed.

Regression results – models of EEOC bases

Tables 30 through 33 present the results of my regression models examining the association between county knowledge of law and the number of EEOC bases per 1000 capita. My four models examining the influences on EEOC basis explained between 17.02 percent and 21.30 percent of the variation in the number of EEOC bases against a county from 1997 through 2007 ($R^2 = .1702 - .2130$).

As expected, I find significant, negative relationships between the number of EEOC bases against the county from 1997 through 2007 and overall knowledge of law, knowledge of Title VII, and knowledge of the ADEA. The county's overall knowledge of law score is negatively associated with EEOC bases at the 0.05 level for a one-tailed test (t score = -2.22). The unstandardized coefficient on county overall knowledge of law is -0.025. The county's knowledge of Title VII score is negatively associated with the number of EEOC bases at the 0.05 level for a one-tailed test (t score = -1.67). The unstandardized coefficient on county knowledge of Title VII is -0.031. The county's knowledge of the ADEA score is negatively associated with EEOC bases at the 0.10 level

for a one-tailed test (t score = -1.56). The unstandardized coefficient on county knowledge of the ADEA is -0.036. Conversely, the regression results for the number of EEOC bases and county knowledge of the ADA (presented in Table 30) do not support my hypothesis. The county knowledge of the ADA is not significantly related to the number of EEOC bases filed against the county from 1997 through 2007.

As expected, all four models demonstrate a strong positive relationship between the percentage of county respondents who are female and the number of EEOC bases against a county from 1997 thorough 2007. In each of the models, the percentage of female respondents is positively related to the number of EEOC bases filed at the 0.01 level for a one-tailed test (t scores range from 2.86 – 3.22).

In the four models examining influences on the number of bases filed against a county, three variables demonstrate an unexpected positive relationship with the number of bases filed against a county between 1997 and 2007: the percentage of respondents from the county who have participated in employment law training, the mean of county respondents' years of experience in the public sector, and the percentage of respondents from the county who have an MPA degree.

In the model that included overall county knowledge of EEO law (presented in Table 30), participation in employment law training, years of experience in the public sector, and having an MPA degree are all positively associated with the number of EEOC bases filed against a county. The employment law training variable is significantly related to the number of EEOC bases filed at the 0.05 level for a one-tailed test (t score = 1.67) in the model including county overall knowledge of EEO law. The variable measuring the county mean of years in the public sector is also positively related to the

number of bases filed against a county at the 0.05 level for a one-tailed test (t score = 1.70) in the model including overall knowledge of law. Additionally, the variable measuring the percentage of county managers and department heads with an MPA degree is positively related to the number of bases filed against a county at the 0.10 level for a one-tailed test (t score = 1.58) in the model including overall knowledge of law.

Against expectations, the variable measuring the county mean of years in the public sector is positively related to the number of bases filed against a county throughout all of the models that include the basis variable. Years of experience in the public sector is positive significantly related to the number of bases filed at the 0.10 level for a one-tailed test: in the model including knowledge of Title VII (t score = 1.56), in the model including knowledge of the ADEA (t score = 1.60), and in model including knowledge of the ADA (t score = 1.51).

Moreover, the variable measuring percentage of respondents with employment law training and the variable measuring percentage of respondents with an MPA were also both positive and significant in the model of the number of bases filed against the county that included county knowledge of the ADEA (presented in Table 32). Both the participation in training variable ($t = 1.58$) and the MPA variable ($t = 1.37$) were statistically significant at the 0.10 for a one-tailed test.

Regression results – models of EEOC allegations

Tables 34 through 37 present the results of my regression models examining the association between county knowledge of law and the number of EEOC allegations per 1000 capita. My four models examining the influences on EEOC allegations explained

between 14.87 percent and 20.60 percent of the variation in the number of EEOC allegations against a county from 1997 through 2007 ($R^2 = .1487 - .2060$).

Here, I find significant, negative relationships between the number of EEOC allegations against the county from 1997 through 2007 and overall knowledge of law, knowledge of Title VII, and knowledge of the ADEA. The county's overall knowledge of law score is negatively associated with EEOC allegations at the 0.01 level for a one-tailed test (t score = -2.63). The unstandardized coefficient on county overall knowledge of law is -0.022. The county's knowledge of Title VII score is negatively associated with the number of EEOC allegations at the 0.05 level for a one-tailed test (t score = -1.83). The unstandardized coefficient on county knowledge of Title VII is -0.025. The county's knowledge of the ADEA score is negatively associated with EEOC allegations at the 0.05 level for a one-tailed test (t score = -1.83). The unstandardized coefficient on county knowledge of the ADEA is -0.032. Again, the regression results for the number of EEOC allegations and county knowledge of the ADA (presented in Table 37) do not support my hypothesis. The county knowledge of the ADA is not significantly related to the number of EEOC bases filed against the county from 1997 through 2007.

Once more, all four models demonstrate the predicted positive relationship between the percentage of county respondents who are female and the number of EEOC allegations filed against a county from 1997 thorough 2007. In each of the models, the percentage of female respondents is positively related to the number of EEOC allegations filed at the 0.01 level for a two tailed test (t scores range from 2.61 – 3.05).

Also again, the measure of the county percentage of years of service in the public sector is, surprisingly, positively associated with the number of allegations filed against

the county in each of the four models of EEOC allegations filed from 1997 through 2007. The t scores range from 1.41 for the model that includes county knowledge of the ADA (presented in Table 37) to 1.63 for the model that includes overall county knowledge of EEO law (presented in Table 34).

Concluding the models examining the variables associated with the number of EEOC allegations filed from 1997 through 2007, the variable measuring the percentage of managers and department heads with training in employment law again contradicted predictions and was positive and significantly related to the number of EEOC allegations filed at the 0.05 level for a one-tailed test in the model that included the county overall knowledge of law (t score = 1.71) and was significantly related to EEOC allegations filed at the 0.10 level for a one-tailed test in the model that included county knowledge of the area (t score = 1.61). Finally, in the model that includes overall county knowledge of EEO law, the measure of the percentage of county managers and department heads with an MPA degree was also positively associated with the number of EEOC allegations filed against a county and significant at the 0.10 level for a one-tailed test (t score = 1.36).

Regression results – models of federal cases filed

The results from the four models examining the possible relationship between county knowledge of law and the number of federal cases filed against the county differ considerably from the models assessing the three types of EEOC filings in large part because fewer variables are significant in the four models. The results of the number of federal cases filed models are presented in Table 38 through Table 41, and are described immediately below.

My four models examining the influences on federal cases filed explained between 16.86 percent and 19.93 percent of the variation in the number of federal cases filed against a county from 1997 through 2007 ($R^2 = .1686 - .1993$). Most notably, only those variables measuring overall county knowledge of EEO law and county knowledge of the ADEA support the predicted hypothesis of a negative relationship with the number of federal cases filed against a county from 1997 through 2007. The overall county knowledge of law is negatively related to the number of federal cases filed and is significant at the 0.10 level for a one-tailed test (t score = -1.40, unstandardized coefficient = -0.003). The county knowledge of the ADEA is negatively related to the number of federal cases filed and is significant at the 0.05 level for a one-tailed test (t score = -1.75, unstandardized coefficient = -0.009). Neither the measure of knowledge of Title VII nor the measure of knowledge of the ADA is significantly related to the number of federal cases filed.

Overall, fewer variables supported my predictions for the models exploring the number of federal cases filed against a county from 1997 through 2007. However, among these the measure of the percentage of county managers and department heads with human resource-related certification was for the first time significantly related to the EEO claim measure. As predicted, the percentage of respondents with an human resource-related certification was negatively associated with the number of federal cases filed against a county and significant at the 0.10 level for a one-tailed test (t score = -1.35) in the model that included knowledge of the ADEA (presented in Table 40).

Additionally, for the first time the variable measuring the percentage of non white managers and department heads supported expectations in all four of the models

examining federal cases filed. The percentage of non white managers was positive and significantly related to the number of federal cases filed at the 0.01 level for the models related to overall county knowledge of EEO law (t score = 3.30), county knowledge of Title VII (t score = 3.30), county knowledge of the ADEA (t score = 3.39), and county knowledge of the ADA (t score = 3.42). Additionally, the variable measuring the mean county age of managers and department heads also supported expectations in all four of the models examining federal cases filed. The mean age of county managers was positive and significantly related to the number of federal cases filed at the 0.05 level for the models related to overall county knowledge of EEO law (t score = 2.05), county knowledge of Title VII (t score = 1.89), county knowledge of the ADEA (t score = 2.18), and county knowledge of the ADA (t score = 1.91).

Summary and Conclusions

The predicted hypotheses of significant, negative associations between the four types of knowledge of law and the four types of EEO claims of discrimination filed against a county were supported in 11 of 16 models. As it is unlikely that low numbers of claims would lead to high knowledge of law, these results offer additional weight to the premise that higher levels of knowledge of EEO law produces fewer EEO claims. These findings provide insight into one way law may influence public organizational performance and argue for additional research into the association between a county manager's or department head's knowledge of law and the number of EEOC and federal court claims filed against a county. One possible explanation for the reduced level of association between knowledge of law and the number of federal cases filed is that so

many more resources are required to file a federal case than to file a claim with the EEOC. Money, information, and legal advice are all necessary to filing a federal case and may not be as necessary to file a claim of EEO discrimination with the EEOC.

The failure of support for the predicted negative relationship between EEO claims and county knowledge of the ADA is not startling given the findings from the initial regression models. The results from the initial regression models of the determinants of knowledge of law signify that relationship between claims of violations and knowledge of the ADA is much weaker than the relationships between claims of violations and knowledge of Title VII, the ADEA, or overall knowledge of EEO law. The lack of association between knowledge of the ADA and claims of EEO violations suggests that county level knowledge of law is not a primary factor in determining the number of claims a county receives. Alternatively, the number of ADA claims could be more influenced by the proportion of disabled employees in the workforce. This is one possible explanation that should be examined in further research.

The repeated positive relationships between the number of EEOC charges, bases, allegations, and federal cases filed against a county and those variables related to training, experience and education were unexpected. One possible explanation for these positive results may be that the types of counties with more employees who are minorities, women, older, or disabled may be the same types counties where managers and department heads have more training opportunities, more longevity, and more MPA degrees. In short, counties where the workforce is more diverse may also be counties where managers and department heads are better trained, more experienced, and more educated.

The recurring results indicating positive relationships between EEO claims and measures of training, experience, and education seem counterintuitive in light of the results linking higher knowledge of law and lower EEO claims, especially considering the results from Chapter Three, Survey Results Analysis, that suggest individual level training, experience, and education are determinants of knowledge of law. Additional research that incorporates confidential, EEOC county workforce data on race, sex, age, and disability have the potential to greatly enhance our understanding of the complicated relationship between knowledge of law and EEOC and federal case claims made against counties.

Table 23. Survey Respondents' Inherent Characteristics**County Percentage of Respondents Who are Female with > 10 Years Tenure**

	frequency	percent
0 percent female	74	77.89
33.3 percent female	3	3.16
40 percent female	2	2.11
50 percent female	7	7.37
66.6 percent female	1	1.05
100 percent female	8	8.42
	N = 95	

County Percentage of Respondents Who are Non White with > 10 Years Tenure

	frequency	percent
0 percent non white	86	90.53
33.3 percent non white	1	1.05
50 percent non white	3	3.16
100 percent non white	5	5.26
	N = 95	

Mean of Age in Years for County Respondents with > 10 Years Tenure

mean	standard deviation	range
57.18817	6.015619	44 - 75
	N = 93	

Table 24. County Position & Tenure**Position of Survey Respondents' with >10 Years Tenure**

	frequency	percent
Recreation and Parks Department Head	15	15.79
Public Works Department Head	15	15.79
Planning Department Head	12	12.63
Finance Department Head	6	6.32
Sheriff	29	30.53
County Manager	14	14.74
Human Resources Department Head	4	4.21
	N = 95	

Mean Tenure of County Respondents' with >10 Years of Tenure in Current Position

mean	standard deviation	range
18.9214	5.63666	11 - 34
	N = 95	

Mean Tenure in Public Sector of County Respondents' with >10 Years of Tenure in Current Position

mean	standard deviation	range
27.68737	8.040101	10 - 50
	N = 95	

Respondent Held a Similar Private Sector Position

	frequency	percent
0 percent	53	55.79
33.3 percent	1	1.05
40 percent	3	3.16
50 percent	12	12.63
66.6 percent	2	2.11
100 percent	24	25.26
	N = 95	

Table 25. Educational Attainment & Training of Survey Respondents' with >10 Years Tenure**Highest Educational Attainment**

	frequency	percent
High School	25	26.32
Some College	24	25.26
2-yr, Associate's Degree	7	7.37
4-yr, Bachelor's Degree	22	23.16
Master's Degree	13	13.68
Law Degree	3	3.16
Ph.D. or Equivalent	1	1.05
	N = 95	

**County Percentage of Respondents with Masters of
Public Administration**

	frequency	percent
0 percent	86	90.53
33.3 percent	2	2.11
50 percent	2	2.11
100 percent	5	5.26
	N = 95	

**County Percentage of Respondents with Employment
Law Training**

	frequency	percent
0 percent	32	33.68
33.3 percent	3	3.16
50 percent	15	15.79
66.6 percent	2	2.11
80 percent	2	2.11
100 percent	41	43.16
	N = 95	

**County Percentage of Respondents with Human
Resource Certification**

	frequency	percent
0 percent	85	89.47
20 percent	1	1.05
33.3 percent	3	3.16
50 percent	2	2.11
100 percent	4	4.21
	N = 95	

Table 26. Model of County EEOC Charges per 1000 Population

Dependent Variable: EEOC Charges per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean overall knowledge of EEO law	-0.016	-2.47***	-0.295
Percent of county respondents having participated in employment law training (dummy)	0.001	1.46*	0.170
Percent of county respondents having completed HR-related professional certification (dummy)	0.000	0.23	0.028
Mean of county respondents' experience in the public sector (years)	0.003	0.82	0.105
Mean of county respondents' tenure in current position (years)	-0.007	-1.19	-0.145
Percent of county respondents who held similar position in the private sector (dummy)	-0.001	-1.70**	-0.209
Percent of county respondents who are HR department head (dummy)	0.001	0.98	0.120
Percent of county respondents having an MPA degree (dummy)	0.002	1.33*	0.155
Percent of county respondents who are female (dummy)	0.003	2.53***	0.301
Percent of county respondents who are nonwhite (dummy)	0.001	0.65	0.070
Mean of county respondents' age in 2008 (years)	0.006	1.02	0.135
2007 county budget (dollars)	0.000	-0.01	-0.002
N = 93 *p < .10 one-tailed test			
R-squared = 0.1652 **p < .05 one-tailed test			
F = 1.32* ***p < .01 one-tailed test			

Table 27. Model of County EEOC Charges per 1000 Population

Dependent Variable: EEOC Charges per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of Title VII	-0.019	-1.8*	-0.201
Percent of county respondents having participated in employment law training (dummy)	0.001	0.96	0.108
Percent of county respondents having completed HR-related professional certification (dummy)	0.000	0.27	0.033
Mean of county respondents' experience in the public sector (years)	0.003	0.67	0.086
Mean of county respondents' tenure in current position (years)	-0.005	-0.87	-0.106
Percent of county respondents who held similar position in the private sector (dummy)	-0.001	-1.12	-0.134
Percent of county respondents who are HR department head (dummy)	0.001	0.64	0.081
Percent of county respondents having an MPA degree (dummy)	0.001	0.80	0.091
Percent of county respondents who are female (dummy)	0.002	2.42***	0.294
Percent of county respondents who are nonwhite (dummy)	0.001	0.67	0.073
Mean of county respondents' age in 2008 (years)	0.004	0.73	0.099
2007 county budget (dollars)	0.000	0.04	0.005
N =	93	*p < .10 one-tailed test	
R-squared =	0.1365	***p < .05 one-tailed test	
F =	1.05	***p < .01 one-tailed test	

Table 28. Model of County EEOC Charges per 1000 Population

Dependent Variable: EEOC Charges per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of the ADEA	-0.025	-1.91**	-0.231
Percent of county respondents having participated in employment law training (dummy)	0.001	1.47*	0.182
Percent of county respondents having completed HR-related professional certification (dummy)	0.000	-0.30	-0.036
Mean of county respondents' experience in the public sector (years)	0.003	0.74	0.095
Mean of county respondents' tenure in current positon (years)	-0.005	-0.88	-0.107
Percent of county respondents who held similar position in the private sector (dummy)	-0.001	-1.44*	-0.177
Percent of county respondents who are HR department head (dummy)	0.002	1.04	0.130
Percent of county respondents having an MPA degree (dummy)	0.001	1.15	0.134
Percent of county respondents who are female (dummy)	0.002	2.41***	0.291
Percent of county respondents who are nonwhite (dummy)	0.001	0.79	0.086
Mean of county respondents' age in 2008 (years)	0.006	1.06	0.143
2007 county budget (dollars)	0.000	0.08	0.009
N = 93 *p < .10 one-tailed test			
R-squared = 0.1409 **p < .05 one-tailed test			
F = 1.09 ***p < .01 one-tailed test			

Table 29. Model of County EEOC Charges per 1000 Population

Dependent Variable: EEOC Charges per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of the ADA	-0.010	-0.70	-0.081
Percent of county respondents having participated in employment law training (dummy)	0.000	0.70	0.080
Percent of county respondents having completed HR-related professional certification (dummy)	0.000	-0.12	-0.014
Mean of county respondents' experience in the public sector (years)	0.003	0.62	0.082
Mean of county respondents' tenure in current position (years)	-0.004	-0.72	-0.089
Percent of county respondents who held similar position in the private sector (dummy)	-0.001	-1.10	-0.139
Percent of county respondents who are HR department head (dummy)	0.001	0.94	0.120
Percent of county respondents having an MPA degree (dummy)	0.001	0.82	0.097
Percent of county respondents who are female (dummy)	0.002	2.13**	0.261
Percent of county respondents who are nonwhite (dummy)	0.001	0.88	0.098
Mean of county respondents' age in 2008 (years)	0.005	0.84	0.115
2007 county budget (dollars)	0.000	0.00	0.000
N =	93	*p < .10 one-tailed test	
R-squared =	0.1071	***p < .05 one-tailed test	
F =	0.80	***p < .01 one-tailed test	

Table 30. Model of County EEOC Bases per 1000 Population

Dependent Variable: EEOC Bases per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean overall knowledge of EEO law	-0.025	-2.22**	-0.258
Percent of county respondents having participated in employment law training (dummy)	0.002	1.67**	0.188
Percent of county respondents having completed HR-related professional certification (dummy)	0.001	0.51	0.059
Mean of county respondents' experience in the public sector (years)	0.012	1.70**	0.211
Mean of county respondents' tenure in current position (years)	-0.012	-1.22	-0.145
Percent of county respondents who held similar position in the private sector (dummy)	-0.001	-0.76	-0.091
Percent of county respondents who are HR department head (dummy)	0.002	0.91	0.109
Percent of county respondents having an MPA degree (dummy)	0.004	1.58*	0.178
Percent of county respondents who are female (dummy)	0.006	3.22***	0.373
Percent of county respondents who are nonwhite (dummy)	0.002	0.79	0.083
Mean of county respondents' age in 2008 (years)	0.009	0.92	0.119
2007 county budget (dollars)	0.000	-0.43	-0.047
N =	93	*p < .10 one-tailed test	
R-squared =	0.2130	**p < .05 one-tailed test	
F =	1.80**	***p < .01 one-tailed test	

Table 31. Model of County EEOC Bases per 1000 Population

Dependent Variable: EEOC Bases per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of Title VII	-0.031	-1.67**	-0.180
Percent of county respondents having participated in employment law training (dummy)	0.001	1.23	0.135
Percent of county respondents having completed HR-related professional certification (dummy)	0.002	0.55	0.066
Mean of county respondents' experience in the public sector (years)	0.011	1.56*	0.195
Mean of county respondents' tenure in current position (years)	-0.009	-0.95	-0.112
Percent of county respondents who held similar position in the private sector (dummy)	0.000	-0.22	-0.026
Percent of county respondents who are HR department head (dummy)	0.002	0.61	0.074
Percent of county respondents having an MPA degree (dummy)	0.002	1.11	0.123
Percent of county respondents who are female (dummy)	0.006	3.13***	0.368
Percent of county respondents who are nonwhite (dummy)	0.002	0.80	0.085
Mean of county respondents' age in 2008 (years)	0.007	0.67	0.087
2007 county budget (dollars)	0.000	-0.37	-0.042
N =	93	*p < .10 one-tailed test	
R-squared =	0.01926	***p < .05 one-tailed test	
F =	1.59*	***p < .01 one-tailed test	

Table 32. Model of County EEOC Bases per 1000 Population

Dependent Variable: EEOC Bases per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of the ADEA	-0.036	-1.56*	-0.183
Percent of county respondents having participated in employment law training (dummy)	0.002	1.58*	0.190
Percent of county respondents having completed HR-related professional certification (dummy)	0.000	0.04	0.005
Mean of county respondents' experience in the public sector (years)	0.012	1.60*	0.201
Mean of county respondents' tenure in current position (years)	-0.009	-0.93	-0.109
Percent of county respondents who held similar position in the private sector (dummy)	-0.001	-0.48	-0.058
Percent of county respondents who are HR department head (dummy)	0.003	0.95	0.115
Percent of county respondents having an MPA degree (dummy)	0.003	1.37*	0.155
Percent of county respondents who are female (dummy)	0.006	3.08***	0.362
Percent of county respondents who are nonwhite (dummy)	0.002	0.93	0.099
Mean of county respondents' age in 2008 (years)	0.010	0.94	0.123
2007 county budget (dollars)	0.000	-0.35	-0.039
N =	93	*p < .10 one-tailed test	
R-squared =	0.1891	***p < .05 one-tailed test	
F =	1.55*	***p < .01 one-tailed test	

Table 33. Model of County EEOC Bases per 1000 Population

Dependent Variable: EEOC Bases per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of the ADA	-0.018	-0.74	-0.082
Percent of county respondents having participated in employment law training (dummy)	0.001	0.99	0.109
Percent of county respondents having completed HR-related professional certification (dummy)	0.001	0.20	0.023
Mean of county respondents' experience in the public sector (years)	0.011	1.51*	0.192
Mean of county respondents' tenure in current position (years)	-0.008	-0.82	-0.098
Percent of county respondents who held similar position in the private sector (dummy)	0.000	-0.27	-0.032
Percent of county respondents who are HR department head (dummy)	0.002	0.90	0.111
Percent of county respondents having an MPA degree (dummy)	0.003	1.14	0.130
Percent of county respondents who are female (dummy)	0.005	2.86***	0.338
Percent of county respondents who are nonwhite (dummy)	0.002	1.01	0.108
Mean of county respondents' age in 2008 (years)	0.008	0.78	0.102
2007 county budget (dollars)	0.000	-0.42	-0.047

N = 93 *p < .10 one-tailed test
 R-squared = 0.1702 **p < .05 one-tailed test
 F = 1.37* ***p < .01 one-tailed test

Table 34. Model of County EEOC Allegations per 1000 Population

Dependent Variable: EEOC Allegations per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean overall knowledge of EEO law	-0.022	-2.63***	-0.307
Percent of county respondents having participated in employment law training (dummy)	0.002	1.71**	0.193
Percent of county respondents having completed HR-related professional certification (dummy)	0.002	0.88	0.102
Mean of county respondents' experience in the public sector (years)	0.009	1.63*	0.203
Mean of county respondents' tenure in current positon (years)	-0.008	-1.02	-0.121
Percent of county respondents who held similar position in the private sector (dummy)	-0.001	-0.89	-0.107
Percent of county respondents who are HR department head (dummy)	0.001	0.59	0.071
Percent of county respondents having an MPA degree (dummy)	0.002	1.36*	0.154
Percent of county respondents who are female (dummy)	0.004	3.05***	0.355
Percent of county respondents who are nonwhite (dummy)	0.001	0.66	0.069
Mean of county respondents' age in 2008 (years)	0.007	0.89	0.115
2007 county budget (dollars)	0.000	-0.42	-0.046
N = 93 *p < .10 one-tailed test			
R-squared = 0.2060 **p < .05 one-tailed test			
F = 1.73** ***p < .01 one-tailed test			

Table 35. Model of County EEOC Allegations per 1000 Population

Dependent Variable: EEOC Allegations per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of Title VII	-0.025	-1.83**	-0.201
Percent of county respondents having participated in employment law training (dummy)	0.001	1.16	0.128
Percent of county respondents having completed HR-related professional certification (dummy)	0.002	0.88	0.106
Mean of county respondents' experience in the public sector (years)	0.008	1.44*	0.183
Mean of county respondents' tenure in current position (years)	-0.005	-0.67	-0.080
Percent of county respondents who held similar position in the private sector (dummy)	0.000	-0.24	-0.028
Percent of county respondents who are HR department head (dummy)	0.001	0.25	0.031
Percent of county respondents having an MPA degree (dummy)	0.001	0.78	0.088
Percent of county respondents who are female (dummy)	0.004	2.91***	0.346
Percent of county respondents who are nonwhite (dummy)	0.001	0.69	0.074
Mean of county respondents' age in 2008 (years)	0.005	0.59	0.078
2007 county budget (dollars)	0.000	-0.35	-0.039
N =	93	*p < .10 one-tailed test	
R-squared =	0.1720	***p < .05 one-tailed test	
F =	1.39*	***p < .01 one-tailed test	

Table 36. Model of County EEOC Allegations per 1000 Population

Dependent Variable: EEOC Allegations per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of the ADEA	-0.032	-1.83**	-0.218
Percent of county respondents having participated in employment law training (dummy)	0.002	1.61*	0.196
Percent of county respondents having completed HR-related professional certification (dummy)	0.001	0.32	0.037
Mean of county respondents' experience in the public sector (years)	0.008	1.50*	0.191
Mean of county respondents' tenure in current position (years)	-0.005	-0.66	-0.079
Percent of county respondents who held similar position in the private sector (dummy)	-0.001	-0.56	-0.067
Percent of county respondents who are HR department head (dummy)	0.001	0.64	0.079
Percent of county respondents having an MPA degree (dummy)	0.002	1.11	0.127
Percent of county respondents who are female (dummy)	0.004	2.88***	0.342
Percent of county respondents who are nonwhite (dummy)	0.001	0.82	0.088
Mean of county respondents' age in 2008 (years)	0.007	0.91	0.121
2007 county budget (dollars)	0.000	-0.32	-0.036
N =	93	*p < .10 one-tailed test	
R-squared =	0.1719	***p < .05 one-tailed test	
F =	1.38*	***p < .01 one-tailed test	

Table 37. Model of County EEOC Allegations per 1000 Population

Dependent Variable: EEOC Allegations per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of the ADA	-0.019	-1.04	-0.117
Percent of county respondents having participated in employment law training (dummy)	0.001	0.90	0.100
Percent of county respondents having completed HR-related professional certification (dummy)	0.001	0.51	0.061
Mean of county respondents' experience in the public sector (years)	0.008	1.41**	0.181
Mean of county respondents' tenure in current position (years)	-0.004	-0.57	-0.069
Percent of county respondents who held similar position in the private sector (dummy)	0.000	-0.35	-0.043
Percent of county respondents who are HR department head (dummy)	0.001	0.61	0.076
Percent of county respondents having an MPA degree (dummy)	0.001	0.87	0.101
Percent of county respondents who are female (dummy)	0.004	2.61***	0.312
Percent of county respondents who are nonwhite (dummy)	0.001	0.91	0.099
Mean of county respondents' age in 2008 (years)	0.006	0.73	0.097
2007 county budget (dollars)	0.000	-0.41	-0.047
N =	93	*p < .10 one-tailed test	
R-squared =	0.1487	***p < .05 one-tailed test	
F =	1.16	***p < .01 one-tailed test	

Table 38. Model of County Federal Cases per 1000 Population

Dependent Variable: Federal Cases per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean overall knowledge of EEO law	-0.003	-1.40*	-0.165
Percent of county respondents having participated in employment law training (dummy)	0.000	-0.06	-0.006
Percent of county respondents having completed HR-related professional certification (dummy)	-0.001	-0.98	-0.115
Mean of county respondents' experience in the public sector (years)	-0.001	-0.61	-0.077
Mean of county respondents' tenure in current position (years)	-0.002	-1.02	-0.122
Percent of county respondents who held similar position in the private sector (dummy)	0.000	-0.87	-0.106
Percent of county respondents who are HR department head (dummy)	0.000	0.42	0.051
Percent of county respondents having an MPA degree (dummy)	0.000	0.00	0.000
Percent of county respondents who are female (dummy)	0.000	0.91	0.107
Percent of county respondents who are nonwhite (dummy)	0.001	3.30***	0.350
Mean of county respondents' age in 2008 (years)	0.004	2.05**	0.268
2007 county budget (dollars)	0.000	-0.42	-0.046
N =	93	*p < .10 one-tailed test	
R-squared =	0.1885	**p < .05 one-tailed test	
F =	1.55*	***p < .01 one-tailed test	

Table 39. Model of County Federal Cases per 1000 Population

Dependent Variable: Federal Cases per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of Title VII	-0.004	-0.89	-0.098
Percent of county respondents having participated in employment law training (dummy)	0.000	-0.39	-0.043
Percent of county respondents having completed HR-related professional certification (dummy)	-0.001	-0.97	-0.116
Mean of county respondents' experience in the public sector (years)	-0.001	-0.70	-0.089
Mean of county respondents' tenure in current positon (years)	-0.002	-0.83	-0.098
Percent of county respondents who held similar position in the private sector (dummy)	0.000	-0.53	-0.062
Percent of county respondents who are HR department head (dummy)	0.000	0.25	0.031
Percent of county respondents having an MPA degree (dummy)	0.000	-0.32	-0.036
Percent of county respondents who are female (dummy)	0.000	0.85	0.101
Percent of county respondents who are nonwhite (dummy)	0.001	3.30***	0.354
Mean of county respondents' age in 2008 (years)	0.004	1.89**	0.248
2007 county budget (dollars)	0.000	-0.38	-0.043
N = 93 *p < .10 one-tailed test			
R-squared = 0.1768 ***p < .05 one-tailed test			
F = 1.43* ***p < .01 one-tailed test			

Table 40. Model of County Federal Cases per 1000 Population

Dependent Variable: Federal Cases per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of the ADEA	-0.009	-1.75**	-0.205
Percent of county respondents having participated in employment law training (dummy)	0.000	0.28	0.034
Percent of county respondents having completed HR-related professional certification (dummy)	-0.001	-1.35*	-0.155
Mean of county respondents' experience in the public sector (years)	-0.001	-0.62	-0.077
Mean of county respondents' tenure in current position (years)	-0.002	-0.95	-0.112
Percent of county respondents who held similar position in the private sector (dummy)	0.000	-0.91	-0.108
Percent of county respondents who are HR department head (dummy)	0.000	0.53	0.064
Percent of county respondents having an MPA degree (dummy)	0.000	0.06	0.007
Percent of county respondents who are female (dummy)	0.000	0.95	0.110
Percent of county respondents who are nonwhite (dummy)	0.001	3.39***	0.356
Mean of county respondents' age in 2008 (years)	0.005	2.18**	0.284
2007 county budget (dollars)	0.000	-0.36	-0.040
N = 93 *p < .10 one-tailed test			
R-squared = 0.1993 **p < .05 one-tailed test			
F = 1.66* ***p < .01 one-tailed test			

Table 41. Model of County Federal Cases per 1000 Population

Dependent Variable: Federal Cases per 1000 Population, 1997 - 2007			
	Unstandardized coefficient	t statistic	Standardized coefficient
County mean knowledge of the ADA	0.000	0.07	0.007
Percent of county respondents having participated in employment law training (dummy)	0.000	-0.52	-0.057
Percent of county respondents having completed HR-related professional certification (dummy)	-0.001	-1.22	-0.143
Mean of county respondents' experience in the public sector (years)	-0.001	-0.74	-0.094
Mean of county respondents' tenure in current position (years)	-0.001	-0.69	-0.082
Percent of county respondents who held similar position in the private sector (dummy)	0.000	-0.42	-0.051
Percent of county respondents who are HR department head (dummy)	0.000	0.35	0.043
Percent of county respondents having an MPA degree (dummy)	0.000	-0.38	-0.044
Percent of county respondents who are female (dummy)	0.000	0.73	0.087
Percent of county respondents who are nonwhite (dummy)	0.002	3.42***	0.366
Mean of county respondents' age in 2008 (years)	0.004	1.91**	0.252
2007 county budget (dollars)	0.000	-0.37	-0.042
N = 93 *p < .10 one-tailed test			
R-squared = 0.1686 ***p < .05 one-tailed test			
F = 1.35* ***p < .01 one-tailed test			

Chapter 6 - Conclusion

This dissertation has stressed the essential role of law in public administration and has focused on assessing the function of law as one element of public managers' professionalism. Considering the exploratory nature of research into the association between law and public managers' professionalism, I chose to highlight an area of public management where the law is especially important, human resource management. Law is influential throughout public administration, but perhaps it is most evident in the context of public human resources management. In the human resources area, the law both maintains public employees' rights and dictates public managers' behaviors. Further, the law has an impact throughout the public employment relationship. EEO law, the subject of this analysis, prohibits discrimination on a wide range of individual characteristics in every aspect of the employment setting, including hiring, pay, training, promotion, and termination. Appropriately, the scope of EEO law offers support for the repeated contention that law serves as both a foundation of and a constraint on public administration (Rosenbloom, 2007; Lee and Rosenbloom 2005, Bertelli, 2005; Moe and Gilmour 1995).

In order to examine law as an element of public managers' professionalism, I considered two core questions: what is the level of public administrators' professional knowledge of law and what are the determinants of that knowledge? Assessing the level of legal knowledge required current evidence of how much managers know about the law. To collect that evidence, I developed a survey of managers and department heads in county governments in the state of Georgia. The survey data provided a means to

estimate how much public managers know about the law, to investigate the factors that contribute to that knowledge of law, and to scrutinize the association between the level of legal knowledge and claims the law has been violated.

Responding to the two research questions above also necessitated the use of several additional sources of information to capture the many possible determinants of public managers' knowledge. The professionalism literature provided a starting point for assessing the determinants of knowledge of law by demonstrating the combined relevance of an individual's education, professional training, and practical experience (Evetts, 2003; van Bockel and Noordegraaf, 2006). Both the public administration and professionalism literature recommended several appropriate measures of education and professional training, and survey respondents' self-reported information regarding their education, relevant professional training, and experience was utilized in the analysis. However, because of the distinctive nature of practical experience with EEO law, I incorporated two additional sources of data to capture direct, specific, experience with EEO law: claims of EEO violations made with the EEOC and cases alleging EEO violations filed with the federal courts.

Including the EEOC and federal case data enabled me to more fully consider the types of practical experience that could determine a public manager's knowledge of EEO law, but it also helped me to scrutinize the possible causal association between managers' knowledge of EEO law and employee claims of EEO violations. It was not possible to initially predict the direction of causality in the potential relationship between a manager's knowledge of law and employee claims of violations of the law. Perhaps addressing employee EEOC and federal case filings serves as practical experience for the

public manager, and these claims would be one of many determinants of a manager's knowledge of law. Equally as plausible, a manager's knowledge of law, if it was significant, could lead to better personnel practices and, as a result, fewer claims by employees that the law was violated.

A Summary of Findings

Taken as a whole, the dissertation results suggest that many factors contribute to managers' and department heads' knowledge of federal EEO law and that knowledge of law may have the potential to influence organizational performance. The results indicate that Georgia county managers have a relatively high knowledge of EEO law, but their level of expertise varies regarding Title VII, the ADEA, and the ADA. Moreover, the survey findings regarding the determinants of knowledge of law support professionalism's three-fold foundation of education, experience, and training maintained in the literature. Further, survey results suggest that these determinants are many and varied. The case study analysis reinforces those organizational theory arguments that support the role of leadership in organizational culture as well as the proposition that numerous, interacting factors contribute to successful organizational culture (Khademian, 2002). Finally, the analysis of the alternate regression models strengthens the proposition that knowledge of law can moderate the number of claims filed for violations of law. Overall, the dissertation results suggest an association between knowledge of law and alleged violations of the same laws.

Specifically, the survey analysis finds that Georgia county managers and department heads are reasonably well-versed in EEO law. They have a significantly better knowledge of and certainty regarding Title VII, as opposed to the ADEA and the

ADA. Notably, the regression analyses also indicate the widespread significance of employment law specific training to managers' knowledge of law. The findings indicate that employment law training is a significant, positive indicator of overall knowledge of law, knowledge of Title VII, knowledge of the ADEA, and knowledge of the ADA. In conjunction, the survey findings also provide support for the relevance of human resource-related certification for all types of knowledge of law except knowledge of the ADA. Taken together, these findings suggest that professional, in-service training has the potential to significantly enhance managers' and department heads' knowledge of EEO law. The results also indicate that, in addition to employment law training, a manager's or department head's knowledge of the ADA is influenced by completion of an MPA degree as well as practical experience in a similar private sector position or experience as a human resources department head.

While the case study only incorporated interviews from two Georgia counties, and the number of interviews was small, the choice of two counties that performed significantly differently from the remaining 146 counties represented in the survey had the potential to provide interesting insights. The case study analysis offered support for organizational theory scholars who argue that leadership can influence organizational culture. Further, the multiple sources of leadership, collaborative, and financial support for EEO in the high knowledge of law county suggest that numerous reinforcing elements are needed to develop a successful organizational culture. This is in stark contrast with the low knowledge of law county where the apparent lack of leadership support for EEO was accompanied by a lack of interest in EEO law among the county department heads interviewed and an extraordinarily low knowledge of law score for the county.

Finally, although the findings from the alternative models presented in Chapter Five have much more limited value because of both the smaller sample size and the inability to pinpoint when a manager or department head gained his or her knowledge of EEO law, they offer interesting suggestions. The consistent, negative association between claims of EEO discrimination and knowledge of Title VII, knowledge of the ADEA, and overall knowledge of EEO law imply that as county managers' and department heads' knowledge of law increases the number of EEOC charges and federal lawsuits filed against a county declines. Accordingly, increasing county wide knowledge of EEO law could have a practical impact on organizational performance by reducing the likelihood of employee claims of EEO violations.

Contributions to the Field of Public Administration

This research expands our understanding of law and public administration by measuring how much public managers know about EEO law and by uncovering several of the determinants of that knowledge. Further, this project is the first work to combine original survey data, restricted access EEOC data, and unpublished data on the number of alleged violations pursued in federal court. But perhaps its most important contribution is the examination of the association between knowledge of law and claims of EEO violations to assess the practical implications of knowledge of law.

The benefits to studying law and human resources at the county level are twofold. Scholars note frequently that counties receive less attention in the public administration literature, and Streib and his colleagues recommended professionalism as a key topic for the county research agenda (Menzel et al, 1992; Svava, 1996; Streib et al 2007). These

findings begin to clarify the determinants of one element of professionalism and further contribute to our understanding of why professionalism may matter for county performance.

Additionally, the value of increasing human resource-related research on counties is all the more striking because counties employ more than twelve million workers across the United States (U.S. Census Bureau, 2008). Consequently, the research questions presented have additional practical significance because county governments comprise such a large proportion of the public workforce and because they often represent the closest link between citizens and their government. Moreover, county employees' responsibilities have grown while the research into counties has lagged behind that of federal, state, and even city government (Streib, et al 2007). Finally, while considerable recent research has examined EEOC filings against private employers, relatively little has addressed the factors that affect filings against local government employers (Hirsh 2008, Reid, Kerr, and Miller 2003). As the largest sector of public employment in this country, research on counties has the potential for widespread relevance. These findings offer a significant contribution to our theoretical understanding of law as one element of county managers' and department heads' professionalism. The results of the survey analysis also present the first look at the level of EEO knowledge of law by public managers. Those results also offer more generalizable information regarding the factors that contribute to county managers' and department heads' knowledge of law.

The practical scope of this research is enhanced by the knowledge that Title VII, the ADEA, and the ADA protect the twelve million local government personnel from employment discrimination based on race, sex, color, religion, national origin, age, and

disability and make the EEOC responsible for investigating charges of employment discrimination against local governments. Moreover, in addition to the size of the county government workforce population, the great variety of county government occupational categories makes the county government workforce especially well suited to mirror our diverse society. Thus, by following the requirements of Title VII, the ADEA, and the ADA, local governments can be examples of the benefits of compliance to private sector firms in the area. Accordingly, the findings from the alternative regression models present a first step towards understanding the links between county managers' and department heads' knowledge of law and claims of discrimination made both with the EEOC and in federal court. Although the alternative models' findings are subject to limitations, they provide a strong foundation for further research into the factors that influence claims of EEO violation, and accordingly, county performance.

Future Research

Local governments with fifteen or more employees are required to record biennial statistics detailing the diversity of their workforce and report this information to the EEOC on a rotating biennial basis. The county EEO-4 Reports measure the percentage of women and minority employees in the government workforce and could offer a means of assessing the impact of organizational and demographic characteristics as well as knowledge of law on county EEO liability.

Building on the findings regarding the determinants of county managers' and department head's knowledge of law, and the possibility that knowledge is negatively associated with the number of EEO claims made against the county, future research could

benefit from the inclusion of county workforce demographic data. The EEOC's confidential EEO-4 reports may provide a link from the current results to more generalizable findings regarding the determinants of EEO claims against counties. The alternative models presented in Chapter Five indicate that experience, training, and education are all associated with knowledge of law. However, it is likely that workforce demographic data are also significantly associated with claims and cases filed. Such variables as the racial /ethnic composition of county workforces were not included in the present analysis because the EEOC only publically releases these data in their aggregate form. To have access to the workforce demographic data provided by the EEO-4 Reports, I would need to be faculty at a state institution in order to be eligible to enter into an intra-agency personnel agreement with the EEOC.

Including county workforce demographic data in a future analysis of the determinants of EEOC and federal court filings could help to untangle these conflicting associations. It is possible that managerial knowledge of EEO law has the potential to moderate the relationship between workforce diversity and claims of EEO discrimination. Analyzing county workforce data could facilitate a close examination of the level of county supervisors' substantive knowledge of federal EEO laws and how that knowledge might affect the relationships between existing county workforce diversity and EEO compliance.

Greater understanding of county government diversity can contribute to more responsive public administration practice, specifically public human resource administration. The results of further research on knowledge of law, workforce diversity, and county liability would be significant to national, state, and local governments and

interest groups that advance public human resource administration. In particular, such a study could be used as a foundation to coordinate a wide-scale interest group dialog regarding the potential value of developing and disseminating nationwide EEO training at the county level. Most importantly, the findings of this research can serve as a basis for integrating national, state, and local interest group support for public policy change, as well as corresponding changes in local communities across the United States.

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Human Resource Management and Law: A Survey of Georgia County Managers and Department Heads

PLEASE FOLLOW THESE INSTRUCTIONS...

- ♦ Use a blue or black ink pen to fill out this questionnaire. (DO NOT USE A PENCIL)
- ♦ Completely fill in the appropriate bubble like this ●.
- ♦ If you make a mistake, mark through the incorrect bubble like this ✕, and fill in the correct bubble.



PART I: Legal issues related to Title VII of the Civil Rights Act of 1964, as amended (Title VII)

We are interested in the degree to which you believe the following statements to be true or false. For each of the statements, please indicate whether you are completely certain the statement is true, somewhat certain it is true, somewhat certain it is false, or completely certain it is false. Please be assured that your responses are completely confidential.

	Completely Certain it is False ▼	Somewhat Certain it is False ▼	Somewhat Certain it is True ▼	Completely Certain it is True ▼
1. It is unlawful for a county to discriminate in employment based on any of the following: race, color, sex, religion, and national origin.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. If a county refuses to let a pregnant county employee work full-time, even though she is capable of performing all job functions, that action does not violate the law.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. The law allows a county to implement any cost-saving employment policy, even when the policy has an adverse impact against employees based on race.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. If one county employee commits sexual harassment against another county employee, the county cannot be liable under the law.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. The county may be required by law to allow an employee to wear a religious head covering.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. It is unlawful for a county to discriminate based on race, color, sex, religion, or national origin in any personnel function, including: hiring, training, pay and promotion.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. The law requires a county to develop a sexual harassment policy, to distribute the policy to all employees, and to train employees on the policy.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. If a county refuses to promote any employee who is capable of performing all job functions but speaks with a heavy accent, that refusal does not violate the law.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. It is unlawful when a county supervisor refuses to promote an employee in retaliation for filing a sexual harassment claim.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. It is unlawful for a county to discriminate in employment based on ancestry or ethnic characteristics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. The law requires a county to have a sexual harassment policy that allows a complaint about a supervisor to be made outside of the employee's chain of command.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. Sexual harassment by a female county supervisor against a male county employee does not violate the law.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

PART II: Legal issues related to the Age Discrimination in Employment Act of 1967 (ADEA)

We are interested in the degree to which you believe the following statements to be true or false. For each of the statements, please indicate whether you are completely certain the statement is true, somewhat certain it is true, somewhat certain it is false, or completely certain it is false. Please be assured that your responses are completely confidential.

	Completely Certain it is False ▼	Somewhat Certain it is False ▼	Somewhat Certain it is True ▼	Completely Certain it is True ▼
1. The law protects county employees from age discrimination in employment beginning at age 50 - younger employees are not protected.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. A county early retirement cash incentive plan that gives lower payments to older workers based on age does not violate the law.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. The law allows a county to use mandatory retirement rules for certain public safety personnel.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. It does not violate the law if a county requires every employee to pass a medical exam at age 70 in order to continue employment.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. It is unlawful for a county to offer Medicare-eligible retirees less health insurance coverage than retirees who are not Medicare-eligible.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. If a county offers fewer training opportunities once an employee reaches the age of 50, that action does not violate the law.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

PART III: Legal issues related to the Americans with Disabilities Act of 1990 (ADA)

We are interested in the degree to which you believe the following statements to be true or false. For each of the statements, please indicate whether you are completely certain the statement is true, somewhat certain it is true, somewhat certain it is false, or completely certain it is false. Please be assured that your responses are completely confidential.

	Completely Certain it is False ▼	Somewhat Certain it is False ▼	Somewhat Certain it is True ▼	Completely Certain it is True ▼
1. According to the law, a county must provide a reasonable accommodation to a qualified candidate who needs that accommodation to take an employment exam.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. It is unlawful for a county to refuse an exception to its leave policy when a qualified employee needs extended leave to treat a disability.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. According to the law, current illegal drug use by a county employee is a disability.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. The law allows a county to reject an applicant based on a qualified physical disability that could lead to disability claims in the future.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. According to the law, a county is not required to provide a reasonable accommodation in the job setting unless a person is qualified to perform the essential job functions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. The law does not require a county to suffer undue financial hardship to make a reasonable accommodation.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

PART IV: Respondent Information

Please enter the appropriate response for each question. Be assured that your responses are completely confidential.

1. What year were you born?

1	9		
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2. What is your sex?

☐ Female

☐ Male

3. What is your race/ethnicity? (Select all that apply.)

☐ American Indian or Alaska Native

☐ Asian

☐ Black or African American

☐ Hispanic or Latino

☐ Native Hawaiian or Other Pacific Islander

☐ White

☐ Some other race

4. Have you worked in the private sector in a position similar to the one you hold now?

☐ Yes

☐ No

5. How many years have you worked in the public sector?

--	--

6. How many years have you held the position that you have now?

--	--

7. Have you ever participated in training on employment law?

☐ Yes

☐ No

→ If yes, how many times have you participated in employment law training during the past ten years?

--	--

→ If yes, what year was your most recent training on employment law?

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8. What is your **highest level** of academic attainment?

☐ High school

☐ Some college

☐ 2 year college (associate's) degree

☐ 4 year college (bachelor's) degree

☐ Master's degree

☐ Law degree

☐ Ph.D. or equivalent

9. If you have a master's degree, what type of degree do you have?

☐ Master of Arts

☐ Master of Public Administration

☐ Master of Science

☐ Master of Social Work

☐ Master of Business Administration

☐ Master of Urban Planning

☐ Other

10. Which of the following professional certifications do you hold?

☐ IPMA-HR-CS (Certified Specialist)

☐ IPMA-HR-CP (Certified Professional)

☐ CPA (certified public accountant)

☐ CFM (certified financial manager)

☐ SHRM-PHR (Professional in Human Resources)

☐ SHRM-SPHR (Senior Professional in Human Resources)

☐ Law Enforcement Training Certification

☐ Basic A-Post Certification

☐ Certified County Administrator

☐ PE (Professional Engineer)

☐ CPRP (Certified Park and Recreation Professional)

☐ AICP (Certified Planner)

☐ Other

Thank you for completing this survey. Your opinions are important! Please use the enclosed envelope to return the survey to: Survey Research, Carl Vinson Institute of Government, University of Georgia, c/o Campus Mail Service, 240 Riverbend Road, Athens, GA 30605-9851

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