

County Managers' Knowledge of Law and Allegations of Employment Law Violations

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Paper prepared for presentation at the 10th Public Management Research Association Conference,
Columbus, Ohio, October 1–4, 2009

Abstract

Scholars label public law as both the foundation of and a constraint on public administration. 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 paper evaluates local government managers' knowledge of law as one element of public administration professionalism.

Employing EEOC and federal case data as well as a survey of 798 county managers and elected and appointed department heads in all 159 Georgia counties, this paper assesses the level of professional knowledge of law among local government administrators and the possible relationship between county managers' knowledge of law and claims of Equal Employment Opportunity (EEO) law violations. By examining the level of federal employment law expertise among Georgia county managers, and the relationship between knowledge of law and allegations of EEO violations, this research has the potential to increase our understanding both of the factors that contribute to managers' legal knowledge and of how important that knowledge is to organizational performance.

Keywords: law, human resources, local government, professionalism

INTRODUCTION

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). They assert that 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 a core question: what is the relationship between county managers' knowledge of law and claims of Equal Employment Opportunity (EEO) law violations?

This question is 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).

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). 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.

LEGAL TRAINING AND 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.

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.

Moreover, public managers who fail to meet these human resources responsibilities open their governments to liability for statutory violations. 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 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 colleagues 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). 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 GPP's choice to focus on 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).

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 to first develop a measure of the level of professional knowledge of law. With an understanding of the level of county managers' and department heads' knowledge of law, it is then possible to examine whether varying levels of knowledge of law influence claims of violations of the law. The present

research is an exploratory effort to measure knowledge of law and then assess whether a relationship exists between knowledge of law and claims of EEO law violations.

DATA AND METHODOLOGY

There are two common forms of claims of county EEO law violations, charges filed with the EEOC and cases filed in federal court. In order to capture a variety of EEO claims made against Georgia counties, this research utilizes both Equal Employment Opportunity Commission (EEOC) charge filings data and data on the number of federal EEO cases filed. 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.

To develop a measure of county managers' professional understanding of employment law, this research employed a survey of managers and department heads¹ in each of Georgia's 159 counties conducted during fall 2008 (the survey instrument is included as Appendix A). Survey statements examined substantive knowledge of three fundamental federal EEO statutes: Title VII, the ADEA, and the ADA. 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. Accordingly, the survey also recorded respondent characteristics such as completion of an MPA degree, legal training, professional certification, tenure, sex, and race.

The EEOC filings and federal case filings against counties, serve as dependent variables. Independent variables include aggregate measures of knowledge of EEO law among each county's managers and department heads, and aggregate county measures of environmental, behavioral, and demographic characteristics. The variables and model are described in detail below.

Dependent Variables

EEOC filings

I employed data from the EEOC Integrated Mission System (IMS) database to measure the number of charges of employment discrimination made against each Georgia county. 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. Data were pooled over a multi-year period to ensure sufficient variation across the counties. The EEOC charges are unsubstantiated claims of violations of the law. As a result, 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).

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. In order to systematically search all cases of Title VII, ADEA, or ADA violations filed against Georgia county employers between 1997 and 2007, I examined electronic case docket records using the Westlaw legal research service.

Independent Variables

Given the construction of the dependent variables, I limited my sample to only those survey respondents with more than ten years of tenure in their current positions as county manager or department head. This limitation ensures that every respondent served in their current position during the entire period when the EEOC and federal case measures were assessed, between 1997 and 2007. Just over thirty percent, 153 respondents, met the criteria. In addition, because I have county-level dependent variables, I observe the county average for each independent variable. To create a measure of the county level knowledge of law, I calculated the mean knowledge of law scores of the subset of long-tenured 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.

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, but it is not possible to know when prior the respondents gained their knowledge of law. Due to the need to pool data to achieve variation in EEOC charges and federal cases filed, the data on EEOC filings and federal cases covers the entire period from 1997 to 2007. Although, as indicated above, I only included those respondent managers and department heads who served in their current position throughout the 1997-2007 period, the results of the models must be considered in light of this significant limitation.

Knowledge of Law

As previously mentioned, data gathered during a 2008 survey of Georgia county managers and department heads comprise the knowledge of law measure. Survey responses 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: (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 survey statements.² 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 respondents failed to answer a question, the mean response to the question was inserted in place of the missing value.³ The sum of all of the responses to the twenty-two statements comprises the respondent's overall "knowledge of law" score. The additive indices for knowledge of Title VII, knowledge of the ADEA, and knowledge of the ADA were similarly constructed including only those survey statements relevant to the specific law.

Several of the statements are false, so the answer that demonstrates the greatest knowledge of law is (1) completely certain the statement is false.⁴ 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 overall survey response rate was 64%, with replies from 514 county managers and department heads who represent 94% of Georgia's counties. Additionally, 98% of respondents completed at least twenty of the twenty-two "knowledge of law" statements. The sample was first limited to these 98% of respondents who answered at least twenty questions, dropping the total number of observations to 504. As previously described, I developed four summative indices to evaluate respondents' knowledge of law. 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 following paragraphs detail the survey findings related to all respondents' knowledge of Title VII, the ADEA, the ADA, and overall knowledge of federal EEO law, as summarized in Table 1.

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 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.

I expect that knowledge of law will be negatively associated with the number of EEOC charges 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.

Environmental, Behavioral, and Demographic Influences

Because the number of EEO filings against a county may be a consequence of a series of other factors in addition to managerial knowledge of law, my model of claims of county EEO law violations includes several other independent variables. The county human resources environment, managerial behavior, managers' and department heads' protected EEO class status, and county demographics may each independently influence the number of employee EEO filings against a county. Accordingly, along with knowledge of law, this research examines environmental and managerial characteristics, as well as a county demographic measure that may influence the number of EEOC charges and federal cases filed against a county. The variable used to evaluate each county's human resources environment is the prevalence of employment law training for managers and department heads. Individual characteristics that may influence filings through managers' and department heads' behavior include: professional certifications held, years of experience in the public sector, tenure in current position, private sector experience in a similar position, service as the human resources department head, and completion of an MPA degree. A manager's or department head's protected class status is measured by variables for sex, race, and age. Finally, county budget serves as a demographic measure.

This examination considers whether managers' participation in employment law training raises county employees' awareness of EEO issues thereby influencing the number of EEO claims filed against the county. In order to measure whether a county's managers and department heads have taken part in this specific type of legal training, I asked survey recipients 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. If managerial training results in county employees becoming more sensitive to their own rights, they may be more likely to pursue EEOC charges and federal cases. Consequently, I expect that managerial participation in

employment law training will be positively related to the number of EEOC claims and federal cases filed against a county.

I am also interested in attributes that might influence managerial behavior in a way that causes their employees to consider their EEO rights differently. It is possible that completing a human resources-related certification program could result in changes in a manager's behavior that influences his or her employees to perceive EEO issues as more salient. I measured managers' and department heads' 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.⁵ Due to the potential for influential changes in managerial behavior, I believe that completing a human resource-related certification will also be positively related to the number of EEOC claims and federal cases filed against a county

Similarly, I expect that practical or on-the-job experience could alter a manager's or department head's behavior in such a way that employees are made more aware of their EEO rights. Such experience was assessed with four separate measures, years of experience in the public sector, tenure in the current position, similar private sector 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. Again, I anticipate that each of these measures of managers' and department heads' practical experience may change managerial behavior in a way that emphasizes EEO rights to their employees. Accordingly, I expect that each of the four measures of practical experience will be positively related to the number of EEOC claims and federal cases filed against a county.

Likewise, a manager's or department head's foundational education in public administration may alter his or her behavior in such a way that emphasizes EEO rights to employees. 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. Again, considering the possible influence on employee perceptions, I expect that a manager's or department head's completion of an MPA degree will be positively associated with the number of EEOC claims and federal cases filed against a county.

I also expect to find associations between the number of claims of EEO violations and my measures for mean age of county respondents, whether the county respondents are women, and whether the county respondents are non white. 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. Because my dependent variable is a county level measure of EEOC or federal case filings, I aggregated each of the environmental, behavioral, and individual characteristic variables at the county level. Accordingly, each of the independent variables was transformed into a county level score using the scores from all of the managers and department heads in each county with greater than ten years of tenure in their current position. The county level measures include the county-wide percentage of respondents: with legal training, with professional certifications, with similar private sector experience, who serve as the human resources department head, who have completed an MPA degree, 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.

In the literature on county government operations, two demographic factors have been associated with county performance: population and median household income. 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. To account for variations in county population, the EEOC provided me with data on a per 1000 capita level. In order to consider county population across the ten year time period addressed in this research, my EEOC charges and federal cases variables have 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. In place of a median household income variable, I employed data from the Georgia Department of Community Affairs regarding the 2007 county budget.

THE MODEL

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 set of independent variables.⁶

The model takes the following form:

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

Where:

y = per 1000 capita EEOC charges or per 1000 capita federal cases filed

x_1 = county respondents' mean overall knowledge of employment law, or mean knowledge of Title VII, or mean knowledge of the ADEA, or mean knowledge of the ADA

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

Using a single observation for each county where responding managers and department heads held their current positions for the entire period between 1997 and 2007, I implemented eight separate OLS models in order to analyze the four types of knowledge of law relative to both of my dependent variables: the number of EEOC charges per 1000 capita and number of 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.

FINDINGS AND DISCUSSION

Descriptive Statistics - Subset of Respondents with Tenure between 1997 and 2007

In order to account for the fact that the EEOC and federal case filings measures were pooled for the ten year period between 1997 and 2007, the sample was limited to only those 153 respondents with greater than ten years tenure in their current position. Table 2 presents inherent characteristics of this subset of county survey respondents with greater than ten years of tenure in their current positions. Almost 78 percent of counties had zero female managers and department heads with more than ten years tenure in their current position. More than 90 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 age 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 in favor of sheriffs at more than 30 percent of the sample (see Table 3). 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 counties had respondents without private sector experience in a position similar to their current role.

Table 4 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 of counties have respondents who have completed a masters degree in public administration (MPA). Additionally, almost two thirds of counties have respondents with specific training in employment law. Further, just over ten percent of counties have respondents who completed a human resources-related certification program.

Regression Results

Models of EEOC charges

Tables 5 through 8 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 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 the expected, 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 8). 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 regressions offer mixed results regarding the prevalence of county managers and department heads participating in employment law training. In the models that included mean overall knowledge of EEO law and mean knowledge of the ADEA, training in employment law was positively related to the number of EEOC charges filed, as predicted. In the model including the county's overall knowledge of law score, prevalence of employment law training is positively associated with EEOC charges at the .10 level for a one-tailed test (t score = 1.46). The unstandardized coefficient on county participation in employment law training is .001. In the model that includes the county's knowledge of the ADEA, the prevalence of employment law training is positively associated with EEOC charges at the .10 level for a one-tailed test (t score = 1.47). The unstandardized coefficient on county participation in employment law training is again .001. Participation in employment law training was not significant in the models that included county knowledge of Title VII or county knowledge of the ADA.

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). These findings regarding previous private sector experience do not support my predicted hypotheses of a positive relationship between private sector experience and the number of EEOC charges filed against a county.

Moreover, the regression results do not support the expected relationships between human resources certification, years of experience in the public sector, tenure in current position, experience as the human resources department head, or respondent protected class status regarding race or age. Further, there is only minimal support for my prediction that counties where managers have completed the MPA degree would demonstrate higher numbers of EEOC charges filed. In one of the four models, that which included overall county knowledge of EEO law (presented in Table 5), having an MPA degree is positively associated with the number of EEOC charges filed against a county. The MPA variable is significantly related to the number of EEOC charges filed at the 0.10 level for a one-tailed test (t score = 1.33)

However, 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 through 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 the only significantly related variable and 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).

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 EEOC charges filed in large part because the knowledge of law variables are less consistently significant in the four models. The results of the number of federal cases filed models are presented in Table 9 through Table 12, 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.

In opposite to my prediction, 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 11). Further, the human resources certificate measure was not significantly related to the number of federal cases filed in any of the other three models.

However, 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). Moreover, 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. Also as expected, 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).

CONCLUSION

This research has stressed the essential role of law in public administration and has focused on assessing the consequences of varying knowledge of law on EEO filings against counties. Considering the exploratory nature of research, 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).

The survey 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 regression analyses strengthen the proposition that knowledge of law can moderate the number of claims filed for violations of law. Overall, these results suggest an association between variation in knowledge of law and alleged violations of the same laws.

Finally, although the findings from the regression models have 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. Those counties with more knowledgeable managers are also the counties that typically had fewer EEOC charges and case filings. 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.

The value of increasing human resource-related research on counties is all the more significant 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 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.

These findings 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 regression 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.

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Table 1. 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 2. 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 3. 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 4 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 5. 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 6. 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	-1.80*	-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 7. 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 position (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 8. 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 9. 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 10. 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 position (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 11. 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 12. 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

¹ 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. In order to assess understanding of the federal employment law across all county managers with human resources responsibility, surveys were sent to the county manager as well as a variety of county department heads. In each county, surveys were sent to the following managers (where the position exists): (1) the County Administrator or Manager, (2) the County Human Resources Director, (3) the Sheriff, (4) the Planning/Zoning Director, (5) the Finance Director, (6) the Public Works/Roads Director, and (7) the Parks and Recreation Director.

² 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.

³ 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.

⁴ 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.

⁵ 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.

⁶ I examined the relationships among all of these variables. All correlations were small, and variance inflation factors ranged from 1.34 to 1.38 indicating there is not cause for concern that the independent variables exhibit multicollinearity.

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?

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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?

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

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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?

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→ 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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