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Elizabeth A. Hoffmann*
Department of Sociology and Anthropology
Stone Hall
Purdue University
West Lafayette, IN 47906

(765) 463-4947
hoffmanne@purdue.edu

suggested running head: Worker Cooperative Procedural Justice

* Correspondence may be addressed to Elizabeth A. Hoffmann; Department of Sociology and Anthropology; Purdue University; 1365 Stone Hall; West Lafayette, IN 47907. hoffmanne@soc.purdue.edu. The author wishes to thank Bob Perrucci and Glenn Muschert for their comments on earlier drafts. This research was supported by a National Science Foundation grant (SBR-9801948)

Dispute Resolution in a Worker Cooperative:
Formal Procedures and Procedural Justice

Elizabeth A. Hoffmann¹

Abstract

While most research on workplace grievance resolution focuses on hierarchical settings, this study examines grievance resolution in a worker cooperative, a workplace mutually owned and democratically managed. Drawing on data from in-depth interviews and observations, this research explores how workers' perceptions of procedural justice influence their anticipated grievance strategies. Despite working side-by-side in the same organization, the men and women had very different experiences regarding procedural justice and dispute resolution. For men, working at a cooperative meant informal dispute resolution strategies, while the women cited the cooperative identity as empowering them to use the formal grievance procedures.

I. Introduction

In contrast to much extant research on grievance resolution which examines hierarchical settings, this study focuses on a worker cooperative, a cooperatively owned and democratically managed workplace. In addition to collectively sharing ownership, worker cooperatives embrace

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Correspondence concerning this article should be addressed to Elizabeth A. Hoffmann; Purdue University; Law & Society Program; Department of Sociology and Anthropology; Stone Hall; 700 West State Street; West Lafayette, IN 47907.

egalitarian ideologies and utilize flattened workplace hierarchies with few levels of formal supervision. Thus, in both concept and form, worker cooperatives offer a contrast to the more commonly studied conventional, hierarchical workplace and provide an excellent opportunity to investigate dispute resolution in an arena that challenges many assumptions about workplace power (Cornforth et al. 1988; Linehan and Tucker 1983). The differences within workplaces' formal power structures often influence the grievance resolution strategies workers anticipate using (Kleinman 1996; Tucker 1999). Therefore, one might expect that dispute resolution strategies in a worker cooperative might differ from those found in conventional businesses. In particular, the gender differences documented in various studies of grievance resolution (e.g., Bumiller 1988; Calhoun and Smith 1999; Fletcher 1999; Gwartney-Gibbs and Lach 1992; Gwartney-Gibbs and Lach 1994a; Iannello 1992; Lind, Huo and Tyler 1994; Miller 1992) could be transformed in a workplace that flattens formal hierarchies of power. The hurdles women face in successfully raising grievances in hierarchical organizations might be absent in worker cooperatives, resulting in women's anticipated use of formal grievance procedures looking similar to their male co-workers. Or informal power and other societal inequalities might sufficiently permeate cooperative workplaces and perpetuate the difficulties women contend with in formal grievance resolution.

As a study of people's conceptualizations, this paper explores differences in access to informal and formal grievance resolution options. Using ethnographic methods of interview and observation, this study investigates perceptions of justice among members of a worker cooperative and examines men's and women's strategies for grievance resolution. This paper focuses on one business: Coop Cab, a taxicab company that is owned and operated by its employees.

This study found that these men and women anticipated using different means to seek justice. Men foresaw themselves resolving grievances informally, hesitating to embrace the formality of the grievance procedures. Additionally, they were reluctant to risk damaging their relationships with the male supervisors by using the formal grievance procedures. In contrast, women more often anticipated using the formal process, seeing this as their only option for addressing their grievances. The women voiced no ideological opposition to resolving grievances informally, but simply lacked access to the networks necessary to accomplish informal resolution. Thus, men and women each were left with only one dispute resolution strategy.

I begin this article by presenting a discussion of procedural justice, worker cooperatives, and dispute resolution. Then I explain the data collection methods and describe this study's research setting: a worker cooperative. Next, I present differences in workers' grievance strategies, found along gender lines, and develop a qualitative analysis of these data, focused on issues of worker access and perceptions of justice. I conclude the article by discussing the findings' implications for various grievance-resolution workplace policies and procedures.

II. Theoretical Background

Some scholars demonstrate that flattening the hierarchy of a business affects more than the organizational structure (see Bradley, Estrin and Taylor 1990; Elser 1989; Iannello 1992; Oerton 1996; Rothschild and Whitt 1986; Whyte et al. 1983). Organizational structure affects interpersonal dynamics, the languages of power, and available means and procedures. While some of these studies explore worker cooperatives, none examines workplace grievance resolution specifically. Other studies focus on cooperative grievance resolution, but, instead of

exploring worker cooperatives, they look at housing cooperatives, cooperative communities, and “alternative” but not cooperative organizations (Henry 1983; Kanter 1972; Nader and Todd 1978; Tucker 1999).

Membership in a worker cooperative might strengthen employees’ ability to pursue wrongful actions by providing the confidence and empowerment necessary to raise a grievance over unjust treatment. Linehan and Tucker assert that by “participating in cooperatives, workers acquire new skills in organization and in self-management. Together they achieve what none of them could do alone. In this way, workers’ cooperation allows people an opportunity to gain self-confidence” (1983: 18). Although the extant research does not clarify how fully they realize these goals, it suggests that ideology, structure, and ownership potentially affect members’ decisions regarding whether and how to raise grievances.

Earlier grievance resolution studies document that aggrieved persons sometimes hesitate to bring grievances, despite a belief in their claims’ legitimacy (e.g., Bumiller 1988; Ewick and Silbey 1998; Felstiner, Abel and Sarat 1980-81). This seems especially true in workplace settings. For example, Bumiller explains that the people in her workplace discrimination study did not pursue their claims because they “legitimized their own defeat” (1988: 29). They perceived the confrontation with their supervisors as a “double punishment” and characterized the struggle against perpetrators as unwinnable: “me against the corporation” (1988: 25, 52). Despite experiencing discrimination, these people justified their inaction by exaggerating the tyrannical power of their opponents, usually their managers and supervisors. Many interviewees feared that publicly claiming mistreatment would cause them to lose what little control they had over the situation, rather than gain power (Bumiller 1988).

Worker cooperative advocates assert that such hesitancy about bringing grievances would be absent in cooperative workplaces (Cornforth et al. 1988; Thornley 1981). These scholars and activists explain that workers' ownership of the business should result in the empowerment to assert their needs, feelings, and frustrations without the fear of facing "tyrannical power" or of "unwinnable" struggles. The cooperative structure and ideology should enable the members to raise their concerns – even unpopular ones. Potential grievants in coops should view success as highly possible, since all members are formally equal, and, thus, all have equal chances of being heard. Instead of "tyrannical," the cooperative grievance procedure should be supportive and conciliatory. Tucker's research on an employee-owned business supports this possibility (1999). His study found that flatter organizations dealt with conflict less adversarially and more through conciliation and therapy. Understanding that the employee-owned business solves problems therapeutically could make workers regard the grievance resolution procedures as safer, less frustrating, and less "tyrannical" than workers in conventional, hierarchical organizations.

Additionally, potentially heightened procedural justice might also affect workers' grievance behavior in worker cooperatives. Tyler and Lind, although not studying cooperatives, found that when disputants perceive procedural justice, they accept a wider range of distributive-justice outcomes (2000). Perceptions of procedural justice depend upon three factors: (1) whether disputants trust the authorities handling disputes ("trust"), (2) whether disputants feel that authorities see them as having full status in the group or society ("standing"), and (3) whether disputants believe they will receive nondiscriminatory, neutral treatment ("neutrality") (Tyler and Lind 2000). According to Tyler and Lind, trust reflects the individual authority's character, assures (or fails to assure) the disputant of the authority's future behavior, and links to inferences about the authority's sincerity. Disputants' feelings of standing in the group strongly

link to their treatment; when the authorities treat the disputants poorly, it suggests that they lack full group membership (Tyler and Lind 2000). Neutrality involves “honesty, unbiased treatment, consistency, factual decision-making,” and the perception of a “level playing field” (2000: 76).

If people feel that authorities act fairly in their decision-making, they believe they can obey authorities’ orders without fear of exploitation. In contrast, if authorities seem to act unfairly, people fear exploitation and obedience becomes less likely. Tyler and Lind explain that if people perceive fair treatment (procedural justice), they enter “group mode,” in which they are accommodating and embrace behavior patterns based on fairness, rather than on expected outcomes (distributive justice). However, if they feel poorly treated, they enter “individual mode” and act primarily to maximize individual short-term outcomes rather than focusing on fairness (2000). Thus, the extent to which an organization’s authorities are trusted, respect members’ standing, and exercise neutrality affects how well its members perceive procedural justice within that organization.

In organizations that lack procedural justice, members center on themselves, e.g., focus on individual benefits, pay, and workloads (Tyler and Lind 2000). In organizations that achieve procedural justice, members work together with a sense of group fairness. A shift from “individual mode” to “group mode” holds tremendous implications for dispute resolution. Many worker cooperatives, including the one this case study examines, use democratic processes to create their grievance procedures and to hire their managers. This raises the possibility that cooperatives, such as Coop Cab, might have a heightened level of procedural justice.

How supervisors exercise power also affects whether and how workers experience procedural justice (Tyler and Lind 2000). Organizing a business as a worker cooperative creates the potential for more even power relations and encourages greater workplace equality

(Cornforth et al. 1988; Thornley 1981). But doing so neither guarantees procedural justice nor eliminates power struggles and abuses. Power inequalities occur in numerous relationships, including gendered, economic, experiential, and knowledge relationships (e.g., Foucault 1978; Gaventa 1980; Lukes 1974; Pfeffer 1978). Although the cooperative ideology aims to lessen power inequalities by flattening the hierarchies that define conventional management systems (Cornforth et al. 1988; Linehan and Tucker 1983), power permeates organizations, so that, ultimately, no one can avoid power imbalances (Foucault 1978). Thus, no cooperative can remove all relationships from which power inequalities emerge (Henry 1983).

Kanter differentiates two types of organizational power: formal position attributes and informal network connections (1979). Formal position attributes characterize a job and its associated activities. Informal network connections comprise worker-made alliances throughout an organization (Kanter 1979). For example, position attributes might empower a dispatcher to set fellow workers' staffing schedules; network connections might enable a cab driver to learn the priorities of the as-yet-unwritten monthly agenda. The former is overt, easier to identify, and acknowledged by the organization's members. The latter is more covert, less obvious, and invisible to some members. Both formal and informal power can affect a worker's ability to raise a grievance in a cooperative (Gaventa 1980; Lukes 1974).

Some aspects of worker cooperatives might actually intensify certain forms of informal power and exacerbate workers' inabilities to raise grievances. Perceiving the cooperative's collective needs as more important or more valid than individual members' needs could prevent some workers from voicing concerns and raising grievances. In studying hierarchical organizations, Bumiller found that victims did not raise grievances because they believed in an authority's benevolence, despite the authority's unjust actions (1988). Such beliefs can

contribute to victims' passivity and acceptance in the face of superiors' mistreatment. The resulting passive and trusting behavior could be more pronounced in cooperative workplaces.

Rothschild and Whitt found that worker cooperatives, in contrast to hierarchical businesses, more often emphasize the "ideal of the community" (Rothschild and Whitt 1986: 55). In the worker cooperative ideology, managers emerge from the owner-members as co-equals. These roots enhance employees' beliefs that managers' motivation is solely to help other workers (Rothschild and Whitt 1986), increasing levels of "trust" in managers, and potentially reifying beliefs in managers' benevolence. Workers eventually could accept unfair actions and conditions. Combined, such a cooperative ideology could inhibit workers' ability to assert their needs and rights at each hurdle in the grievance process (Bumiller 1988; Felstiner, Abel and Sarat 1980-81).

Informal dispute resolution could be an area which highlights differences in informal power. Scholars have argued that informal dispute processing further exacerbates power differences between the advantaged and the less powerful workers. Scholars have demonstrated that informal dispute resolution is often more advantageous to those who already possess greater power and advantage (e.g., Abel 1982; Crenshaw 1988; Delgado et al. 1985; Edelman, Erlanger and Lande 1993; Galanter 1974; Grillo 1991; Lazerson 1982; Sarat 1990; Silbey and Sarat 1989). For example, Lazerson studied New York's Housing Court, a replacement to the traditional Landlord-Tenant Court, which was intended to increase the efficiency of the courts by being conciliatory rather than purely adversarial. He found that the Housing Court actually decreased the power of the tenants and the more powerful landlords still had the advantage (Lazerson 1982). Choosing informal rather than formal grievance resolution processes means that the even playing field of a formal hearing is no longer guaranteed (Delgado et al. 1985).

Informal resolution could alter the framing of the grievance issues, circumventing rights indirectly, or explicitly could ignore each party's legal rights, which would be particularly harmful to those who enjoy little social or political power (Abel 1982; Crenshaw 1988; Edelman, Erlanger and Lande 1993; Silbey and Sarat 1989). Furthermore, the gains made informally by one grievant might not advance another similar grievant's cause since informal resolution has little, if any, precedent-setting power (Edelman, Erlanger and Lande 1993). Additionally, when engaging in informal grievance resolution, one must often advocate for oneself, without a "hired gun" attorney who provides expertise in such confrontations or even a lay advocate who at least provides an emotional buffer between the grievant and the conflict, (Delgado et al. 1985; Grillo 1991). When resolving a grievance informally, one must embrace one's own anger and face one's oppressor personally (Grillo 1991). Finally, one must have the informal connections to make informal resolution possible. For example, McEwen, Mather, and Maiman found that women divorce lawyers were less likely to settle informally because they were excluded from the "old boys' network" (1994).

All of these requirements for successful informal grievance resolution might be particularly difficult for women who are taught to avoid confrontation and "owning their anger," are often less advantaged and so have fewer resources and less power, and seldom have the extensive networks to facilitate informal resolution, particularly in male-dominant businesses. However, other scholars found that formal dispute processes could disadvantage women by not being responsive to women's issues and by dissuading women workers from using the formal processes (e.g., Gwartney-Gibbs and Lach 1992; Gwartney-Gibbs and Lach 1994a).

Thus, previous scholars have demonstrated that aggrieved workers might embrace dispute resolution strategies that ultimately do not resolve their grievances. These workers might

be reluctant to bring formal grievances due to fear of confronting their superiors in the organization. Some scholars and activists assert that such problems, stemming from power inequalities, will not be found in worker cooperatives, which flatten formal power and embrace an egalitarian ideology, and, thus, heighten workers' perceptions of justice. With this heightened sense of justice at work, workers enter "group mode" (Tyler and Lind 2000) and are accommodating, rather than self focused. However, the manner in which managers exercise power affects workers' perceptions of justice. While cooperatives minimize formal inequalities, they might not be able to affect informal differences, which could even become exacerbated. Such differences in informal power might be easily seen in workers' strategies regarding formal versus informal dispute resolution.

However, the actual impact of a worker cooperative (flattened) structure and (egalitarian) ideology on workers' dispute strategies is seldom studied, yet this inquiry would produce significant insights, particularly with regard to workers with less informal power in society. Workers with less informal power could include women, racial/ethnic or religious minorities, or differently-abled workers. In this study, women comprise the group with less informal power, since few workers in the other categories were employed at the cooperative.

Thus, the literature suggests two main possibilities regarding the women coop members' dispute strategies: feeling greater ease or more hesitancy in raising formal grievances. In hierarchical organizations, women often face various hurdles with formal grievance resolution (e.g., Bumiller 1988; Calhoun and Smith 1999; Gwartney-Gibbs and Lach 1994a; Gwartney-Gibbs and Lach 1994b). However, in worker cooperatives, women might be empowered by the coop's flattened structure and egalitarian ideology to raise grievances more easily in worker cooperatives – perhaps at the same rate as their male co-workers. Alternatively, women's

attempts to use formal grievance procedures may be thwarted by the hidden manipulations of informal power, especially if men perceive female co-workers as “outsiders” (Kanter 1979), such as in the traditionally male occupation of cab driving. Also, the cooperative ethic of focusing on the organization’s collective needs rather than one’s own needs might more strongly affect women, making women workers more likely to focus on the needs of the cooperative and co-workers, without raising their own concerns (e.g., Acker 1990; Calhoun and Smith 1999; Court 1994; Gilligan 1982; Kanter 1977; Lerner 1985; Major, Bylsma and Cozzarelli 1989). Hence, women might have greater – rather than less – difficulty in raising formal grievances.

This study explores these two possibilities. First, the flattened hierarchy and egalitarian ideology of worker cooperatives could create workplaces in which men and women have similar strategies in raising formal grievances. Second, the informal power and group-focus aspects of the cooperative ideology could increase difficulties women experience in raising formal grievances. Therefore, this study investigates the impact of a non-conventional, non-hierarchical workplace organization on workers’ dispute resolution strategies. With these contrasting theories in mind, I undertook an intensive, qualitative study of one worker cooperative to explore grievance resolution strategies. I focused particularly on expectations of procedural justice and how male and female workers experienced the cooperative workplace differently. I now turn to a description of my case, Coop Cab, and explain my data-collection methods.

III. Methods and the Organization

A. Selection of the Organization

Various characteristics of Coop Cab permitted in-depth exploration into its grievance resolution dynamics, making it the preferred site over other available businesses as discussed

below. I sought a business that was specifically a worker cooperative, rather than another type of more commonly found cooperative. I wanted an organization that was sufficiently large and had a formal grievance procedure. Finally, the business had to be established for several years.

At a *worker* cooperative, I could observe how the organization resolved typical workplace disputes outside a conventional hierarchical structure. Although living in cooperative housing, shopping at food cooperatives, or distributing goods through producer cooperatives could generate problems and grievances, these issues are somewhat idiosyncratic and localized, particular to each type of cooperative. However, a worker cooperative is particularly illustrative because issues are more comparable between the worker cooperative and the conventionally-organized workplace. Both hierarchical and cooperative workplaces experience problems concerning overtime, quality of work environment, harassment, and pay increases.

Additionally, Coop Cab's moderate size (roughly 200 members) allowed the in-depth exploration of gender differences in the resolution of grievances in a cooperative setting – it is large enough to encounter the problems and issues generally found in work environments, yet not so large that it loses sight of its democratic ideals. In very small businesses (e.g., 5-20 workers), interpersonal dynamics and grievance behavior could result from more individual differences and idiosyncrasies rather than the organization's form, ideology, or system of ownership. Also, smaller cooperatives often lack formal grievance procedures. On the other hand, as cooperatives grow larger (250+), they often abandon many of the direct-democratic practices that Coop Cab still embraced (Rothschild and Whitt 1986).

Furthermore, because of my focus on dispute resolution, the cooperative under investigation had to have formal grievance procedures. As discussed above, the procedures involved a Workers' Council, comprised of randomly selected workers to formally hear co-

workers' grievances. Members cited the grievance procedures as important "proof" that the cooperative was run by its workers, not its managers.

Finally, in order to investigate grievance processes thoroughly, the worker cooperative could not be too young or in a state of transition. A newly formed organization might still be adjusting and modifying its procedures, including how it handles grievances. Another advantage of a relatively established cooperative is that the passage of time tests whether the cooperative's business side could survive in a capitalist market. Because the balance of business demands and cooperative ideology can be difficult, worker cooperatives often fail, sell the company to private investors, or lose their commitment to democratic control and adopt conventional management styles (Rock 1991). In contrast, Coop Cab had existed over 20 years at the time of the interviews. The grievance procedures in place are in the same form that Coop Cab had when it was founded. Although Coop Cab constantly reviews its procedures and experiments with minor modifications to its organizational procedures; its established procedures have withstood the test of time.

B. Interview Methods

Because of the subtleties of researching perceptions of, and anticipated strategies for, grievance resolution and due to the exploratory nature of this research, I employed qualitative ethnographic methods to collect data. I interviewed ten men and ten women. These numbers do not represent the actual gender distribution at Coop Cab, as women comprised approximately 16% of the company's workforce. However, a proportional sample of men and women would have produced a scant and insufficient understanding of women cab drivers' experiences. As with any study, the potential for self-selection could bias the results. Because this study focuses

on grievance resolution, I sought to avoid volunteers' attitudes and abilities that could be related to grievance resolution; for example, volunteer interviewees who exhibit assertiveness and extroversion which might correlate with certain grievance strategy tendencies. Therefore, instead of asking for volunteers, I selected interviewees using a combination of random selection and members' referrals, avoiding friendship networks. I selected a diverse employee sample: night drivers and day drivers, men and women, old-timers and newcomers, managers and workers, drivers and dispatchers. I first approached these workers at the companies' buildings. This provided me with a sufficient variety of workers that I was confident of capturing various perspectives. Inherently, however, findings from this small, nonrandom sample might not represent all workers in all businesses, or even all cab drivers. Nevertheless, the data's depth and richness compensate for their limited generalizability.

Interviews averaged two and one-half hours. I conducted all interviews in a semi-structured, open-ended manner. I used a set of predetermined questions as initial probes on a wide variety of work-related topics. I based follow-up questions on each interviewee's response, encouraging informants to tell me "anything they thought applied." I conducted most interviews in public places, such as coffee houses and restaurants, and at the company itself, in the parking lot, and the breakroom. I conducted on-site interviews privately to preserve interviewees' confidence that co-workers would not overhear them; they did not seem inhibited. On-site interviews did not vary consistently from the off-site interviews.

The interviews focused the interviewee's strategy(ies) for various potentially grievable circumstances. I asked mostly general, open-ended questions, but with some direct questions, especially as follow-up inquiries. In discussing grievance resolution strategies respondents often

drew on examples from their past; thus, their “actual” dispute resolution experiences influenced their anticipated dispute resolution strategies.

I taped and transcribed all interviews; thus, I present direct quotes rather than paraphrases.¹ Each interviewee consented to taping the interview, although a few asked that certain comments remain “off the record” even though taped. I explained that even if they would not let me tape them, I still would be interested in conducting the interview. However, no interviewee objected to being taped. In addition to the interviews, I watched several membership meetings, attended two Workers’ Council meetings, and observed the breakroom. Although I do not specifically reference these latter observations in this paper, they provided valuable company background and contextual knowledge.

The interviews were coded for various themes, using the qualitative data software program, NVivo. Some of these themes were responses to explicit questions (e.g., “In what ways is your job difficult?”). However, many others were extracted from the responses of interviewees to broader questions (e.g., “How would you describe your job?” “How would you critique your job to another worker in the same industry?” “What would you change about your job if you could just snap your fingers and it would be different?”) or to follow up questions to other responses. Thus, many codes, such as “neutrality” or “standing,” were not the result of a direct question or set of questions intended to measure loyalty, but were produced by careful analysis of interviewees’ responses to various questions.

C. The Organization

Coop Cab serves a medium-sized university town. After labor strikes in 1979 closed the town’s two existing taxi companies, the displaced workers founded the cooperative. Over 20

years later, it employs roughly 200 members, including 16% women and 5% nonwhites. In some ways, cab driving is not a typical job; cab drivers do not occupy a single designated station, window, or office. Instead, they roam the streets continuously, offering service 24/7. In addition, their income is always uncertain: it can be affected by road conditions, generosity of passengers, skillfulness of dispatchers, personal ability, and luck. For women, cab driving is often considered an unconventional occupation, although women comprised approximately one sixth of the drivers at Coop Cab. Yet, while in some ways not a typical workplace, Coop Cab presented an excellent site for studying perceptions of justice, gender differences, and grievance resolution strategies.

Coop Cab employs four full-time managers, each responsible for specific aspects of the company (Coop Cab Membership 1992). These worker-managers administer discipline, supervise the main shifts, resolve disputes, and assign shifts. Dispatchers also resolve disputes and administer discipline when the managers are absent, in addition to assigning calls and supervising night shifts. Like many worker cooperatives this size and larger, Coop Cab utilizes certain conventional management features, e.g., designated supervisors and a discipline system. Managers (and dispatchers) retain full coop membership with voting rights. The sole female manager supervises the fewest members, i.e., those who handle accounts. In the managers' absence, ten dispatchers, all men, cover supervision responsibilities for many fellow workers.

Coop Cab members primarily bring formal grievances to the Workers' Council, comprised of five to eight members, who hear any grievance that any member wishes to raise. Council members are randomly chosen from all coop members to serve for that specific grievance hearing by the Council Captain, who is elected by the membership. The Captain is an administrative position and does not vote on the grievances. The Workers' Council has the

authority to add or remove items from the workers' files; to impose, remove, or reduce fines; and to reinstate or sustain the termination of workers.

Members primarily bring grievances to the Workers' Council to contest disciplinary letters that management gave to members who had violated policy or work rules (although, very occasionally, members bring grievances not related to disciplinary letters, e.g., if they felt that another worker had harassed them). Penalties accompany these letters in the form of "points" that affect the member's income: Each point represents an additional 50 cents per shift that the member must pay for the following fifty shifts.ⁱⁱ The Workers' Council decides between upholding the letter and its amount of points ("fines"), or overturning the letter completely (Coop Cab Membership 1992). The Captain of the Workers' Council publicly posts the Council's decisions in the breakroom. In addition to grievances regarding disciplinary points, members also bring grievances regarding more serious concerns such as dismissal or reassignment to lower paying positions. While some members (specifically, men) tended to resolve even serious grievances informally outside of the formal processes, others (specifically, women) resolved both the small and large grievances formally, as discussed below in the Results section.

In bringing a formal grievance, the grievant may bring an advocate who presents the grievant's case and may argue on the grievant's behalf, although grievants also may bring advocates who simply sit with the grievant for consultation or support but do not actually speak on behalf of the grievant. The grievant may also come to the hearing alone. Each shift has several workers who volunteer each year to be "official" advocates, so that members who wish to bring grievances can identify someone easily who is willing to act as their advocate in a grievance hearing. However, grievants are not limited to these official advocates. They may

bring anyone as their advocate – former members, non-members, attorneys, roommates, etc. Because these are formal, private hearings, the only members present are the worker and his/her advocate, the members of the Workers’ Council, the Council Captain, and the manager who issued the disciplinary letter. If witnesses are asked to testify, they are only present at the hearing while offering their testimony.

IV. Results: Workers’ Anticipated Grievance Strategies

Interviewees discussed two ways they anticipated resolving workplace grievances: (1) formally through the grievance resolution procedures provided by the organization and (2) informally through negotiation and discussion with managers or co-workers. Yet, although nearly all the workers I interviewed expressed appreciation for the formal grievance procedures, men and women differed with respect to anticipated dispute resolution strategy. Notably, the women at Coop Cab expressed a greater willingness than their male co-workers to raise formal grievances. When explaining why they felt able to bring grievances, women cited the ideology of equality and non-hierarchy, including the cooperative’s structure and the Workers’ Council, with its promise of formal procedural justice. Men also referred to the cooperative’s ideology when explaining their anticipated grievance strategies, but, in contrast, their strategies did not involve formal procedures. The men at Coop Cab anticipated settling grievances informally, perceiving the formal grievance process as only a last resort. They cited the cooperative’s ideology of equality and non-hierarchy to assert that more egalitarian relationships between workers and worker-managers permitted greater availability of informal resolution options. Unlike their female co-workers, the men at Coop Cab did not express a need to rely on formal processes to feel assured of procedural justice: they perceived just treatment in formal or

informal settings. However, both men and women anticipated times when they would not raise formal grievances, although men, in situations in which they would not raise formal grievance, still had the option of informal resolution, while women could only decide whether to act formally or not act at all. Additionally, a few individuals had doubts about the Council. Although these members included both men and women, men used their misgivings to justify not using the formal grievance system; yet women, despite their doubts, still anticipated using the formal grievance system, their only option.

These broad patterns are not random. This evidence suggests that men and women use different means of resolving a dispute, when they seek a resolution. Men are much more likely to say they would employ informal means ($p < 0.001$; Fisher's exact, two-tailed test) and women are much more likely to say they would employ formal means ($p < 0.001$; Fisher's exact, two-tailed test).

Table 1 about here

A. Formal Grievance Resolution

While both men and women at Coop Cab voiced appreciation for the grievance procedures, women more frequently anticipated bringing formal grievances. All interviewed women emphasized that the Workers' Council provides an avenue for redress that is rarely available at other businesses, stressing that their membership in the cooperative gave them the right to use the Council. The statement by Melody illustrates this attitude; she said that the

formal dispute resolution process does not intimidate workers since the coop encourages members to use the Workers' Council, a feature that is rarely found in conventional organizations. A year before the time of the interview, she had accumulated too many accident points, so management subsequently removed her from driving shifts, allowing her only to work in the office. She appealed the decision and lost. Nevertheless, her statement expresses the attitude that the best way to have a problem addressed is through a formal grievance.

Melody: People aren't afraid to bring grievances if they feel they've got one. We're encouraged to use the Workers' Council if we feel that we have a grievance...I think there's a sort of a sense that there's very few jobs where you have that opportunity, so make the most of it.

Helen's experience with the Workers' Council came from serving as a member of the council, rather than raising a grievance. She expressed her intention to use the Workers' Council even though she realized that pursuing an appeal could be arduous and emotionally taxing. Like her female co-workers, she, too, trusted that she would receive procedural justice from the Workers' Council.

Helen: People are really glad [the Workers' Council is] there because as hard as it may be to actually go through the process, it's easy to go through the process. It's just more of an emotional thing: what's going to happen? I wouldn't hesitate to appeal because I know that's what the Workers' Council is there for, to hear what I have to say.

These women articulated their anticipated strategy of using the company's formal grievance procedures, trusting that the formal grievance procedures would deliver procedural justice.

In explaining their grievance strategies, many women described instances when they or another woman experienced informal injustice, but successfully secured formal justice through the grievance procedures. For example, Frances recalled an actual situation in which a woman who had been unjustly fired successfully appealed to the Workers' Council.

Frances: Management tried to get rid of a woman who was working in our office. They fired her not just from her office position but from the coop as a whole. I felt that they hadn't treated her right. She came to me and asked me to represent her even though I wasn't a [an official co-worker advocate volunteer].

I felt that management had really screwed up. They fired her based on an evaluation that was arbitrary – there hadn't been a regular evaluation. Suddenly, they develop all sorts of problems with her work and suddenly they canned her. I felt that what was really at issue was that she had said something rude. There were problems with her work, but I think also the person that made the decision was under a lot of stress at the time. I think that he lost it, he exploded at her.

It went to a Workers' Council. They both had to sit down together and hear each other's side. He didn't want to. He was still upset. But so was she. And, in the end, she won.

Her recollection of how the Workers' Council treated this fired woman strengthened Frances' s confidence in the formal grievance processes' ability to guarantee justice.

Relating her own experiences, Marleen described a confrontation she had with a female member of the board of directors who tried to have her fired. She appealed to the Workers' Council who entirely removed the discipline letter from her file.

Marleen: I was scared because this person is currently on the board and what was said when it happened was, 'That's it. That's your job. That's a twelve point letter,' meaning 'I'm going to go after your job, bitch, I'm going to have you fired.' So it was scary, but I was satisfied. We both went before the Workers' Council. I think she had someone with her, and I brought [a co-worker advocate]. In the end, they heard my side.

Marleen's own experiences with the formal grievance procedures furthered her belief that the Workers' Council makes justice possible.

However, the men rarely anticipated using the formal grievance procedures. For example, Bob described a time when a male supervisor marked him as tardy, which generated a discipline letter that deducted money from his paycheck. Although he initially cited this situation as something he would "unquestionably" raise as a formal grievance, in fact, he had not appealed the tardiness issue with the Council. Rather, he raised the issue informally with his worker-manager who removed the formal discipline letter from his file, without any grievance hearing, formal investigation, or official recognition that he had or had not been unjustly penalized. He achieved justice without engaging the formal mechanisms.

Interviewer: Could you give me an example of something that you would unquestionably take to the Council?

Bob: I was marked down as being tardy, and [I] investigated it, and found out that I wasn't tardy, so I brought it to the worker-manager's attention. I was able to document what was correct or wasn't correct about the discipline. It takes a significant amount of time and energy to appeal something on a Workers' Council, so you just make the decision whether or not you're interested in making a stink about something or not. But, I always feel empowered to. I always feel like I have that option.

Thus, even though Bob felt he had the option of a formal grievance, he still perceived the process negatively. Although he considered the Workers' Council an important option to have available, he characterized it negatively as "making a stink" that would require a great deal of time and energy.

B. Informal Grievances

Unlike their female co-workers, men expressed a greater likelihood to resolve grievances informally, only anticipating raising a formal grievance when blatant, intentional mistreatment occurred. Ninety percent of the men interviewed stated that a benefit of working at a cooperative was the ease of informal grievance resolution. These men felt that the cooperative's informality permitted problems between co-workers and managers, or among co-workers, to be addressed more easily without raising formal grievances. Jon, for example, explained that being part of a coop was being part of a team. That team mentality reassured him that formal grievances were not necessary, and, perhaps, not even appropriate. He believed that he would be more likely to raise a formal grievance at a conventional business because, there, the workplace atmosphere

encouraged workers to look out for themselves. In contrast, he felt more encouraged to work as part of a team for the collective goals at a worker cooperative.

Jon: At Coop Cab, I'm not working for someone, with control over me. I'm part of a team with other people. We all help each other and work together. [In contrast], [previous job] is always trying to squeeze every ounce of work out of you. So, I think I'd be more likely to bring a grievance somewhere else.

In addition, Jon said that he would be more likely to bring a formal grievance in a conventional business because that would be the only way to have his concerns addressed. He said he would be less likely to bring a grievance at the cooperative since there he had more informal avenues to resolve any problems.

Jon: I think I'd be more likely to bring a grievance somewhere else, because there would be no other way to get to them, to get to the manager. Here, you know, I can just go talk to [the operations manager] after work or whatever, and just say, 'Hey...' Like, whatever. And just talk to him.

However, this type of grievance resolution is only possible for workers who are within informal networks with those workers who possess greater power at Coop Cab: the worker-managers and, to some extent, the dispatchers, who supervise shifts and administer discipline. Informal resolution of grievances can be casually raised with a manager or a dispatcher only when the concerned party is socially situated so that informal negotiation can occur. This

socializing during off-time or informally during work-time often includes the discussion and resolution of problems: informal dispute resolution.

In the case of Coop Cab, only men comprised this “insider” group. The impact of camaraderie among male workers on dispute resolution strategies was particularly intense because worker-managers and supervisor-dispatchers were all, with one exception, men. Workers at Coop Cab often socialized with other workers in off-hours. However, because much of this socializing was sex segregated, male workers had greater contact and familiarity with the worker-managers and dispatchers, resulting in friendships and informal networks. Tom’s comment illustrates the level of familiarity between male managers and male workers expressed by all but two of the men interviewed.

Tom: Some people don’t like Gary [the personnel manager]. Like Helen, I know she hates him, but I think he’s great. He’s really funny. Actually, I play cards with him and some other guys every other Tuesday. He’s a great guy.

In describing his regular socializing with and fondness for the personnel manager, Tom also stated that a female co-worker did not share his feelings.

Unlike Tom, Laura did not socialize with the managers and dispatchers. She believed that the greater familiarity and closeness among men resulted in preferential treatment by the worker-managers.

Laura: It’s like a male bonding club. Like ‘These are extenuating circumstances for you. I think I can help you out here.’ I do believe that the upholding of procedures applies to

women more than it does to men. The worker-managers do their best to uphold the maximum point system when women are involved, and tend to be more lax about these procedures when men are involved. The worker-managers, I call them ‘typical males.’ [laughs/sighs] And they have this sort of bonding club with other men in general. And might not even realize what they’re doing. But maybe feeling that ‘Well, this is a woman, she’ll put up with it.’ Or whatever. Not necessarily feeling the incentive to give this person [woman] a break.

The juxtaposition of Tom and Laura’s quotes underscores how the men experienced greater “trust” in the cooperative’s informal workings. Even in very informal situations, the men perceived what Tyler and Lind referred to as a “level playing field” (2000: 76). In contrast, women perceived discriminatory treatment from managers, lacking “trust” and faith in “neutrality” with regard to both specific individual managers and the informal workings of the cooperative generally (Tyler and Lind 2000).

Like the other women interviewed, Emma, too, believed that the greater familiarity between male workers and male managers not only gave men an edge with the managers, but also placed women workers at a distinct disadvantage.

Emma: I really think that a lot of men at the coop try to be inclusive of women or not openly discriminatory, but whether they choose to admit it to themselves or not, they are often more comfortable with men. In fact, I do think that’s also why I was put back on probation when I came back. [Worker-manager] went according to policy and put me back on probation. Since I was a woman and we weren’t really buddy-buddy, he

wouldn't have felt really comfortable not going according to procedure. And I think that's why a lot of decisions at the coop are made the way they are.

This camaraderie between male managers and male workers also affected men's anticipation of using only informal grievance resolution. The men reported a greater casualness around resolving grievances and emphasized that the possibility of such informal dispute resolution represented one of the benefits of Coop Cab. Bob's comments exemplify this attitude well.

Bob: I guess my first priority interpersonally, if I had a problem with another employee, would be to work it out with them. If I couldn't work it out with them I would be in a new kind of situation. I've usually been able to work it out.

Bruce explained his belief that, because he can interact with the managers very informally, the formal grievance procedure is never necessary.

Bruce: There's a whole grievance procedure, yeah, but it's like, you're part of a family. You can just talk to the other people. It's not like the manager is your 'boss.' There isn't any one boss. You can just go talk to him. You can even curse him out if you want to, and he can't really do anything to you. Of course, he won't be pleased. [laughs]. But I can't imagine bringing him to the [formal grievance procedures of the] Workers' Council. I couldn't do that.

Similarly, Bruce's analogy to inclusion in a family also underlines a theme that some men mentioned: that their "insider" status both permitted them the option of informal grievance resolution, but also somewhat discouraged them from using the formal grievance procedures. On an informal level, the men at Coop Cab were confident of the trust, neutrality, and standing they had and so felt assured that they could informally receive justice. An aspect of this inclusion, however, was that they were inhibited from bringing formal grievances. As insiders, the men interpreted use of the formal procedures as demonstrating that they, themselves, failed or that the cooperative failed to work properly. Only when, and if, they were no longer included among the insiders who could rely on informal justice, would they move out of "group mode" and need to use the formal procedures to receive procedural justice.

Together, Bruce and Emma's quotes illustrate men's greater "standing" in the cooperative in informal settings, with easy unofficial access to the (male) managers and dispatchers. While both men and women members were proud of their formal membership in the cooperative, the women did not experience the informal inclusiveness, such as the feeling of being "a family" that Bruce described. Importantly, although both men and women were members of the cooperative, only men had the informal "standing" to participate in the social networks with other men, including the managers and dispatchers.

By perceiving procedural justice at the informal as well as formal level, the men at Coop Cab moved into what Tyler and Lind call "group mode" (2000). They expected fair treatment and, therefore, acted cooperatively. Part of this cooperative "group mode" ethic was that the men considered formal grievance resolution, although possibly a procedural just and effective option, inappropriate. While the women at Coop Cab did not seem to enter "group mode" strongly (not necessarily expecting fair treatment or feeling pressure to avoid the formal

grievance procedures), neither did they enter “individual mode” (Tyler and Lind 2000), in that their focuses were not exclusively on their own immediate gains. Instead, women maintained a quest for justice and other more philosophical rather than material immediate goals.

C. Toleration

Although men’s and women’s perceptions of formal and informal grievance resolution differed, both men and women anticipated times when they would not raise formal grievances. However, men, in situations in which they would not raise formal grievance, still had the option of informal resolution, while women could only decide whether to act formally or not act at all. For example, Ursula stated that she preferred to “wait out” certain negative situations rather than using her time and energy to fight.

Ursula: It’s like, how much am I willing to put up with? How much energy do I feel like putting into paper work and filing a grievance and trying to articulate relatively minor things to other people? Not necessarily that they are really *minor*, but I don’t have that energy. It’s like, is it easier to fight for certain things or is it easier to put up with it and wait through it ‘til you get to the end of it?

Ursula, like the other women, believed that her options were either to raise a formal grievance or to do nothing. Thus, learning to tolerate the situation, “lumping it” (Galanter 1974), was women’s primary alternative to using the formal grievance system.

In contrast, men were unlikely to mention toleration (only one man mentioned this). For them, the question was one of choosing among alternative methods rather than between action or

inaction. That is, they chose between ways of addressing grievances – formal or informal resolution – not between whether or not to address the grievance at all. The men emphasized their ability to talk with the supervisors. They believed that interpersonal skills sufficed to resolve conflict, as Jon explains below.

Jon: You can't get so worked up. Like some people get all worked up and bring a grievance about everything. That's their right; that's ok. But, me, I like to just talk to the person. Like if I think a dispatcher isn't treating me fairly, I'll just go and talk to the guy and reason with him. I don't get all excited.

In anticipating not using the formal grievance procedures, Jon isn't forced to "lump it," but can choose an informal strategy. This option, however, is only available to those workers who can "just go and talk to the guy" supervisor – an option not available to the women workers at Coop Cab.

D. Apprehensions about Formal Procedures

Finally, while most members, men and women alike, expressed their appreciation for and confidence in the Workers' Council, a few individuals had misgivings about the Council. Although these members included both men and women, men used their doubts to justify not using the formal grievance system; yet women, despite their doubts, still anticipated using the formal grievance system. The women explained that it was their only option.

The two men interviewed who expressed doubts about the Workers' Council cited these doubts as their motivation to try to resolve problems informally. They believed that they would

be more successful if they tried to confront the manager personally. Mark, for example, expressed his misgivings about the Workers' Council.

Mark: The burden of proof has slipped from being on management to being on the appellant. It didn't used to be that way. There's a lot less appealing of discipline things [now]. More people are just going, 'Well, I'm gonna lose anyway. So I'm just gonna take the letter, and I'll go in and schmooz and lie and cry and throw myself on the mercy of management to get a lesser disciplinary letter.'

In this way, Mark used his critique of the Workers' Council to justify his future strategy of informal grievance resolution.

However, two women at Coop Cab had similar concerns about the effectiveness of appealing to the Workers' Council, but did not use these doubts to justify abandoning the strategy of formal grievances. Instead, they anticipated bringing grievances *despite* their apprehensions about the fairness of process and the low likelihood of advantageous decisions by the Council. Notwithstanding these concerns about the Workers' Council, they approached the formal grievance process as the correct – and only – option open to them. If the women did not bring their grievances to the Workers' Council, no other means of resolving their grievances existed.

One of these two women who expressed concern about the formal process was Melody. She described her doubt in the neutrality of the process and her lack of trust in the Captain of the Workers' Council. She believed that he was biased against her and might sway the decision against her.

Melody: The captains of the Workers' Council don't get a vote in the Workers' Council, but they kind of help mediate the whole thing. I mean, even though the mediator doesn't get a vote, just by the way they say things and the way they, you know, it's very hard to be an unbiased mediator. The guy who was a mediator, [name], at one point I told him I was appealing [her case]. He came by the office and basically tried to talk me out of appealing. He said that I didn't have a chance, that all the stuff wasn't valid, and started yelling at me in the parking lot. Literally yelling. And in the end I was, well, I said I didn't feel like I was going to get a fair hearing because he was obviously biased in one way. And even though he didn't get a vote, he wasn't, I didn't think, capable of keeping his opinions out of it. I think anybody who yells at somebody in a parking lot is going to say something during the Workers' Council to try to sway the Workers' Council, too. I'm still planning to appeal it, of course; that's why the Workers' Council is there.

Although Melody did not trust the authorities handling the dispute ("trust") and did not believe that she would receive nondiscriminatory treatment ("neutrality"), she maintained confidence in her full status in the group ("standing"), at least in terms of her official status as a member with certain rights.

Similarly, Shirley expressed doubts about neutrality and trust, but was also sufficiently confident in her official "standing" that she could demand to be heard. Shirley had brought several grievances before the Workers' Council and anticipated bringing more in the future.

Shirley: I lost by one vote on the board decision. They ruled against me that I couldn't have my day before my Workers' Council, my peers. I filed another thing with them and I said, I think you're mistaken and that's why I wrote this long letter. I went before them again and said, you're leaving me no alternative but to go outside of my cooperative, because my cooperative structure is not set up for me to be heard by my peers. [So then you decided you'd have to sue?] Yeah, that's basically what I meant. They had another vote and I lost by one vote again, so I hired an attorney. I sued them. It was a very rough year. There were things all over the bulletin board that anybody who sues their own cooperative should get the fuck out if they're not happy. It's like, if you don't love your country, leave it, so to speak.

Shirley's final sentence emphasizes the contradictions of Hirschman's concept of loyalty. Some of her co-workers believed that if she had been a loyal member, she wouldn't have sued. However, she and others believed that the truly disloyal behavior would have been to exit without trying to resolve the problems at hand. In this way, if Shirley had embraced "individual mode," she might have abandoned the cooperative and found employment elsewhere (a relatively easy option with the town's extremely low unemployment). Instead, she remained loyal to the cooperative by refusing to leave and, instead, fighting from within (see Hirschman 1970).

Shirley also discussed a more recent grievance she brought to the Workers' Council over discipline she considered preposterous, which bordered on harassment. Despite her absence of "trust" and her perception of no "neutrality," to Shirley, failure to appeal to the Workers' Council would forfeit her rights as a cooperative member ("standing"). Her belief in her

standing both permitted and forced her to try to receive justice through the formal grievance procedures.

Shirley: [After describing several decisions by worker-managers that she found blatantly unjust.] I have a temper. They were hoping I'd lose my temper and tell them to stick the place up their ass and quit. Each time I haven't done that. I've gone through their process no matter how much I knew that the odds were against me. Sometimes I win.

Thus, she maintained her faith in the formal grievance processes and her duty – as well as her entitlement – as a member to benefit from those processes. While she was not assured that she would triumph, she did believe the formal procedures provided the possibility of justice. She and Melody maintained sufficient belief in their standing in the cooperative to conclude that they deserved to have their grievances heard, but they also were aware that their only avenue was the formal route, the grievance resolution procedures.

V. Discussion

In summary, although both men and women held supportive attitudes towards the formal grievance procedures, they differed in their anticipated use of the procedures. These findings support other work on procedural justice which asserts that, while fairness is important to both sexes, men and women disagree as to which procedure they conclude to be most fair and most advantageous (e.g., Lind, Huo and Tyler 1994). This study also supports past research that indicates that women might be more likely to prefer formal procedures and prefer formal, over informal, arenas (e.g., Gwartney-Gibbs and Lach 1992; Williams 1991).

While men generally expressed appreciation for the Workers' Council, their envisioned grievance strategies less often included the formal grievance processes than their female co-workers. Men anticipated resolving differences through informal means, using the Workers' Council as a last resort. Men experienced greater "trust," "neutrality," and "standing" so that even in informal settings they perceived a "level playing field" (Tyler and Lind 2000: 76). Men felt part of the "family," or informal networks, which created loyalty to other individuals (mostly men) within the cooperative. This meant that they had the option of using informal dispute resolution to achieve justice for themselves but they also had a duty to not violate this loyalty to the social network by resorting to the formal processes. Thus, while it might appear that the informal route advantages men, they also felt pressure not to violate their informal network by resorting to the formal grievance procedures. This result is that, in day-to-day grievance resolution strategies, they might not experience more options than their female co-workers. However, if a man needed to and felt sufficiently out of "group mode" already, he could resort to the formal grievance system, while his female co-workers could not opt, no matter how desperate, for informal grievance resolution.

The men's hesitance to use the formal grievance procedures does not mean that they regarded the formal process as unimportant. Often, men at Coop Cab mentioned pride in this democratic aspect of the cooperative. For these men, the formal grievance procedures provided more symbolic value than instrumental, in that these procedures acquired an "immediate intrinsic significance...oriented less to behavioral consequences as a means to a fixed end...a gesture important in itself" (Gusfield, 1967). However, for women, the formal grievance procedures held instrumental importance because their actual use had direct influence on how women approached grievances.

Similar results have been found by scholars researching other arenas. One example is the work by McEwen, Mather, and Maiman on attorneys (1994). They found that women divorce lawyers felt excluded from the “old boys’ network.” As a result, they were less likely to settle informally than their male counterparts (McEwen, Mather and Maiman 1994).

Since women at Coop Cab lacked access to the social networks that allowed for informal dispute resolution, they only used the formal dispute resolution procedures. They believed that they would not receive procedural justice from the cooperative if they dealt with the worker-managers informally. However, most maintained confidence in the procedural justice possible through the formal grievance procedures. Even Melody and Shirley, who lacked “trust” and doubted the “neutrality” of the grievance procedures, believed they had sufficiently adequate levels of “standing” that they could have confidence in the appropriateness of using the formal procedures. As Tyler and Lind’s theory of distributive and procedural justice predicts, women also expressed greater confidence than the men in the distributive justice possible from formal grievance procedures, where they believed they would receive more procedural justice than from informal negotiations with worker-managers and others.

Additionally, the formal grievance procedures also offered women some protections not available through informal resolution. The formal setting allows an advocate to represent the worker, affording a level of distance between the grievant and the defending manager (Grillo 1991). In addition, if the grievant wins the appeal, she receives formal recognition acknowledging the management’s error and unjust treatment. This benefits the individual grievant by publicly reaffirming her position. Formal grievances also educate other workers since Coop Cab’s formal grievance procedures include posting summaries of all grievance decisions in the public breakroom. In contrast, if a worker and her supervisor resolve a

grievance informally, the public gains little knowledge, if any (Edelman, Erlanger and Lande 1993).

Other scholars have shown that informal dispute resolution often disadvantages the less powerful party, while formal hearings can level an otherwise-uneven playing field (e.g., Abel 1982; Crenshaw 1988; Delgado et al. 1985; Edelman, Erlanger and Lande 1993; Galanter 1974; Grillo 1991; Lazerson 1982; Sarat 1990; Silbey and Sarat 1989). Women at Coop Cab held less power and so to receive procedural justice, they needed to engage the formal processes. The formal grievance procedures provided many guarantees that they might not have if they tried to resolve issues informally; the formal process guaranteed that their side would be heard, that they could involve a third-party advocate to provide emotional distancing, that their case would be dealt with in a timely fashion, and that they would ultimately receive a clear answer to their grievance. In this way, formality provided them with protections that their less-powerful status could not through informal negotiations. By invoking their right to a formal Workers' Council hearing, the women achieved procedural justice and gained some measure of equality despite their exclusion from the men's network.

Studies of legal consciousness demonstrate the importance of people's perceptions, even when these perceptions might be "inaccurate" (Ewick and Silbey 1998; Marshall and Barclay 2003; Merry 1990; Nielsen 2000; Sarat 1990). These perceptions affect the impact of procedural justice and influence which grievance strategies people anticipate using. Because this study focused specifically on anticipated grievance resolution strategies, past grievance behaviors of various workers, rates of raising grievances, or categories of grievances are not discussed at length in this analysis. To do so, would shift the focus away from people's anticipated strategies and legal consciousness and would become instead an analysis of past behaviors. Although past

and anticipated behaviors are difficult to disentangle, this paper attempts to keep them analytically separate in order to explore workers' anticipated grievance strategies specifically.

Both women and men attributed their anticipated grievance resolution strategy – formal and informal respectively – partly to the identity of their workplace as a worker cooperative. Women said that the formal empowerment derived from cooperative ideology and shared ownership enabled them to raise formal grievances. Men at the cooperative felt that these same elements allowed them greater access to worker-supervisors, thereby permitting them a choice of venue – informal or formal – to resolve their grievances. Additionally, however, because men operate in a “group mode” (Tyler and Lind 2000), some men felt pressure to avoid formal resolution, leaving them effectively with only one option also: informal resolution.

As Kanter argued, workplace power exists in subtle and elusive ways (1979). Two ways of gaining organizational power, through formal position attributes and informal network connections, both affected women members' decisions to raise grievances (1979). Both types of power lessened women's access to informal grievance resolution. Formal position attributes did this indirectly since very few women held supervisory positions (worker-managers or dispatchers); hence, few could wield much power personally. Informal network connections to powerful positions directly affected women's access to informal grievance resolution because women remained outside the informal network – the “family” as Bruce phrased his conceptualization – that was necessary to resolve grievances outside the formal grievance procedures. Women's status outside the informal networks prevented them from forming the informal alliances, friendships, and contacts with (male) supervisors essential for informal grievance resolution.

Not only did this “outsider” status inhibit their successful informal grievance resolution, but it also freed them to use the formal procedures since they lacked binding by loyalty to individuals, unlike many men in the cooperative. Women felt loyalty to the cooperative as an entity – the formal cooperative.

Tyler and Lind suggest that a significant part of people’s evaluation of grievance resolution concerns their relationship to the social group. “If procedures are fair, ...people can feel secure about the long-term gains from group membership” (2000: 76). People then hinge much of their social identity on having that group membership. This fear of exclusion is more important than the loss of any specific desired outcome (Tyler and Lind 2000). The women’s official membership in the cooperative was very important for them. As a worker cooperative, their workplace held greater significance than simply a place to work; it was also a demonstration of personally-held ideologies, reflecting who they were and what they believed. The importance of maintaining their confidence in their official standing was especially great because of the cooperative context. Some women had deliberately sought out a cooperative work environment. That decision, in itself, represented a strong statement about their own identity. Other women discovered Coop Cab without ideology-driven searching, yet these women also had developed a keen appreciation of the business as a cooperative, with their regard for the cooperative ideals growing as these women continued at the company.ⁱⁱⁱ Therefore, their social standing in the cooperative was important to both groups of women in a way that would be quite different in a conventional workplace.

Women often cited membership in the cooperative as a key to enabling them to seek any grievance resolution at all. Although these women spoke of lacking justice in informal interactions, they maintained their conviction that the cooperative’s formal grievance procedures

would provide procedural justice. Even the women who lacked “trust” in the formal procedures and faith in its “neutrality,” Melody and Shirley, maintained sufficient confidence in their full status in the group “standing” (Tyler and Lind 2000). Thus, even though Melody and Shirley expressed less confidence in the procedural justice possible through the formal grievance resolution procedures, they – like the rest of the female co-workers – still anticipated using formal grievance strategies. Abandoning formal procedures would both cut off their only venue for resolving their grievances and negatively reflect on the cooperative and their status in it.

VI. Conclusions

The depth of this study allowed for exploration into why these workers anticipated various grievance resolution strategies and how they felt about the possibilities for procedural justice. These findings have several implications for policy making and socio-legal theory. For example, procedural justice studies need to include a careful understanding of the position of “outsiders” in future socio-legal research. Researchers and policy makers also need to consider the inequities of informal power in the workplace, even when formal power appears evenly distributed. Additionally, the environment in which potential grievances arise can greatly affect how those grievances develop and whether they are pursued through formal routes; thus, policy makers and scholars must consider the circumstances in which grievants encounter potential grievances. Employees’ placement in the workplace, like others’ placement in greater society, must be considered by policy makers and researchers when examining issues, such as workplace discrimination, to have a more complete understanding of the workplace dynamic. These suggestions are discussed in greater detail below.

A. Implications for Socio-Legal Theory and Public Policy

This study raises important questions about procedural justice and formal and informal grievance resolution. In examining a cooperative workplace, this study demonstrates how women workers anticipated different grievance resolution strategies from their male co-workers. Underrepresented or lower-status workers, such as women employees in a mostly male work site, like the taxicab driving company studied here, often have great difficulty securing informal network connections with people in powerful positions. Because informal network connections operate in informal alliances, friendships, and contacts that workers often sustain outside the workplace, they are often hidden from the “official” organization. As “outsiders,” women experience difficulty penetrating such networks. People often form cliques on the basis of social similarity, therefore, these circles cut out certain groups of co-workers – such as women or anyone not considered the “typical worker.” This exclusion cuts access to this source of power in the organization (Kanter 1979) and also to an important dispute resolution venue. These findings underscore the importance of incorporating the position of “outsiders” in future socio-legal research examining procedural justice.

Additionally, these results highlight how the same cooperative structure and ideology affected women differently from men workers because of the differences in formal and informal power in the cooperative. Because few women were managers or dispatchers, women rarely held the formal power to use or waive discipline; because they lacked network access to male managers and dispatchers, women workers also lacked the informal power base that derives from these friendships. These results raise questions about the effectiveness of a variety of management programs that organizations assume affect all workers similarly. Without attention to how power distributes in an organization, such programs could be mistakenly presumed to

work uniformly throughout a company, with potentially undesirable and unanticipated results. This is particularly important given other workplace justice scholars' findings that women tend to give more than they receive at work (e.g., Major, Bylsma and Cozzarelli 1989) and often have unique workplace issues (e.g., Gwartney-Gibbs and Lach 1992; Gwartney-Gibbs and Lach 1994a).

Thus, both future research as well as future public policy must consider the distribution of workplace power. Researchers must be mindful that in-depth analysis to uncover power inequalities might be necessary in order to fully understand the dispute resolution behavior of various sites. For example, when analyzing the formation and transformation of grievances and law suits, researchers should include the power differences of the various parties in their analyses (e.g., Bumiller 1988; Felstiner, Abel, and Sarat 1980-81; Hodson 1991; Weiner, Hackney, Kadela, Rauch, Seib, Warren, and Hurt 2002). Policy makers, too, should take these findings into account when crafting policies that, on their surface, assume that all employees, citizens, students, etc., will be equally empowered in utilizing the new policies.

This study also raises questions about procedural justice and democratic control and demonstrates that perceptions of procedural justice can operate at both the informal and formal levels. These perceptions can, then, influence attitudes relative to resolving grievances in both informal and formal settings. This research emphasizes the importance of "standing" in people's assessments of the worth of pursuing formal grievances. Even when some aspects of their perceptions of procedural justice are low – i.e., apprehensions about trust and neutrality – some people might pursue grievances as long as their sense of their standing is sufficiently strong. Thus, future socio-legal theory needs to consider the environment in which a potential grievance

arises – the culture and ideology of the surroundings, the level of hierarchy, the social divisions and networks – in exploring the effect of procedural justice on dispute resolution strategies.

Finally, this work also raises larger questions about discrimination in the workplace. Because the women in this study were excluded from power networks, they did not have the ability to informally resolve their disputes. Many scholars define such exclusion itself as a form of discrimination and harassment. The women's exclusion from these informal networks not only kept them from informal dispute resolution but also prevented them from various informal learning opportunities which – even at a cab company, but even more so in other businesses – prevents women from building their skills and experiences and inhibits their promotion and career advancement (see Hoffmann 2004). This work builds on that of other researchers, such as Kanter, Gwartney-Gibbs, and others, who have explored how limited networks and contacts harm women's employment. This work implies that future law and society research needs to include a careful analysis of employees' placement in their workplaces when examining such important socio-legal questions as workplace harassment, discrimination, advancement, and retention, as well as workplace grievances. Similarly, people's placement in greater society also needs to be considered when the focus of the research or public policy is on engaging the legal system outside of the work context.

B. Future Research Directions

The question arises, to what extent are these findings due to Coop Cab being a worker cooperative. Earlier research which contrasted workers' dispute resolution strategies in a hierarchical versus a cooperative coal mine showed that workers engaged in more informal dispute resolution in the cooperative mine (Hoffmann 2001). This strongly suggests that in the

current work the effects on dispute resolution strategy are at least partially due to the cooperative structure and ideology. However, comparison of the data in this study to a similar non-cooperative business is necessary to determine the degree of effect attributable to the cooperative structure and ideology. Additionally, future research might expand on this study's insights by testing these findings with a larger sample of workers from a variety of cooperatives, drawn from different and contrasting industries.

Table One: Informal Dispute Resolution

Worker's Gender	Informal Dispute Resolution		Formal Dispute Resolution		Total
	No	Yes	No	Yes	
Male	0	10	9	1	10
Female	8	2	0	10	10
Total	8	12	9	11	20

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Endnotes

ⁱ Some of the quotations presented in this paper have been edited for confidentiality, brevity, and readability.

Quotations appear without ellipses and with few diacritical marks in order to preserve the flow of the text.

ⁱⁱ For example, a four point letter would mean that the member would be docked a total of one hundred dollars. In addition to the immediate economic harm from acquiring points, if a member accumulates 12 or more points within a year, this member can be fired. However, dismissal is neither immediate nor certain with the twelfth point; a number of drivers continue to work at Coop Cab with well over 12 points.

ⁱⁱⁱ Other scholars have discussed similar findings. The literature indicates some members of cooperatives specifically seek out cooperative workplaces and that, for those members who enter the worker cooperatives without strong cooperative ideologies, the worker-cooperative experience frequently heightens members' valuation of cooperatives (Cornforth et al. 1988; Denning 1998; Thornley 1981).