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# Why Benefiting From Discrimination Is Less Recognized as Discrimination

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Discrimination continues to plague society, creating stark inequities between groups. While existing work has considered the role of prejudice in perpetuating discrimination, we draw on emerging research on privilege and inequity frames to offer an overlooked, complementary explanation: Objectively discriminatory decisions that are described as favoring, compared with disfavoring, are less likely to be *recognized* as discrimination. We further theorize this is because favoring decisions are perceived to be motivated by positive intentions. We find support for our hypotheses across eight studies. First, using both qualitative (Studies 1a-b) and experimental approaches (Studies 2–7), across a range of discrimination contexts including race, sex, nationality, and age, we find that inequity frames affect perceptions of discrimination. Further, we find that even human resource employees are less likely to recognize discrimination when described as favoring (Study 3), in turn affecting their reporting behaviors: They are less likely to report potentially discriminatory decisions for review. Next, sampling language from U.S. Supreme Court cases, we find that people support litigation less when discrimination uses a favoring frame, versus disfavoring frame (Study 4). Then, we find that this pattern is driven by inequity frames shaping perceived intentions, rather than perceived harm (Studies 5–6). Finally, we find some evidence that inequity frames regarding a discriminatory decision committed by an organization may affect candidates' job pursuit behaviors (Study 7). This work contributes to a nascent perspective that advantaging mechanisms are critical for creating group inequity: given individuals are less likely to recognize favoritism as discriminatory, favoritism may especially contribute to the persistence of inequity.

**Keywords:** discrimination, inequality/inequity, advantage/privilege, favoritism, diversity

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Group-based discrimination is detrimental to individuals, organizations, and society: discrimination reduces justice and in turn diversity, harms individuals' health and well-being, and depresses satisfaction, motivation, and commitment in the workplace (Deitch et al., 2003; Ensher et al., 2001; Kessler et al., 1999; Pascoe & Smart Richman, 2009; Schmitt et al., 2014). And yet, discrimination on the basis of race, sex, nationality, age—and many other identities—persists, despite continued efforts toward its reduction (EEOC, 2020; see also Pager & Shepherd, 2008; Ragins & Cornwell, 2001). For instance, in job interviews, White applicants are more than twice as likely to receive callbacks than are Black applicants with the same qualifications (Pager et al., 2009),

heterosexual men are nearly twice as likely to receive callbacks compared with openly gay men (Tilcsik, 2011), and upper-class men are more than 12 times more likely to receive an interview compared with lower-class men (Rivera & Tilcsik, 2016).

Prior research finds that group-based discrimination is driven both by bias against disadvantaged group members, *and* bias in favor of advantaged group members (Brewer, 1999; DiTomaso, 2013, 2015; Greenwald & Pettigrew, 2014; Sidanius & Pratto, 2001). And yet, existing research on *perceived* discrimination has disproportionately focused on understanding disfavoring-framed decisions, paying little attention to whether, when, and why people also recognize favoring-framed decisions (see also Lloyd & Phillips, 2006). Existing work has prioritized identifying points of intervention to reduce discrimination, including individual-level levers, such as prejudice (Guryan & Charles, 2013; Pager & Shepherd, 2008) and structural-level levers, such as weak enforcement (Hirsh & Kornrich, 2008). However, if people fail to *recognize* favoring-discrimination as discriminatory, then such discriminatory decisions will likely persist, ultimately fueling inequity.

Here, we consider how perceptions of discrimination may diverge from the objective reality, obscuring instances of discrimination. Specifically, we suggest people will be less likely to recognize discrimination when it is described as *favoring* some group members over others (e.g., “hiring a male candidate”), as opposed

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to *disfavoring* some group members over others (e.g., “not hiring a female candidate”), despite equivalent discriminatory outcomes. That is, bias in favor of beneficiaries of discrimination, compared with bias against victims of discrimination, is less likely to be perceived as discriminatory. Importantly, we also connect these asymmetric perceptions to behaviors that maintain systems of discrimination: supporting litigation, reporting discrimination, and job pursuit. We thus aim to contribute to a budding literature that works to expose group-based advantage as a mechanism of inequity (DiTomaso, 2013, 2015; Lowery et al., 2007, 2009, 2012; Rosette & Koval, 2018).

### Objective Versus Subjective Discrimination

Discrimination is the differential treatment of individuals on the basis of their (assumed or actual) group membership or social identity (e.g., Major et al., 2002; Pager & Shepherd, 2008). Importantly, prior literature has found that *both* favoring and disfavoring decisions on the basis of group membership contribute to objective discrimination (DiTomaso, 2013, 2015, see also Brewer, 1999). That is, discriminatory decisions are made because decision makers engage in disfavoring, animus or “out-group hate,”<sup>1</sup> via explicit or implicit prejudice (e.g., taste-based discrimination; Bertrand et al., 2005; Guryan & Charles, 2013) or negative stereotypes associated with out-group members (e.g., statistical-discrimination; Arrow, 1998; Guryan & Charles, 2013; Pager & Shepherd, 2008). In addition, discriminatory decisions are made because decision makers engage in favoring, favoritism, or “in-group love” (e.g., homophily, in-group bias; Balliet et al., 2014; DiTomaso, 2013; Goldberg, 1982; Greenwald & Pettigrew, 2014; Halevy et al., 2008; Rivera, 2016; Ridgeway & Fisk, 2012; Roth, 2004; Waytz et al., 2014). For instance, favoring is driven by social identity processes—expecting reciprocity, avoiding punishment, or affirming one’s own identity by preferring similar others (Brewer, 1999; Finkelstein et al., 1995; Tajfel & Turner, 1979; Thau et al., 2015). Such favoring can also be the result of stereotyping, in which more positive traits and skills are attributed to dominant group members (e.g., Whites, men; Bertrand et al., 2005; Jacquemet & Yannelis, 2012; Lee et al., 2015).

In fact, recent work suggests that favoritism may be an especially powerful mechanism contributing to inequitable selection outcomes. For example, DiTomaso (2013) uses a qualitative approach to demonstrate how favoritism within friendship networks gives Whites employment advantages over minorities. Given that networks are racially segregated, Whites’ favoring friends for employment referrals can create racial inequity in selection decisions, even without managers explicitly disfavoring minorities. Rivera (2016) similarly finds that candidates from lower social class backgrounds suffer discrimination in elite professional firms. Importantly, this gap is driven by hiring managers favoring those with similar social class backgrounds as themselves, due to their feeling fit and comfort. Indeed, models of labor discrimination find that accounting for favoring and disfavoring as separate preferences can better explain the persistence of discriminatory outcomes across a range of demographic groups (Feld et al., 2016; Goldberg, 1982; Jacquemet & Yannelis, 2012; Salamanca & Feld, 2017).

In the U.S. legal context, both favoring and disfavoring actions can be the basis of illegal discrimination (*Piscataway Township Bd. of Educ. v. Taxman*, 1997; *Weinberger v. Wiesenfeld*, 1975).

However, psychological perspectives suggest that not all instances of discrimination are recognized as such (Avery et al., 2008; Major et al., 2002): objective instances of discriminatory decisions are distinct from the subjective *perceptions* of those decisions as discriminatory. On one hand, an objectively discriminatory decision is defined as one that involves favoring or disfavoring candidates based on their group membership, rather than individual qualifications. On the other hand, subjectively perceived discrimination—also known as *attributions to discrimination*—is a perceiver’s recognition that the decision is indeed unfairly based on candidates’ group membership rather than individual merit (Major et al., 2002).

Attributions to discrimination have important effects above and beyond objective discrimination. For instance, perceiving discrimination is associated with weakened psychological safety and worsened health outcomes (Avery et al., 2008; Kessler et al., 1999; Pascoe & Smart Richman, 2009; Sanchez & Brock, 1996; Schmitt et al., 2014; Triana et al., 2015). Further, perceiving discrimination when it occurs is a required first step towards reporting and ultimately rooting out discrimination (Ambrose & Schminke, 2009; Miller et al., 1981; Simon, 1991; Skarlicki et al., 2015). Thus, scholars and practitioners alike need to understand when and why objective discrimination is likely to be subjectively perceived as discrimination, or to remain unrecognized.

### Attributions to Discrimination Framework

The attributions to discrimination framework (Major et al., 2002) theorizes two conditions under which an individual will attribute a decision to group-based discrimination: The decision is perceived to be unjust (rather than just) and is perceived to be based on a social identity (rather than the individual’s merit). Ample research supports this framework, and has focused on identifying organizational and individual moderators of attributions to discrimination (e.g., Goldman et al., 2006; Major et al., 2002; Major & Dover, 2016). For example, prodiversity climate and clear reporting mechanisms in organizations increase the likelihood that employees perceive objective discrimination as subjectively unjust (Hirsh & Lyons, 2010; Leslie & Gelfand, 2008).

Interestingly, to the best of our knowledge, attributions to discrimination and perceived discrimination work has primarily investigated when and why perceivers attribute disfavoring-framed decisions—a candidate *not* being selected—to discrimination. In contrast, this work has not considered when and why perceivers might attribute *favoring*-framed decisions—a candidate being selected—to discrimination, despite the framework’s noted theoretical relevance (Lloyd & Phillips, 2006; Major et al., 2002, p. 264). But, as reviewed above, research clearly finds that both favoring and disfavoring contribute to discrimination. Indeed, scholars have recently registered concern that work on inequity often neglects discrimination resulting from favoring (DiTomaso, 2015; Greenwald & Pettigrew, 2014; Lloyd & Phillips, 2006).

<sup>1</sup> In past literature, disfavoring has been described as out-group hate, out-group denigration, animus, disadvantage, and discrimination, among other phrases (Brewer, 1999; Brief et al., 2005; DiTomaso, 2015). Favoring has been described as in-group love, in-group favoritism, favoritism, advantage, and privilege, among other phrases. Here, for both simplicity and specificity, we use the terms “disfavoring” and “favoring” to describe the two inequity frames that may be applied.

Here, we work to integrate literature that documents favoring as a mechanism of objective discrimination with theory on subjective perceptions of discrimination in order to ask: Given both favoring and disfavoring cause discrimination, do people perceive both as such? We suggest that inequity frames—specifically, framing an inequitable decision in terms of favoring versus disfavoring—are an important antecedent that can bias attributions to discrimination. That is, regardless of the motivation behind the decision (cf. Brewer, 1999), an inequitable decision can be framed as either favoring or disfavoring. We predict that people will be less likely to attribute a decision to discrimination when it is framed in terms of favoring the beneficiary of the decision as opposed to disfavoring the victim of the decision.

### Inequity Frames Theory

Cognitive frames (also known as decision frames, organizational frames, or simply “frames”) refer to perceivers’ “conception of the acts, outcomes, and contingencies associated with a particular choice” (Tversky & Kahneman, 1981, p. 453; see also Benford & Snow, 2000; Cornelissen & Werner, 2017; Goffman, 1974; Kaplan, 2008). Frames can focus and anchor our attention, shape our assumptions about decisions and processes, and ultimately have powerful effects on our behavior. For instance, Hugenberg et al. (2006) show that framing a shortlist selection process as exclusionary (who should be cut) increases decision makers’ stereotyping and ultimately discrimination against minority candidates, as opposed to using an inclusionary frame (who should be kept).

Intergroup and diversity scholars have developed inequity frames theory to describe how and why different framings affect reactions to group inequities as well (Lowery et al., 2007, 2009). Specifically, group inequity can be described as a *disadvantage* for those who suffer from the inequity, or as an *advantage* for those who benefit from the same inequity (Branscombe, 1998; Chow et al., 2008; Knowles et al., 2014; Lowery et al., 2012; Rosette & Koval, 2018). For instance, consider Jake and John competing for a newly open position. Alejandra, the hiring manager decides to hire Jake over John, solely because Jake is the same nationality as Alejandra, and John is not. This decision is clearly discriminatory because it was made based on group membership (i.e., nationality) rather than individual merit. However, the decision can be discussed as Alejandra’s biased treatment against John (disfavoring frame), or it could be discussed as Alejandra’s biased treatment in favor of Jake (favoring frame).

The frame used to describe the same inequity can evoke very different responses. For instance, framing racial group inequity in terms of advantages for Whites evokes more personal defensiveness among Whites than does framing racial inequity in terms of disadvantages for Blacks (Lowery et al., 2007; Lowery & Wout, 2010). Similar effects have been found among men and members of other social groups (e.g., Branscombe, 1998; Phillips & Lowery, 2020; Rosette & Tost, 2013; Sullivan et al., 2012). In turn, such defensiveness can reduce support for policies designed to correct group inequity, such as affirmative action (Phillips & Lowery, 2015). In contrast, at the individual level, framing inequity with a focus on the *disadvantaged* individual can spur advantaged group members to action by offering an identifiable victim and clear path for restoration (e.g., pay restitution; Rosette & Koval,

2018). In short, different frames can lead to different interpretations of, and therefore different reactions to, the same inequity.<sup>2</sup>

Extant research suggests these differential responses to inequity arise because the frames differentially prompt negative emotions and experiences of threat: advantaged individuals feel more guilty, more blame, and ultimately report lower group- and self-esteem when they read about inequity described with a favoring frame (e.g., men are advantaged) as compared with a disfavoring frame (e.g., women are disadvantaged; Branscombe, 1998; Leach et al., 2002; Lowery et al., 2007; Powell et al., 2005; Rosette & Koval, 2018). However, this work has focused on the first-person experience of inequity frames, in which an advantaged group member learns about the ways they benefit from inequity. In contrast, we suggest that because inequity frames shift people’s understanding of the fundamental nature of inequity (Lowery et al., 2009; Lowery & Wout, 2010), the impact of inequity frames should extend to people who are impartial to the inequity as well. Thus, we suggest inequity frames might also affect third-party observers of discrimination. Specifically, we theorize that, rather than emotions, inequity frames will shape third parties’ perceptions of a decision maker’s intentions, in turn affecting their interpretation of the context. We explain these predictions in more detail below.

### Favoring-Framed Discrimination Is Less Recognized as Discrimination

We suggest that although favoring and disfavoring frames describe an equivalent discriminatory outcome (e.g., Jake being hired and John not being hired based on nationality), the two frames are likely to be interpreted differently. Specifically, we expect that favoring versus disfavoring-framed decisions imply different decision maker *intentions*: the disfavoring frame is more likely to imply negative intentions. For instance, based on existing heuristics and expectations, observers may construe disfavoring as demonstrating animus, hatred, and intentions to hurt others, and as such, perceive negative intentions. Favoring frames, in contrast, are more likely to imply positive intentions. For instance, observers may construe favoring as demonstrating love, loyalty, and intentions to help others (Brewer, 1999), and as such, perceive positive intentions.<sup>3</sup>

Perceived intentions, in turn, are critical for perceivers’ judgments of actions as just, fair, and moral (Alicke et al., 2015; Cushman, 2008, 2015; Folger & Cropanzano, 2001); as such, perceived intentions should inform observers’ attributions to discrimination. Indeed, work from a variety of literatures, including justice and attribution, suggests that intentions often outweigh objective

<sup>2</sup> For instance, if men are systematically favored in promotion decisions, then women are necessarily disfavored; if women are systematically disfavored in promotion decisions, then men are necessarily favored (Lloyd & Phillips, 2006). That is, regardless of the motivation driving the objectively discriminatory decision, or the frame used to describe that decision, the decision is equivalent in terms of who benefits and who suffers due to their group membership.

<sup>3</sup> The framing of a decision is conceptually distinguishable from the relative status of a group member who “benefits” or “loses” from the decision. We expect, and find, a main effect of framing on attributions to discrimination, above and beyond any main effect of beneficiary group status (see also decision prototypicality; Major & Dover, 2016; Rodin et al., 1990).

outcomes when it comes to judging fairness (especially in Western contexts; Clark et al., 2017). For example, even failed attempts at harm are seen as worse than accidental harm (Alicke et al., 2015; Cushman, 2008, 2015). Likewise, in U.S. legal studies, intentions are considered an aggravating factor, or the lack thereof a mitigating factor (Dripps, 2003; see also Ames & Fiske, 2015). In short, decisions must be perceived as *intentional* in order to be perceived as unjust, rather than merely unfortunate (Alicke, 2000; Feather, 1999; Folger & Cropanzano, 2001; Umphress et al., 2013; see also Major et al., 2002). We therefore suggest that, because we expect favoring-framed decisions will imply more positive intentions than disfavoring-framed decisions, favoring-framed decisions will be less likely to be recognized as discrimination.

In line with our predictions, employee surveys (focused on disfavoring-framed decisions) have found that perceiving managers as having negative intentions can increase perceptions of discrimination (Avery et al., 2008; Harris et al., 2004). Likewise, a recent experiment (focused on disfavoring-framed decisions) found that participants who perceived more negative intent in a decision attributed the decision to discrimination more (Simon et al., 2019; see also Apfelbaum et al., 2017; Swim et al., 2003). Our theorizing might also help explain why White interview informants feel that their own in-group favoritism is largely disconnected from discrimination—they focus more on helping intentions or convenience (DiTomaso, 2013). In sum, perceived *intentions* are likely critical to judgments of discrimination; therefore, we theorize that to the extent inequity frames affect perceived intentions, then frames should also affect attributions to discrimination.

### Downstream Consequences

We further suggest that differential attributions to discrimination caused by different inequity frames are likely to influence subsequent behaviors, including support for litigation, willingness to report discrimination, and job pursuit intentions. Existing work on perceived discrimination has especially focused on understanding the perspective, beliefs, and behaviors of victims of discrimination (e.g., Avery et al., 2008; Pascoe & Smart Richman, 2009; Schmitt et al., 2014; Triana et al., 2015). However, third-party observers can serve as critical gatekeepers, helping identify and report injustice, or letting injustice continue (e.g., Skarlicki et al., 2015). For instance, when third-party observers do not attribute racial bullying to racial animus, they are less likely to report even blatant physical violence (Apfelbaum et al., 2010).

Here, we suggest that to the extent that favoring-framed decisions are less recognized as discrimination (compared with disfavoring-framed decisions), people will be less likely to report such decisions as discriminatory, via either supporting litigation or referring the decision for additional review. Further, they may be more likely to show interest in working for such organizations. In this way, discrimination framed as favoring beneficiaries may mask injustice, allowing it to persist.

### Current Research

In sum, we propose that individuals are less likely to recognize a discriminatory decision as discriminatory when it is described as favoring, as compared with disfavoring. We further suggest that this relative failure of recognition is driven by the effect of

inequity frames on perceived intentions, despite discriminatory outcomes being identical.

We tested our predictions in two qualitative surveys and six experiments, which sampled a variety of discrimination domains (e.g., age, sex, nationality, and race), across a variety of participant populations (e.g., working adults, business students, human resource employees). Studies 1a-b examined lay beliefs of discrimination as involving favoring versus disfavoring. Study 2 directly tested how inequity frames affect attributions to discrimination across a wide range of group-based discrimination contexts. Study 3 tested whether human resource employees fall victim to the same framing effect, and whether this affects their willingness to report discrimination. Studies 4–6 investigated alternative mechanisms, including perceived harm versus perceived intentions. Finally, Study 7 examined whether potential job applicants' efforts to apply to an organization are shaped by how the organization's discriminatory decisions are framed.

We hope to make three contributions with this work. First, whereas recent research has focused on decoupling favoring and disfavoring as drivers of *objective* discrimination (Brewer, 1999; DiTomaso, 2013, 2015), this research has not yet considered how people *subjectively* perceive discrimination (e.g., Kessler et al., 1999; Major et al., 2002; Pascoe & Smart Richman, 2009; Schmitt et al., 2014). To address this question, we integrate insights from inequity frames theory (Lowery et al., 2007) with the attributions to discrimination framework (Major et al., 2002). We show how inequity frames can ultimately cloak favoring-based inequity, leaving it less recognized. Second, we consider how inequity frames may affect third-parties, rather than first persons, by shaping perceived intentions. As such, we expand understanding of the mechanisms driving inequity frame effects. Finally, we demonstrate how frames may affect the recognition of discrimination across a wide range of domains, including age, citizenship, gender, nationality, race, social class, and sexual orientation. To this end, we adopt a stimulus sampling approach with mixed-model analyses across our studies.

### Study 1A: Lay Definitions of Discrimination

In both Studies 1a and 1b, we conducted open-ended surveys to test whether people are more likely to describe discrimination using disfavoring frames, compared with favoring frames. In Study 1a, we examined business students' lay definitions of discrimination, expecting them to disproportionately define discrimination as disfavoring. That is, to the extent that discrimination framed as disfavoring (as opposed to favoring) is more readily recognized as objectively discriminatory, we predicted that lay participants' definitions of discrimination would disproportionately involve disfavoring victims, rather than favoring beneficiaries.

### Method

#### Participants

We recruited students from a large East Coast business school, who completed an in-lab survey during a mass testing session in exchange for course credit:  $N = 254$  participants ( $M_{Age} = 20.10$ ,  $SD_{Age} = 1.11$ ; 45% female, 55% male; 39% Asian, 3% Black, 7% Latino, 23% White, 28% Other race).

## Procedure

Participants were told that the study was about how people experience and think about competitive hiring situations. Then, participants were asked to define discrimination with an open-ended question, "What does discrimination mean to you? That is, what is discrimination?" Next, all participants rated to what extent their definition was about unfairly favoring and unfairly disfavoring a candidate. The study lasted approximately 5 min.

## Measures

**Frame Coding.** Two research assistants, blind to hypotheses, were trained on the concept of inequity frames, specifically the difference between favoring versus disfavoring frames. The research assistants coded each participant's open-ended definition of discrimination on the following two coding dimensions, which were developed a priori: (a) Did the response describe a situation in which someone was unfairly positively treated? (0 = *no*, 1 = *yes*; favoring Cohen's  $k = .68$ ); and (b) Did the response describe a situation in which someone was unfairly negatively treated? (0 = *no*, 1 = *yes*; disfavoring Cohen's  $k = .82$ ). Given high interrater reliability, coders' ratings were averaged to form composite scores of disfavoring frames and favoring frames.

**Frame Ratings.** To corroborate the independent raters' coding of inequity frames, we also asked participants to rate the extent to which their definition of discrimination favored or disfavored a candidate, using two items that were presented in random order: "Discrimination unfairly disadvantages a candidate" and "Discrimination unfairly favors a candidate." Participants responded on a 7-point scale, 1 = *not at all* to 7 = *extremely*. We found that these two items were only moderately correlated ( $r = .25$ ,  $p < .001$ ), suggesting favoring and disfavoring are distinct from one another.

## Results and Discussion

Our coders' ratings of participants' open-ended responses revealed that 54% of the definitions of discrimination used only a disfavoring frame, whereas a mere 1% used only a favoring frame (see Table 1). Another 40% used no frame at all, and 4% used both frames. With raters' codings, we conducted McNemar's test to probe whether participants were more likely to use a disfavoring versus favoring frame in their definitions of discrimination. As

expected, participants were indeed more likely to use a disfavoring frame (58%) than a favoring frame (6%),  $\chi^2(1) = 105.41$ ,  $p < .001$ .

These findings were also replicated using participants' self-reported ratings of their definition of discrimination: A paired-samples  $t$  test revealed that participants were significantly more likely to define discrimination as unfairly disadvantaging ( $M = 5.75$ ,  $SD = 1.28$ ) than advantaging a candidate ( $M = 4.64$ ,  $SD = 1.85$ ),  $t(252) = -9.04$ ,  $p < .001$ . Results held after controlling for which rating question participants completed first,  $t(251) = -6.41$ ,  $p < .001$ .

Study 1a thus found that business students were significantly more likely to define discrimination in terms of *disfavoring*, as compared with favoring. These results provide support for the notion that participants are relatively blind to favoring-framed decisions: discrimination is more likely to be described in terms of disfavoring.

## Study 1B: Employee Experiences of Discrimination

Study 1b aimed to build on Study 1a by using a diverse set of real-life hiring experiences. To this end, we surveyed working adults' descriptions of their experience observing discrimination. We predicted that employees' descriptions of prior workplace discrimination would be disproportionately framed in terms of disfavoring, as compared with favoring. That is, to the extent favoring-framed discrimination is less recognized as discrimination, we expected that employees would use favoring frames less often in their reports of discrimination experiences.

## Method

### Participants

Because we were unsure what effect size to expect a priori, we recruited 500 U.S. based employed adults from a pool maintained by a large research university. Participants completed an online survey advertised as "Beliefs & Attitudes" and were paid 50 cents each. Incomplete surveys (i.e., unfinished) and duplicate entries (based on IP address and unique participant identifiers) were excluded, leaving a final  $N = 428$  ( $M_{Age} = 37.95$ ,  $SD_{Age} = 11.20$ ; 59% female, 40% male, 1% nonbinary or unknown; 5% Asian, 6% Black, < 1% Native American, 6% Latino, 78% White, 5% Other race).

**Table 1**

*Examples of Discrimination Definitions in Study 1a*

Disfavoring frame	Favoring frame	No frame
When your identity (race, religion, gender, ethnicity, socioeconomic status) is used against you to disadvantage you in any shape and form.	Discrimination is giving one person an unfair advantage/preference due to factors (mostly irrelevant to the task) they cannot control or influence.	When someone is judged by one's status, appearance, background, etc., instead of their skillsets, personalities, and what they can offer. Grouped and generalized and having their unique traits looked over.
Treating someone unfairly or withholding them of an opportunity because of a trait they cannot control and does not impede on their abilities.	Discrimination means favoring one group over another, and not allowing equal opportunity to all groups.	Treating certain groups of people differently.
Isolating someone from a group based on color, race, ethnicity, nationality	Making decisions about who gets included in something based on race, economic status, or any other factor that has no effect on character.	Making a decision about someone due to factors outside of their control (i.e., race, gender, orientation).

## Procedure

Participants first read instructions that described the concept of unfair hiring based on social categories, to ensure uniform focus. Specifically, they read, “Organizations can make unfair hiring decisions. For instance, organizations can make a hiring decision based on demographic group or social category. The hiring decision might be based on race, gender, age, social class, nationality, religion, sexual orientation, or other social categories.”

Then, participants were asked: “Have you ever observed, experienced, or heard of an organization making an unfair hiring decision based on a candidate’s demographic group or social category?” Participants could answer with one of two choices: “Yes, I have observed, experienced, or heard of an unfair hiring decision in an organization” or “No, I have not observed, experienced, or heard of an unfair hiring decision in an organization.” If participants responded with the first answer choice, they were asked to briefly describe the decision. If participants responded with the second answer choice, they were asked to imagine such a decision had occurred, and to describe what they imagined.

All participants then indicated what specific group(s) they had been thinking about, answered to what extent their example was about unfairly favoring a candidate and unfairly disfavoring another candidate, and reported their perceived intentions of the decision maker. Finally, participants answered a short demographics questionnaire. The study lasted approximately 5 min.

A trained research assistant, blind to hypotheses, coded whether participants’ open responses used favoring and/or disfavoring frames. Consistent with recent findings that workplace discrimination is widespread (EEOC, 2020), we found that the majority of participants indeed observed, experienced, or had heard of an unfair hiring decision (70.3%). As demonstrated in Table 2, participants’ responses discussed a wide range of discrimination domains.

**Table 2**

*Examples of Participants’ Recollections of Hiring Decisions in Study 1b*

Disfavoring frame	Favoring frame	Both frames
A friend of mine wanted to get a job at a certain company. She was pretty qualified to get the job she had both the education and experience but they wanted to hire a male instead of a female. The employer was biased against women and thought they couldn’t do the job as well as a man could.	I work in a library that has more women than men working in it (a trend prevalent in the field), and we had a candidate that was weighted more favorably because he identified as male.	I have experienced being turned down for a job in which I was qualified for due to the company choosing to hire someone less experienced due to them being a male (and me being a female).
Many qualified applicants were overlooked at my past employers simply because they were not African American like the hiring manager.	I watched a specific candidate get selected for a promotion over other candidates because he was male and a minority. The company said it was looking to promote diversity and chose the candidate not only because he was qualified but because of his background.	Someone with relevant experience and masters degree but not White was passed over in favor of a White person with less experience and no college degree.
A candidate was older (i.e., 50s or 60s) and the hiring team was reluctant to hire this person due to the possibility that they would not be able to cope with new technology.	My manager . . . for unknown reasons . . . keeps hiring people near retirement age . . . instead of people that will actually work out . . . most are only there to fill the gap between paying for health insurance and Medicaid . . . and almost all of them quit . . . and I feel it’s a waste of my time to train someone that’s just there for the insurance and not in it for the long run or a team player.	Hiring of a younger candidate over a candidate close to retirement, even though the older candidate had more experience.

## Measures

**Frame Coding.** To assess whether participants’ descriptions used favoring and disfavoring frames, a research assistant who was trained on the concept of inequity frames coded each participant’s open-ended response based on two coding dimensions developed a priori: (a) Did the response describe a situation in which someone was unfairly hired? (0 = *no*, 1 = *yes*); and (b) Did the response describe a situation in which someone was unfairly not hired? (0 = *no*, 1 = *yes*).

**Frame Ratings.** To corroborate the independent rater’s coding of inequity frames, participants rated the extent to which their descriptions of a discriminatory decision favored or disfavored a candidate, using two items that were presented in random order: “The decision unfairly disadvantaged a candidate” and “The decision unfairly favored a candidate.” Participants responded on a 7-point scale, 1 = *not at all* to 7 = *extremely*. We found no correlation between the two items ( $r = .06$ ,  $p = .19$ ), suggesting that each item addressed a different frame.

**Perceived Intentions.** Participants reported their perceptions of the decision maker’s intentions, using a single-item scale from Alicke et al. (1990): “To what extent did the decision maker have good or bad intentions when making the unfair hiring decision you described?.” Participants responded on a scale ranging from  $-9 =$  *very bad intentions* to  $9 =$  *very good intentions*.

## Results

### Frame Used

The coder’s ratings of participants’ open-ended responses revealed that 40% used only a disfavoring frame, whereas 28.5% used only a favoring frame, 18% used both frames, and 13.5% used no frame at all. As in Study 1a, we used McNemar’s test to probe whether participants were more likely to use one frame or the other. As expected, participants were significantly more likely

to use a disfavoring frame (57.9%) than a favoring frame (46.5%),  $\chi^2(1) = 7.86, p = .005$ .

To probe robustness, we additionally conducted a mixed-model binomial regression, regressing the independent rater's framing codes (0 = *no*, 1 = *yes*) on both frame type ( $-1 = \textit{disfavoring frame}$ ,  $1 = \textit{favoring frame}$ ), whether the decision was experienced versus imagined ( $-1 = \textit{imagined}$ ,  $1 = \textit{experienced}$ ), their interaction, and a random-intercepts effect of participant. We again found that participants were significantly more likely to use a disfavoring than a favoring frame,  $\log\text{-odds} = -.31, SE = .08, z = -4.04, p < .001$  (see Table 3). Experienced versus imagined scenarios did not exert a main effect,  $p = .60$ . Interestingly, the interaction was significant,  $\log\text{-odds} = .19, SE = .08, z = 2.47, p = .01$ , such that the effect of frame was smaller for experienced than imagined scenarios.

Consistent with Study 1a, these findings were replicated using participants' self-reported ratings of the unfair decision they had described. Using a paired-samples *t* test, we found that participants rated the decision they described as significantly more disadvantaging ( $M = 5.59, SD = 1.60$ ) than advantaging ( $M = 4.54, SD = 2.23$ ),  $t(427) = -8.17, p < .001$ . Again, this result held in a mixed-model regression,  $t(426) = -8.49, p < .001$ , after controlling for whether they described an experienced or imagined decision, the interaction of frame type and experienced or imagined decision, which rating question participants completed first ( $-1 = \textit{advantage first}$ ,  $1 = \textit{disadvantage first}$ ), and a random-intercepts effect of participant (see Table 3). Experienced versus imagined scenarios also exerted a main effect,  $t(426) = 2.60, p = .005$ , and we again found that the interaction was significant,  $t(426) = 2.42, p = .02$ , such that the effect of frame was smaller for experienced than imagined scenarios. There was no effect of which question participants completed first,  $p = .71$ .

### Perceived Intentions

We also examined whether favoring decisions were perceived as being driven by positive intentions more so than disfavoring decisions, by conducting a series of four correlation tests. First, we found that the independent rater's coding of decisions as using a disfavoring frame was negatively related to participants' ratings of perceived intentions, point-biserial  $r = -.14, p = .003$ . Second, we found that the opposite was true for decisions coded by the independent rater as using the favoring frame, point-biserial  $r = .22, p < .001$ . Mirroring these results, the more participants themselves rated the decision as disadvantaging, the more negatively they perceived the decision maker's intentions,  $r = -.32, p < .001$ .

Finally, by contrast, the more participants rated the decision as advantaging, the more positively they perceived the decision maker's intentions,  $r = .12, p = .01$ . Thus, consistent with our expectations, participants associated favoring decisions with more positive intentions, and associated disfavoring decisions with more negative intentions.

### Discussion

In Study 1b, we surveyed employees' experiences with discrimination. We found that employees recalled both favoring and disfavoring decisions, dovetailing with existing work that documents both favoring and disfavoring mechanisms as drivers of objective discrimination (DiTomaso, 2013). However, consistent with our predictions, we found that employees' reports of unfair hiring decisions were significantly more likely to be described in terms of *disfavoring*, as compared with favoring. Finally, our results provide initial support for our theorized mechanism: favoring (vs. disfavoring) a candidate was associated with perceptions of more positive intentions.

While providing a variety of real-world descriptions of employees' experiences with discrimination, Study 1b suffers some limitations. Employees' recall may be biasing their responses—perhaps disfavoring-framed and favoring-framed decisions are both attributed to discrimination, but disfavoring-framed decisions are more memorable. Further, it is possible that the disproportionate recollections accurately reflect the actual rate of disfavoring versus favoring discriminatory decisions, instead of being driven by employees' failure to recognize discrimination when it appears to favor candidates (but see DiTomaso, 2015). To address these limitations, we turned to an experimental design in Study 2.

### Study 2: Manipulating Framing of Same Decision

Building on Studies 1a and b, Study 2 employed a preregistered experimental design (<https://aspredicted.org/hj948.pdf>), manipulating the frame of a hiring decision as favoring versus disfavoring. We directly measured to what extent participants attributed a decision to discrimination depending on the frame used to describe the decision. We also tested whether differences in perceived intentions of the decision maker mediated our expected effect of framing on attributions to discrimination.

In Study 2, we also probed generalizability by using 10 different discrimination domains: age, alma mater, citizenship, club affiliation, nationality, race (White/Asian and White/Black), sex, sexual orientation, and social class. While each of these domains has different

**Table 3**  
Robustness Checks, Study 1b

Variable (fixed)	Coding (independent rater)			Rating (participant)		
		Model 1		Model 2		
	<i>log-odds</i>	<i>SE</i>	<i>z</i>	<i>b</i>	<i>SE</i>	<i>t</i>
Intercepts	.07	.08	.97	4.98***	.07	66.96***
Frame type	-.23***	.07	-3.34***	-.53***	.06	-8.17***
Experienced (vs. imagined)	.04	.08	.55	.19**	.07	2.60**
Disadvantage rating first (vs. advantage)	—	—	—	-.02	.07	-.36
Frame Type × Experienced (vs. imagined)	.19*	.08	2.47*	.17*	.07	2.42*

\* $p < .05$ . \*\* $p < .01$ . \*\*\* $p < .001$ .

**Table 4**  
*Stimuli Used in Studies 2–3 (and Select Domains for Studies 5–7)*

Domain	Favoring frame	Disfavoring frame
Age (a candidate in his 30s/50s)	“The boss has always loved [young/older] people and probably would always pick a [young/older] person if they could help it.”	“The boss has always disliked [young/older] people and probably would never pick a [young/older] person if they could help it.”
Alma mater (a candidate from University of Michigan/Ohio State University)	“The boss has always loved his alma mater [Michigan/Ohio State] and probably would always pick a [Michigan/Ohio State] grad if they could help it.”	“The boss has always hated his alma mater’s rival [Michigan/Ohio State] and probably would never pick a [Michigan/Ohio State] grad if they could help it.”
Citizenship (a candidate from the United States/Australia)	“The boss has always been a big patriot of the [USA/Australia] and probably would always pick an [American/Australian] citizen if they could help it.”	“The boss has always been a big dissident toward the [USA/Australia] and probably would never pick an [American/Australian] citizen if they could help it.”
Club affiliation (a candidate from University of Wisconsin/University of Iowa)	“The boss has always been a [Wisconsin Badgers/Iowa Hawkeyes] sports fan and probably would always pick a [Wisconsin/Iowa] grad if they could help it.”	“The boss has always hated the [Wisconsin Badgers/Iowa Hawkeyes] as a sports fan and probably would never pick a [Wisconsin/Iowa] grad if they could help it.”
Nationality (a candidate from the Switzerland/Belgium)	“The boss has always loved the [Swiss/Belgians] and probably would always pick a [Swiss/Belgian citizen if they could help it.”	“The boss has always hated the [Swiss/Belgians] and probably would never pick a [Swiss/Belgian citizen if they could help it.”
Race (White/Asian) (a White/Asian candidate)	“The boss has always loved [Whites’/Asians’] insightfulness and probably would always pick a [White/Asian] person if they could help it.”	“The boss has always distrusted [Whites’/Asians’] insightfulness and probably would never pick a [White/Asian] person if they could help it.”
Race (White/Black) (a White/Black candidate)	“The boss has always felt that [White/Black] guys fit better with the team’s culture.”	“The boss has always felt that [White/Black] guys fit worse with the team’s culture.”
Sex (a male/female candidate)	“The boss has always felt that [men/women] fit better with the team’s culture.”	“The boss has always felt that [men/women] fit worse with the team’s culture.”
Sexual orientation (a candidate who identifies as heterosexual/LGBT)	“The boss has always felt an affinity towards [heterosexual/LGBT] folks.”	“The boss has always felt uncomfortable around [heterosexual/LGBT] folks.”
Social class (a candidate from a well-known wealthy family/unknown family)	“The boss has always felt an affinity towards [wealthy/unknown] families.”	“The boss has always felt distrusting of [wealthy/unknown] families.”

histories and dynamics, recent work has found each domain to be a basis for discriminatory hiring decisions (e.g., Binggeli, 2013; Herek, 2010; Kang et al., 2016; Milkman et al., 2012; Nelson, 2004; Pager & Shepherd, 2008; Ragins & Cornwell, 2001; Rivera, 2016; Rivera & Tilsik, 2016; Ruggs et al., 2013; Shore & Goldberg, 2005).

## Method

### Participants

We recruited 1,500 U.S. based adults from Prolific to complete an online survey in exchange for 70 cents. Following our preregistered exclusions, we removed duplicate (based on IP address, location coordinates, and platform-based unique participant identifiers) and incomplete responses, as well as those who failed an antibody check, for a final sample of  $N = 1,066$  ( $M_{Age} = 31.89$ ,  $SD_{Age} = 11.98$ ; 53% female, 45% male, 2% nonbinary or unknown; 13% Asian, 8% Black, <1% Native American, 8% Latino, 68% White, 2% Other race).

### Manipulation and Measures

#### Independent Variable.

**Framing.** Participants were randomly assigned to view one of two framings of the same decision: favoring ( $n = 539$ ) versus disfavoring ( $n = 527$ ). For example, those in the favoring condition in the nationality domain read:

*About a week after Alex’s final round interview, he gets a call from a potential colleague at the company. They are calling him informally just to let him know that they heard he got the job. They want to offer congratulations and*

*any advice. They also mention off-hand that it was a close call between Alex (a candidate from Switzerland) and Taylor (a candidate from Belgium), but that the boss has always loved Switzerland and probably would always pick a Swiss citizen if they could help it. They tell Alex congratulations again and say that he should get an official call in the next day or two.*

Those in the disfavoring condition read a similar prompt, with the following change:

*... but that the boss has always hated Belgium and probably would never pick a Belgian citizen if they could help it ...*

Across prompts, we utilized a wide range of specific phrasings (e.g., “always hated,” “always disliked,” “always felt uncomfortable,” “felt [X] fit worse”; Table 4) in order to provide a robust stimulus sampling test not dependent on any specific phrasing, and to fit unique contours of each discrimination domain tested.<sup>4</sup> We also sampled both indirect and direct language, given research demonstrating that even explicit hate speech remains all too frequently used in the workplace (e.g., Rosette et al., 2013).

<sup>4</sup>To maintain statistical power, each scenario introduced both candidates (Alex and Taylor), and consistently selected Alex, while manipulating the framing of this decision and the group status of Alex. However, this raises the possibility that participant point-of-view may moderate the effect of inequity frames. We address this in both Study 4 (in which focal individuals are sometimes selected and sometimes rejected, depending on the legal case) as well as in Study 5 and Supplemental Study 1 (see online supplementary materials for details). In all three studies, we find the main effect of favoring frame persists.

**Table 5**  
Correlations Among Variables, Studies 2–7

Variable	1	2
1. Attributions to discrimination	—	
2. Perceived intentions	S2: $-.60^*$ S3: $-.56^*$ S4: $-.32^*$ S5: $-.50^*$ S6: $-.47^*$ S7: $-.48^*$	—
3. Report decision	S3: $.63^*$	S3: $-.43^*$
4. Support for litigation	S4: $.49^*$	S4: $-.40^*$
5. Job pursuit:		
Intentions	S7: $-.38^*$	S7: $.33^*$
Information search	S7: $.11$	S7: $-.08$
Email share	S7: $-.07$	S7: $.08$
Resume share	S7: $-.10$	S7: $.05$

\* $p < .05$ .

### Dependent Variables.

**Attributions to Discrimination.** We measured participants' attributions to discrimination using Simon et al.'s (2019) Attributions to Discrimination Scale. We removed the third item from the original scale because it was specific to the domain of race. Participants thus rated "to what extent do you think the boss was discriminatory in his decision?" and "to what extent do you think the boss' decision was based on discrimination?" ( $r = .91$ ), using a 7-point scale, 1 = *not at all* to 7 = *extremely*.<sup>5</sup>

**Perceived Intentions.** We used the same measure from Study 1b.

**Exploratory Moderating Variables.** We created the following variables for exploratory analyses.

**Discrimination Domain.** Participants were randomly assigned to read a scenario regarding one of 10 discrimination domains: age, alma mater, citizenship, club affiliation, nationality, race (White/Asian and White/Black), sex, sexual orientation, and social class. While not our main focus, we conducted exploratory analyses to consider domain specific effects.

**Legal Status.** At the time data were collected, age, citizenship, nationality, race (White/Black and White/Asian), sex, and sexual orientation were legally protected classes in the U.S., and thus may be associated with especially strong proscriptive norms. We considered whether legal protection status ( $-1 = no$ ,  $1 = yes$ ) moderated results.

**Beneficiary Group Status.** Because we counterbalanced which candidate was selected or rejected between subjects, participants read about decisions favoring either a dominant group member (e.g., male candidate selected) or a marginalized group member (e.g., female candidate selected); others read about decisions that had no group status connotation (e.g., alma mater). This in turn resulted in some decisions matching prototypical patterns of discrimination more than others. Given that people are more likely to attribute decisions to discrimination when they match the prototype of lower status group members being rejected (Major & Dover, 2016; Rodin et al., 1990), we created a dichotomous variable capturing beneficiary group status ( $-1 = lower status$ ,  $1 = higher status$ ) for domains in which the relative status between the mentioned groups is salient: age, citizenship, race White/Asian, race White/Black, sex, sexual orientation, and social class.

**Participant Group Membership.** We considered whether being a member of either social group represented in the hiring scenario

(i.e., the selected or the rejected candidate's group) may affect results. For instance, group identification can shift the likelihood of connecting hiring decisions to social identity, and thus discrimination (Crocker & Major, 1989; Ruggiero & Major, 1998; Major et al., 2003; Leslie & Gelfand, 2008; Sellers & Shelton, 2003). We coded participants' demographic membership regarding age, race (Asian/White), race (Black/White), sex, and sexual orientation domains ( $-1 = match selected candidate$ ,  $0 = no match$ ,  $1 = match rejected candidate$ ). Participant demographics did not meaningfully vary regarding alma mater, citizenship, club affiliation, nationality, and social class domains, and so these were not included.

## Results

Table 5 shows correlations among variables in Studies 2–7. A factor analysis with varimax rotation confirmed that our measures of attributions to discrimination and perceived intentions assessed two unique constructs, rather than global negativity (two unique factors with SS loadings  $> 1$ ; see online supplementary materials).

First, we describe our hypothesized effects of framing condition. Then, we describe exploratory mixed-model analyses, accounting for variation from domain stimulus sampling, legal protection status, beneficiary group status (counterbalanced), and participant group membership (see Table 6, Models 1–4).

### Effect of Framing

As expected, a  $t$  test revealed that those in the favoring condition ( $M = 4.18$ ,  $SD = 1.84$ ) were significantly less likely to attribute the decision to discrimination compared with those in the disfavoring condition ( $M = 5.16$ ,  $SD = 1.76$ ),  $t(966) = -8.58$ ,  $p < .001$ . Furthermore, those in the favoring condition ( $M = 1.05$ ,  $SD = 4.21$ ) perceived the decision maker's intentions as significantly more positive than did those in the disfavoring condition ( $M = -1.27$ ,  $SD = 4.83$ ),  $t(964) = 7.98$ ,  $p < .001$ .

Next, we conducted a mediation test (*mediation* in R), using bootstrapped confidence intervals (1000 bootstraps). As expected, participants' perceptions of decision intent significantly mediated the effect of framing on attributions to discrimination: average causal mediation effect  $b = -.27$ , 95% CI  $[-.34, -.21]$ ,  $p < .001$  (see Figure 1).

### Exploratory Analyses

**Discrimination Domain.** While our hypotheses regarded the effects of inequity framing broadly, we supplemented our primary analyses with a mixed-model approach (*lmerTest* in R), treating framing condition as a fixed effect and discrimination domain as a random effect (varying intercepts and slopes by framing condition) to explore whether the framing effect on attributions to discrimination systematically differed by discrimination domain. We found that the effect of

<sup>5</sup> Across studies, we additionally measured the effect of inequity frames on perceptions of fairness, in order to probe the possibility that participants rely on discrimination as a word for a specific kind of unfair decision—disfavoring—even while finding favoring to be similarly unfair. That is, even if an unfair decision is not attributed to "discrimination" as a specific term, the decision may still be perceived as unfair. However, in line with our expectations, we found that inequity frames did not exert a mere semantic difference; rather, participants find favoring-framed decisions not only less discriminatory, but also less unfair. See online supplemental materials for details.

**Table 6**  
Effects of Framing on Attributions to Discrimination (Study 2)

Variable (fixed)	Model 1			Model 2			Model 3			Model 4		
	<i>b</i>	<i>SE</i>	<i>t</i>	<i>b</i>	<i>SE</i>	<i>t</i>	<i>b</i>	<i>SE</i>	<i>t</i>	<i>b</i>	<i>SE</i>	<i>t</i>
Intercepts	4.70	.15	30.91***	4.56	.13	33.91***	4.78	.17	28.49***	4.91	.20	24.36***
Framing condition	-.47	.08	-5.57***	-.55	.07	-7.85***	-.35	.07	-4.96***	-.33	.09	-3.62***
Legal Status	—	—	—	.36	.13	2.67*	—	—	—	—	—	—
Framing × Legal Status	—	—	—	.21	.07	2.98*	—	—	—	—	—	—
Beneficiary Group Status	—	—	—	—	—	—	.50	.11	4.71**	—	—	—
Framing × Beneficiary	—	—	—	—	—	—	.05	.07	.80	—	—	—
Participant Group (Lin)	—	—	—	—	—	—	—	—	—	—	—	—
Participant Group (Quad)	—	—	—	—	—	—	—	—	—	—	—	—
Framing × Participant Group (Lin)	—	—	—	—	—	—	—	—	—	—	—	—
Framing × Participant Group (Quad)	—	—	—	—	—	—	—	—	—	—	—	—
Variable (random-intercepts)		<i>SD</i> <sup>2</sup>			<i>SD</i> <sup>2</sup>			<i>SD</i> <sup>2</sup>		<i>SD</i> <sup>2</sup>		<i>SD</i> <sup>2</sup>
Discrimination Domain		.20***			.12***			.17***		.16***		
Variable (random-slopes)		<i>SD</i> <sup>2</sup>			<i>SD</i> <sup>2</sup>			<i>SD</i> <sup>2</sup>		<i>SD</i> <sup>2</sup>		<i>SD</i> <sup>2</sup>
Framing condition		.04*			.01			.01		.003		
Beneficiary Group Status		—			—			.05*		—		
Framing × Beneficiary		—			—			.005		—		

Note. Framing condition coded as -1 = *disfavoring* and 1 = *favoring*; legal status coded as -1 = *not protected* and 1 = *legally protected*; beneficiary group status coded as -1 = *lower status* and 1 = *higher status*; participant group membership coded as -1 = *matches selected candidate*, 0 = *no match*, and 1 = *matches rejected candidate*. \**p* < .05. \*\**p* < .01. \*\*\**p* < .001 (in the case of random-effects, asterisk denotes p-value from model fit comparison).

framing persisted,  $b = -.47$ ,  $SE = .08$ ,  $t(10) = -5.57$ ,  $p < .001$ . As random effects are not assessed using traditional significance tests, we instead compared the random-slopes model to the random-intercepts alone model (*rand* in lmerTest package), which suggested that varying slopes by framing condition improved the model,  $\chi^2(2) = 6.82$ ,  $p = .03$ . We also found that mean attributions of discrimination varied by domain (random-intercepts,  $SD^2 = .20$ ) more than the effect of framing varied by domain (random-slopes,  $SD^2 = .04$ ). Together, these results suggest that domain exerts a stronger main effect on attributions to discrimination as compared with moderating the effect of framing.

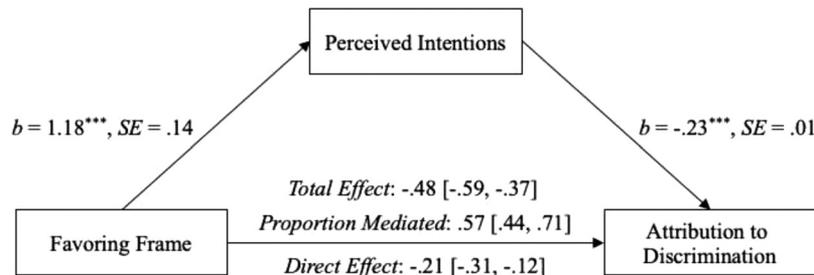
To further supplement our analyses of domain specific effects, we also analyzed the effect of framing on each dependent variable *within* each domain (t-tests; Tables 7a and 7b). Within three domains, we found that the effect of framing was not significant: race (Black/White), sex, and sexual orientation. However, in an internal meta-analysis, we find the effect of framing is significant within each of these domains (see Analytic Summary of Exploratory Moderators).

**Legal Status.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by legal status. We used a mixed-model approach, treating framing condition, legally protected status of the domain, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts and slopes by framing condition). We found that the effect of framing persisted,  $b = -.55$ ,  $SE = .07$ ,  $t(8) = -7.85$ ,  $p < .001$ . Further, comparing a random-intercepts model to a random-slopes model suggested that varying slopes by framing condition does not improve the model,  $\chi^2(2) = 1.69$ ,  $p = .43$ , and thus that the effect of frame is not moderated by domain.

We also found that legal status exerted a significant main effect,  $b = .36$ ,  $SE = .13$ ,  $t(8) = 2.67$ ,  $p = .03$ . However, this was qualified by a significant interaction,  $b = .21$ ,  $SE = .07$ ,  $t(8) = 2.98$ ,  $p = .02$ . Decomposing the interaction, we found that when the domain was a legally protected class, the effect of framing was significant,  $b = -.34$ ,  $SE = .08$ ,  $t(8) = -4.49$ ,  $p = .002$ . When the domain was not legally protected, the effect of framing was also significant,  $b = -.76$ ,  $SE = .12$ ,  $t(8) = -6.45$ ,  $p = .002$ . That is, although significant among legally protected and not protected domains, the effect of favoring over disfavoring frames was smaller when the domain was legally protected. Decomposed differently, among those in the disfavoring condition, legal status had no effect,  $b = .15$ ,  $SE = .17$ ,  $t(8) = .87$ ,  $p = .41$ . However, among those in the favoring condition, legally protected status significantly increased likelihood of attributing the decision to discrimination,  $b = .57$ ,  $SE = .13$ ,  $t(8) = 4.45$ ,  $p = .002$ .

**Beneficiary Group Status.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by beneficiary group status. We again used a mixed-model approach, treating framing condition, beneficiary group status, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts and slopes by the interaction of framing condition and beneficiary group status). We found that the effect of framing persisted,  $b = -.35$ ,  $SE = .07$ ,  $t(12) = -4.96$ ,  $p < .001$ . Further, comparing the random-intercepts to the random-slopes model suggested that including random-slopes does not improve the model,  $\chi^2(4) = .37$ ,  $p = .99$ , and thus that the effect of frame is not moderated by domain nor the interaction of domain and beneficiary group status.

**Figure 1**  
Mediation Analysis in Study 2



\* $p < .05$ . \*\* $p < .01$ . \*\*\* $p < .001$ .

Consistent with previous work (Rodin et al., 1990), we found that beneficiary group status did exert a significant main effect,  $b = .50, SE = .11, t(7) = 4.71, p = .002$ , such that participants were more likely to attribute decisions to discrimination when they read about a high status group member being selected (i.e., prototypical discrimination pattern). However, the effect of framing was not moderated by beneficiary group status,  $b = .05, SE = .07, t(10) = .80, p = .44$ .

**Participant Group Membership.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by participant group membership. We used a mixed-model approach, treating framing condition, participant group membership, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts and slopes by framing condition). We found that the effect of framing persisted,  $b = -.33, SE = .09, t(34) = -3.62, p < .001$ . Further, comparing the random-intercepts to a random-slopes model suggested that varying slopes by framing condition does not improve the model,  $\chi^2(2) = .64, p = .73$ , and thus that the effect of frame is not moderated by domain.

We found that participant group membership exerted a significant main effect,  $b = -.20, SE = .08, t(547) = -2.45, p = .01$  (linear contrast), such that participants were (unexpectedly) less likely to attribute decisions to discrimination when they shared group membership with the rejected candidate, as compared with sharing group membership with the selected candidate. There was no difference between those who shared group membership with either candidate and those who did not share group membership,  $b = -.08, SE = .08, t(546) = -.99, p = .32$  (quadratic contrast). Finally, the effect of framing was not moderated by participant group membership:  $b = -.01, SE = .08, t(546) = -.08, p = .93$  (linear contrast);  $b = .10, SE = .07, t(544) = 1.32, p = .19$  (quadratic contrast).

## Discussion

Study 2 provides evidence that favoring-framed decisions are less likely to be attributed to discrimination as compared with disfavoring-framed decisions. Notably, we replicate these results in a large pilot study ( $N = 968$ ; see online supplemental materials) that preceded the preregistered Study 2. Further, Study 2 suggests that this gap in attributions to discrimination occurs because observers attribute different *intentions* to the decision maker: favoring-

framed decisions engender more positive perceptions of the decision maker's intent than disfavoring-framed decisions.

Although Study 2 was designed to test the effect of framing on attributions to discrimination, our stimulus-sampling approach also allowed us to consider how framing may affect attributions within specific discriminatory domains. Splitting the data to look within each of the Black/White, sex, and sexual orientation discrimination domains, we do not find significant effects of framing in Study 2; however, both our mixed-model results and an internal meta-analysis (see Analytic Summary of Exploratory Moderators below) suggests that the effect of framing persists for each of these specific domains. It is also possible that rather than domain per se, it was the *language* used that drove this pattern. Study 2 sampled a variety of language to create the frames (see Table 4), to ensure framing effects were not dependent on a specific wording choice. However, given the sex and Black/White scenarios in particular used relatively subtle language referencing cultural fit, this may explain why the effect size for these domains appears somewhat smaller than for others. Together, these results suggest that favoring-framed decisions are less likely to be attributed to discrimination across a variety of domains, but that discrimination domain additionally affects *mean* levels of discrimination attribution.

We further find that legal status, beneficiary group status, and participant group membership affect attributions to discrimination, following previous research (Major & Dover, 2016; Rodin et al., 1990). Future work might consider what factors may lead individuals to be more willing to recognize favoring as discrimination across these domains, such as observer expectations or organizational signaling. For instance, atypical discrimination (low status beneficiary) may be interpreted as justice correcting (e.g., affirmative action), rather than unjust; as such, it may serve as a prodiversity signal, generating increased support from observers (e.g., Daniels et al., 2021; Kang et al., 2016; Leslie et al., 2017). This would suggest that, in addition to decision makers' intent, individuals may be sensitive to norms and expectations to protect or promote some social identities (see also Rodin et al., 1990). We return to this possibility in Study 4, in which we vary the framing of affirmative action court cases, to consider whether framing affects even an explicitly justice-correcting case.

Overall, Study 2 suggests that inequity frames exert a significant effect on attributions to discrimination: participants rate favoring decisions as less discriminatory and more positively intended than

**Table 7a**  
*Effects of Inequity Frames on Attributions to Discrimination, by Discrimination Domain (Studies 2, 3, 4, and 7)*

Domain	Study 2			Study 3			Study 4			Study 7			Meta-analysis								
	$n$	$M_{Fav}$	$M_{Dis}$	$t$	$p$	$n$	$M_{Fav}$	$M_{Dis}$	$t$	$p$	$n$	$M_{Fav}$	$M_{Dis}$	$t$	$p$	$k$	$SMD$	$z$	$p$		
Age	113	4.40	5.24	-2.54	.01	49	3.52	4.76	-2.53	.01	68	3.59	3.76	-.49	.63	42	4.08	5.15	-2.74	.01	
Alma mater	104	3.70	5.10	-4.18	<.001	47	3.78	5.04	-2.30	.02	—	—	—	—	—	36	3.76	5.21	-2.86	.007	
Citizenship	101	4.46	5.43	-3.05	.003	48	3.54	5.77	-4.29	<.001	—	—	—	—	—	—	—	—	—	—	
Club affiliation	96	2.97	5.06	-6.15	<.001	45	3.61	4.28	-1.07	.29	—	—	—	—	—	—	—	—	—	—	
Nationality	103	4.52	5.82	-4.16	<.001	49	4.04	5.96	-4.29	<.001	—	—	—	—	—	36	3.89	5.67	-3.37	.002	
Race: White/Asian	109	5.32	5.99	-2.37	.02	48	5.09	5.74	-1.42	.16	78	3.60	4.55	-2.54	.01	44	4.67	5.76	-2.65	.01	
Race: White/Black	111	4.54	4.87	-.86	.39	51	5.25	5.00	.45	.65	80	3.35	4.27	-2.64	.01	—	—	—	—	5	.30
Sex	109	4.11	4.33	-.63	.53	47	3.85	4.57	-1.11	.27	71	4.04	4.60	-1.40	.17	—	—	—	—	4	.33
Sexual orientation	110	4.69	5.14	-1.34	.18	51	4.52	5.50	-1.79	.08	—	—	—	—	—	41	4.31	4.78	-.72	.47	
Social class	110	3.61	4.74	-3.28	.001	50	3.29	4.44	-2.10	.04	—	—	—	—	—	—	—	—	—	4	.35

*Note.* Mixed-model analyses treating domain as a random effect (varying both intercepts and slopes) provide a statistical test of whether effect of framing varies significantly by domain. See results in relevant studies and Analytic Summary of Exploratory Moderators.

**Table 7b**  
*Effects of Inequity Frames on Perceived Intentions, by Discrimination Domain (Studies 2, 3, 4, and 7)*

Domain	Study 2			Study 3			Study 4			Study 7										
	$n$	$M_{Fav}$	$M_{Dis}$	$t$	$p$	$n$	$M_{Fav}$	$M_{Dis}$	$t$	$p$	$n$	$M_{Fav}$	$M_{Dis}$	$t$	$p$					
Age	113	1.53	-1.57	3.71	<.001	49	2.75	-.76	2.85	.007	68	1.90	1.45	.55	.59	42	2.11	-.39	2.30	.03
Alma mater	104	1.42	-2.20	4.39	<.001	47	2.48	-2.04	3.87	<.001	—	—	—	—	—	36	3.11	-1.31	4.02	<.001
Citizenship	101	.17	-2.88	3.77	<.001	48	2.17	-2.71	3.22	.002	—	—	—	—	—	—	—	—	—	—
Club affiliation	96	2.06	-1.72	4.48	<.001	45	1.36	-1.83	2.58	.01	—	—	—	—	—	—	—	—	—	—
Nationality	103	.04	-3.30	4.19	<.001	49	2.17	-2.40	3.91	<.001	—	—	—	—	—	36	1.47	-2.22	3.40	.002
Race: White/Asian	109	-.82	-2.78	2.16	.03	48	-.07	-3.05	2.12	.04	78	3.40	3.60	-.26	.79	44	-.19	-1.52	1.17	.25
Race: White/Black	111	.19	-1.19	1.51	.13	51	-.42	.40	-.62	.54	80	3.02	.00	3.48	.001	—	—	—	—	—
Sex	109	1.82	1.02	1.01	.32	47	2.25	1.74	.42	.68	71	-.63	-1.94	1.61	.11	—	—	—	—	—
Sexual orientation	110	-.06	-1.49	1.62	.11	51	2.20	-1.35	2.61	.01	—	—	—	—	—	41	1.14	-.90	1.42	.17
Social class	110	1.63	.74	1.15	.25	50	3.21	-.54	3.26	.002	—	—	—	—	—	—	—	—	—	—

disfavoring decisions, across a range of important and even illegal forms of discrimination.

### Study 3: Expert Decision Makers

Study 3 was designed to replicate and extend our findings among relative experts—human resource employees who make hiring evaluations, and thus encounter potentially discriminatory decisions regularly. Study 3 also tested an important downstream consequence: does favoring versus disfavoring framing affect how willing professionals are to flag a hiring decision as problematic?

## Method

### Participants

We recruited 500 U.S. based adults from Mechanical Turk, who indicated in a prescreen that their job involved hiring evaluations, to participate in an online study in exchange for 50 cents each. We removed duplicate (based on IP address and platform-based unique participant identifiers) and incomplete responses, leaving a final  $N = 485$  ( $M_{Age} = 38.61$ ,  $SD_{Age} = 11.81$ ; 59% female, 41% male; 4% Asian, 9% Black, 4% Latino, 77% White, 6% Other race).

### Manipulation and Measures

#### Independent Variables.

**Framing.** We again manipulated the framing of a hiring decision as in Study 2: favoring ( $n = 243$ ) versus disfavoring ( $n = 242$ ).

**Discrimination Domain.** We also varied the domains of the hiring decision across participants, following Study 2. We again ensured that the selected and rejected candidates' backgrounds were counterbalanced.

Following Study 2, we also created variables for *legal status*, *beneficiary group status*, and *participant group membership* for exploratory analyses. Notably, at the time we ran Study 3, sexual orientation was not yet a federally protected class (see *Bostock v. Clayton County, Georgia*, 2020).

**Dependent Variables.** We measured *attributions to discrimination* ( $r = .92$ ), and *perceived intentions*, following Study 2.<sup>6</sup>

**Recommendation to Report.** Immediately after reading the decision, we asked participants to indicate “should this decision be flagged for review”, using a 5-point scale, 1 = *definitely should not* to 5 = *definitely should*, followed by space to explain their reasoning.

## Results

Replicating our previous findings, we found that favoring-framed decisions ( $M = 4.08$ ,  $SD = 1.99$ ) were perceived as *less* discriminatory than disfavoring-framed decisions ( $M = 5.10$ ,  $SD = 1.90$ ),  $t(483) = -5.79$ ,  $p < .001$ . Further, those in the favoring condition ( $M = 1.77$ ,  $SD = 4.42$ ) also perceived the decision maker's intentions as significantly more positive than did those in the disfavoring condition ( $M = -1.23$ ,  $SD = 4.73$ ),  $t(483) = 7.22$ ,  $p < .001$ . We again found that participants' perceptions of intentions significantly mediated the effect of framing on ratings of the decision as discriminatory: average causal mediation effect  $b = -.67$ , 95% CI  $[-.88, -.47]$ ,  $p < .001$  (see Figure 2).

Further, as expected, we found that those in the favoring condition ( $M = 3.75$ ,  $SD = 1.18$ ) were significantly *less* likely to report the decision as needing further review compared with those in the disfavoring condition ( $M = 4.06$ ,  $SD = 1.07$ ),  $t(483) = -3.04$ ,  $p = .002$ . We also found that participants' perceptions of intentions mediated this effect:  $b = -.31$ , 95% CI  $[-.42, -.21]$ ,  $p < .001$  (see Figure 2).

### Exploratory Analyses

**Discrimination Domain.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by discrimination domain. We used a mixed-model approach, treating framing condition as a fixed effect and discrimination domain as a random effect (varying intercepts and slopes by framing condition). We found that the effect of framing persisted,  $b = -.52$ ,  $SE = .11$ ,  $t(10) = -4.94$ ,  $p < .001$ . Further, comparing a random-intercepts to the random-slopes model suggested that varying slopes by framing condition does not improve the model,  $\chi^2(2) = 1.32$ ,  $p = .51$ , and thus that the effect of frame is not moderated by domain.

**Legal Status.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by legal status. We used a mixed-model approach, treating framing condition, legally protected status of the domain, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts and slopes by framing condition). We found that the effect of framing persisted,  $b = -.52$ ,  $SE = .12$ ,  $t(8) = -4.34$ ,  $p = .002$ . Further, comparing a random-intercepts to a random-slopes suggested that varying slopes by framing condition does not improve the model,  $\chi^2(2) = 2.37$ ,  $p = .31$ , and thus that the effect of frame is not moderated by domain.

We found no main effect of legal status,  $b = .22$ ,  $SE = .17$ ,  $t(8) = 1.24$ ,  $p = .22$ , nor was there an interaction,  $b = -.01$ ,  $SE = .12$ ,  $t(8) = -.11$ ,  $p = .91$ .

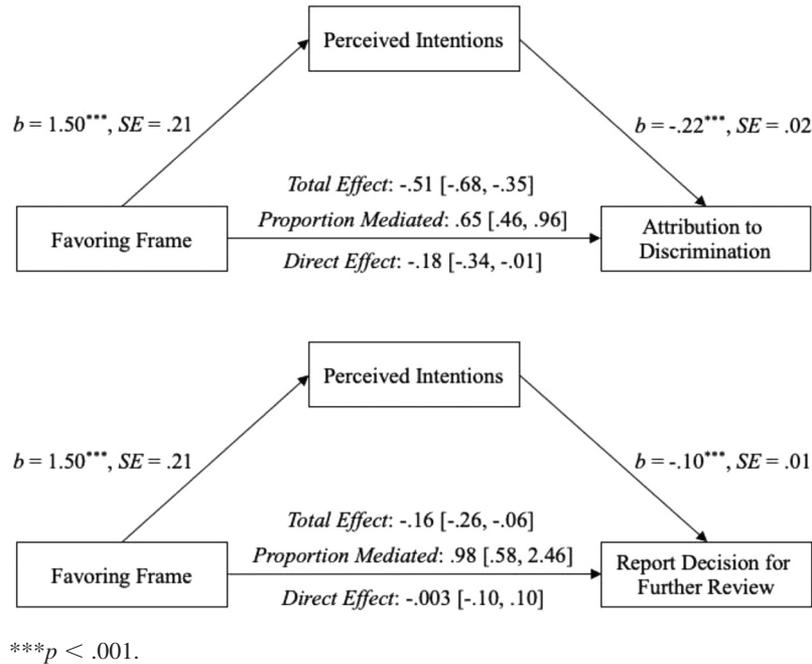
**Beneficiary Group Status.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by beneficiary group status. We used a mixed-model approach, treating framing condition, beneficiary group status, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts and slopes by the interaction of framing condition and beneficiary group status). We found that the effect of framing persisted,  $b = -.47$ ,  $SE = .15$ ,  $t(8) = -3.15$ ,  $p = .01$ . Further, comparing a random-intercepts to a random-slopes model suggested that including random slopes does not improve the model,  $\chi^2(4) = 1.88$ ,  $p = .75$ , and thus that the effect of frame is not moderated by domain nor the interaction of domain and beneficiary group status.

We found no main effect of beneficiary group status,  $b = .34$ ,  $SE = .18$ ,  $t(7) = 1.91$ ,  $p = .10$ . Further, the effect of framing was not moderated by group beneficiary status,  $b = .03$ ,  $SE = .11$ ,  $t(10) = .25$ ,  $p = .81$ .

**Participant Group Membership.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by participant group membership. We used a mixed-

<sup>6</sup> We included additional exploratory measures, created to assess participants' attitudes towards the main characters in the scenario (see online supplemental materials for details).

**Figure 2**  
Mediation Analyses in Study 3



model approach, treating framing condition, participant group membership, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts; we did not vary slopes by framing condition because the model otherwise failed to converge). We found that the effect of framing was marginally significant,  $b = -.26$ ,  $SE = .15$ ,  $t(196) = -1.78$ ,  $p = .076$ . Further, comparing a random-intercepts to a model without random effects suggested the random intercepts of discrimination domain only marginally improves the model,  $\chi^2(1) = 3.51$ ,  $p = .06$ .

We found no main effect of group membership,  $b = -.03$ ,  $SE = .14$ ,  $t(195) = .21$ ,  $p = .83$  (linear contrast),  $b = .12$ ,  $SE = .13$ ,  $t(199) = .94$ ,  $p = .35$  (quadratic contrast). Finally, the effect of framing was not moderated by participant group membership,  $b = .06$ ,  $SE = .14$ ,  $t(196) = .42$ ,  $p = .67$  (linear contrast);  $b = -.09$ ,  $SE = .12$ ,  $t(196) = -.77$ ,  $p = .44$  (quadratic contrast).

## Discussion

Study 3 replicates and extends our findings: We find that relative experts—human resource employees who make hiring evaluations as part of their work—are less likely to attribute favoring-framed decisions to discrimination, as compared with disfavoring-framed decisions. We find that this effect again persists across a wide variety of domains. And again, we find that this difference is driven in large part by perceptions of the decision maker's intentions: favoring is seen as less discriminatory than disfavoring because it is seen as well-intentioned. Notably, we replicate these same results in a pilot study of legal and human resource professionals (see online supplemental materials) that preceded Study 3.

Further, Study 3 sheds light on potential downstream consequences of this discrepancy in perceiving decisions as discriminatory or not. We find that employees are less likely to flag a favoring-framed decision as requiring further review than a disfavoring-framed decision, despite

their equivalence in objective discrimination. This suggests that favoring is not only seen as less discriminatory than disfavoring, but also tolerated more, potentially increasing the incidence of such decisions.

## Study 4: Manipulating Framing of Discrimination Legal Cases

Studies 2 and 3 capitalized on experimental control, providing evidence of our hypothesized effects across a wide range of discrimination scenarios. In Study 4, we moved beyond controlled scenarios, and adapted language used in a range of U.S. Supreme Court discrimination cases. Beyond their realism, Supreme Court cases involve inherently ambiguous cases of discrimination; to reach the Supreme Court, lower courts must have reached mixed judgments. We sampled multiple domains (age, sex, and race), including two cases that considered instances of traditional discrimination (advantaged group selected, disadvantaged group rejected), and two cases that considered instances of affirmative action challenged as discriminatory (disadvantaged group selected, advantaged group rejected). Across these four Supreme Court cases, we manipulated only the framing of language used to describe the cases. We also included additional measures of perceived intentions and intentionality to supplement our original measure of perceived intentions, and a measure of emotions as a possible alternative mechanism. Finally, we measured an important potential downstream consequence: support for litigation.

## Method

### Participants and Procedure

We recruited students from a large East Coast business school, who completed an in-lab survey during a mass testing session in

exchange for course credit. Although we received 325 responses, we excluded incomplete responses and duplicate entries based on unique participant identifiers, leaving a final  $N = 297$  ( $M_{Age} = 20.22$ ,  $SD_{Age} = 1.07$ ; 49% female, 51% male; 29% Asian, 6% Black, 14% Latino, 25% White, 27% Other race). Participants were told that the study was about “competitive hiring” and were asked to read a recent legal case. Participants then completed our dependent measures and were debriefed.

## Manipulation and Measures

### Independent Variables.

**Framing.** Participants were randomly assigned to view one of two framings of the same Supreme Court text: favoring ( $n = 144$ ) versus disfavoring ( $n = 153$ ). We sampled language directly from each case to identify the core issue, then adapted it for intelligibility to a business student audience. We then updated only the favoring or disfavoring language in the operative location (see Table 8).

**Discrimination Domain.** Participants read one Supreme Court prompt, randomly selected from four domains: age (traditional discrimination case; *Gross v. FBL Financial Services, Inc.*, 2009), race (White/Asian affirmative action case; *Piscataway Township Bd. of Educ. v. Taxman*, 1997), race (Asian/Black affirmative action case; *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 2020), or sex (traditional discrimination case; *Price Waterhouse v. Hopkins*, 1989).

As in Studies 2 and 3, we created a variable for *participant group membership* for exploratory analyses. However, every domain in Study 4 represented a legally protected class, which of course presented the grounds for litigation. We also retained the details of the original case, and thus did not counterbalance beneficiary group status. Therefore, we do not conduct exploratory analyses of legal status nor beneficiary group status in Study 4.

**Dependent Variables.** We measured *attributions to discrimination* ( $r = .71$ ), and *perceived intentions*, as in Study 2.

**Perceived Moral Intentions.** Although we assessed perceived intentions with an established measure (Alicke et al., 1990), it nevertheless relies on a single item. As such, we supplemented this measure with Lucas et al.’s (2016) six-item scale assessing perceived moral intentions, in which each item is rated on a 7-point bipolar scale: “benevolent/malicious,” “fair/unfair,” “kind/cruel,” “good/bad,” “moral/immoral,” “cold/warm” ( $\alpha = .88$ ; correlation with single-item measure  $r = .45$ ). Scores were reversed such that higher values represent more moral intentions.

**Perceived Intentionality.** Further, both the Alicke et al. (1990) perceived intentions measure and the Lucas et al. (2016) perceived moral intentions measure focus on positive versus negative intentions. We supplemented this measure with a scale assessing *intentionality* (i.e., deliberate vs. accidental). We used the four-item Perceived Intentionality of Racial Discrimination scale, adapted to be domain neutral: “the decision was intentional,” “the decision was accidental” (reversed), “the decision maker acted in a discriminatory way on purpose”, and “when the decision maker made the decision, he did so deliberately” ( $\alpha = .71$ ; Apfelbaum et al., 2017). Participants rated each item using a 7-point scale, 1 = *not at all* to 7 = *extremely*.

**Positive and Negative Affect.** We included the Positive and Negative Affect Scale (Watson et al., 1988) to assess emotions as an alternative mechanism for our findings. That is, previous work

focused on directly involved parties has suggested that inequity frames prompt different emotional reactions and experiences of threat (e.g., Lowery et al., 2007). To test this possibility, for each of the twenty emotion words (10 positive, 10 negative), we asked participants to rate “to what extent you feel this way about the decision you read about in the legal briefing” using a 5-point scale, 1 = *not at all* to 5 = *extremely* (positive emotions  $\alpha = .82$ ; negative emotions  $\alpha = .85$ ).

**Support for Litigation.** We measured participants’ support for litigation with the following three items: “Should the court decide in favor of the defendant (the decision maker)?” (reversed), “Should the court decide against the defendant (the decision maker)?”, and “Did the defendant deserve to be sued?” ( $\alpha = .79$ ). Participants rated each item using a 5-point scale, 1 = *definitely not* to 5 = *definitely yes*, followed by space to explain their reasoning.

## Results

### Replicating Studies 2–3

Replicating our earlier findings, a  $t$  test showed that those in the favoring condition ( $M = 3.61$ ,  $SD = 1.44$ ) were significantly less likely to attribute the decision to discrimination compared with those in the disfavoring condition ( $M = 4.30$ ,  $SD = 1.71$ ),  $t(293) = -3.75$ ,  $p < .001$ . Further, we found that those in the favoring condition ( $M = 2.04$ ,  $SD = 3.60$ ) perceived the decision maker’s intentions as significantly more positive than did those in the disfavoring condition ( $M = .98$ ,  $SD = 4.16$ ),  $t(292) = 2.34$ ,  $p = .02$ .

Next, we again found that participants’ perceptions of intentions significantly mediated the effect of framing on attributions to discrimination: average causal mediation effect  $b = -.13$ , 95% CI  $[-.25, -.02]$ ,  $p = .02$  (see Figure 3).

### Extending Studies 2–3

**Intentions and Support for Litigation.** Using our alternative measure of intentions, we found that those in the favoring condition ( $M = 3.87$ ,  $SD = 1.18$ ) perceived the decision maker’s intentions as significantly more *moral* than did those in the disfavoring condition ( $M = 3.37$ ,  $SD = 1.18$ ),  $t(293) = 3.62$ ,  $p < .001$ . Following the pattern above, we found that participants’ perceived moral intentions of the decision maker mediated the effect of framing on attributions to discrimination: average causal mediation effect  $b = -.14$ , 95% CI  $[-.27, -.05]$ ,  $p < .001$ .

Next, we considered intentionality (accidental vs. deliberate), as compared with intentions (valence). We found no significant difference by condition in perceived intentionality,  $t(293) = -1.67$ ,  $p = .10$  (favoring:  $M = 4.38$ ,  $SD = 1.09$ ; disfavoring:  $M = 4.60$ ,  $SD = 1.22$ ). This suggests that *valence* of intentions may be driving the difference between the frames more so than intentionality per se (cf. Apfelbaum et al., 2017).

Finally, we considered an important downstream consequence of attributions to discrimination—support for litigation. That is, to the extent participants believe the case is a clear example of discrimination, they should support litigation (i.e., suing the defendant) more. We found that those in the favoring condition ( $M = 3.12$ ,  $SD = .91$ ) supported litigation significantly less than did those in the disfavoring condition ( $M = 3.52$ ,  $SD = .89$ ),  $t(289) = -3.80$ ,  $p < .001$ . We also found that participants’ perceptions of intentions again mediated this effect:  $b = -.10$ , 95% CI  $[-.19, -.02]$ ,  $p = .02$ .

**Table 8**  
Stimuli Used in Study 4

Domain	Favoring frame	Disfavoring frame
Age: from <i>Gross v. FBL Financial Services, Inc.</i> , 2009	“The head of health and social services, Jake Phillips, was sued for a hiring decision, due to always promoting younger candidates.”	“The head of health and social services, Jake Phillips, was sued for a hiring decision, due to never promoting older candidates.”
Race (Asian/White): from <i>Piscataway Township Bd. of Educ. v. Taxman</i> , 1997	“In May, 1989, the School Board accepted a recommendation from the Superintendent of Schools to reduce the teaching staff at Piscataway High School by one. At that time, two of the teachers in the department were of equal seniority, both having begun their employment with the Board on the same day 9 years earlier. One of those teachers was Sharon Taxman, who is White, and the other was Debra Wu, who is Asian. Local boards lack discretion to choose between employees for layoff, except in the rare instance of a tie in seniority between the two or more employees eligible to fill the last remaining position. Superintendent Jake Phillips made a recommendation “because he believed Ms. Wu and Ms. Taxman were tied in seniority, were equally qualified” to retain Ms. Wu, the Asian teacher, in order to achieve diversity. Jake Phillips was sued for this decision.	“In May, 1989, the School Board accepted a recommendation from the Superintendent of Schools to reduce the teaching staff at Piscataway High School by one. At that time, two of the teachers in the department were of equal seniority, both having begun their employment with the Board on the same day 9 years earlier. One of those teachers was Sharon Taxman, who is White, and the other was Debra Wu, who is Asian. Local boards lack discretion to choose between employees for layoff, except in the rare instance of a tie in seniority between the two or more employees eligible to fill the last remaining position. Superintendent Jake Phillips made a recommendation “because he believed Ms. Wu and Ms. Taxman were tied in seniority, were equally qualified” to layoff Ms. Taxman, the White teacher, in order to achieve diversity. Jake Phillips was sued for this decision.
Race (Black/Asian): from <i>Students for Fair Admissions, Inc. v. President and Fellows of Harvard College</i> , 2020	“The dean of admissions, Jake Phillips, was sued for an admissions decision, due to favoring African Americans in admissions, as part of an affirmative action plan.”	“The dean of admissions, Jake Phillips, was sued for an admissions decision, due to disfavoring Asian Americans in admissions, as part of an affirmative action plan.”
Sex: from <i>Price Waterhouse v. Hopkins</i> , 1989	“Ann Hopkins, a woman, worked at Price Waterhouse for 5 years before being proposed for partnership. Although Hopkins secured a \$25 million government contract that year, the board decided to put her proposal on hold for the following year. The next year, the chairman of the board, Jake Phillips, refused to repropose her for partnership. Jake Phillips was sued for this decision, because the partnership selection process relied on recommendations by other partners, some of whom openly preferred men for partnership positions.”	“Ann Hopkins, a woman, worked at Price Waterhouse for 5 years before being proposed for partnership. Although Hopkins secured a \$25 million government contract that year, the board decided to put her proposal on hold for the following year. The next year, the chairman of the board, Jake Phillips, refused to repropose her for partnership. Jake Phillips was sued for this decision, because the partnership selection process relied on recommendations by other partners, some of whom openly opposed women for partnership positions.”

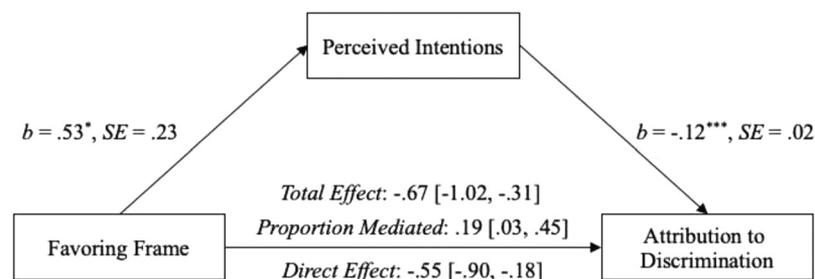
Note. Mixed-model analyses treating domain as a random effect (varying both intercepts and slopes) provide statistical test of whether effect of framing varies significantly by domain. See results in relevant studies and analytic summary section.

**Emotion as Alternate Mechanism.** We found no significant difference by condition for participant’s positive emotions,  $t(293) = -1.78, p = .08$  (favoring:  $M = 1.73, SD = .60$ ; disfavoring:  $M = 1.87, SD = .72$ ), nor negative emotions,  $t(293) = -1.70, p = .09$  (favoring:  $M = 1.53, SD = .57$ ; disfavoring:  $M = 1.65, SD = .69$ ). Further, we found that participants’ negative emotions did *not* mediate the effect of framing on attributions to discrimination (average

causal mediation effect:  $b = -.08, 95\% CI [-.19, .01], p = .09$ ), nor did positive emotions ( $b = -.03, 95\% CI [-.10, .01], p = .23$ ).

Finally, we tested the same mediation model again, but comparing perceived intentions, negative emotions, and positive emotions as parallel mediators, and found that only perceived intentions mediated the effect of inequity frames on attributions to discrimination ( $b = -.11, SE = .05, p = .051$ ; negative emotions  $p = .22$ ;

**Figure 3**  
Mediation Analysis in Study 4



\* $p < .05$ . \*\*\* $p < .001$ .

positive emotions  $p = .73$ ). Together, these results suggest perceived intentions, rather than emotional reactions, are driving the effect of inequity frames on attributions to discrimination.

### Exploratory Analyses

**Discrimination Domain.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by discrimination domain. We used a mixed-model approach, treating framing condition as a fixed effect and discrimination domain as a random effect (varying intercepts and slopes by framing condition). We found that the effect of framing persisted,  $b = -.34$ ,  $SE = .10$ ,  $t(13) = -3.49$ ,  $p = .004$ . Further, comparing a random-intercepts to a random-slopes model suggested that varying slopes by framing condition does not improve the model,  $\chi^2(2) = .21$ ,  $p = .89$ , and thus that the effect of frame is not moderated by domain.

**Participant Group Membership.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by participant group membership. We used a mixed-model approach, treating framing condition, participant group membership, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts and slopes by framing condition). We found that the effect of framing persisted,  $b = -.43$ ,  $SE = .11$ ,  $t(5) = -3.80$ ,  $p = .01$ . Further, comparing a random-intercepts with a random-slopes model suggested that varying slopes by framing condition does not improve the model,  $\chi^2(2) = .04$ ,  $p = .98$ , and thus that the effect of frame is not moderated by domain.

We found no main effect of group membership,  $b = .23$ ,  $SE = .14$ ,  $t(226) = 1.68$ ,  $p = .09$  (linear contrast),  $b = .10$ ,  $SE = .07$ ,  $t(54) = 1.44$ ,  $p = .16$  (quadratic contrast). Finally, the effect of framing was not moderated by participant group membership,  $b = .006$ ,  $SE = .14$ ,  $t(226) = .04$ ,  $p = .97$  (linear contrast),  $b = -.07$ ,  $SE = .07$ ,  $t(48) = -.93$ ,  $p = .36$  (quadratic contrast).

### Discussion

Study 4 provides further evidence that favoring-framed decisions are less likely to be attributed to discrimination as compared with disfavoring-framed decisions, this time using text from U.S. Supreme Court cases, across different discriminatory domains. Further, Study 4 uses multiple measures to again suggest that this gap in perceived discrimination occurs because observers assume different *intentions*, as compared with emotional reactions or threat traditionally studied in inequity frames research.

Study 4 also reveals that inequity frames affect support for affirmative action—a specific selection policy that has been debated alternately as illegally discriminatory versus legally corrective. While the affirmative action literature finds that myriad motivations shape support (e.g., Harrison et al., 2006; Hideg & Ferris, 2017; Gutiérrez & Unzueta, 2013; Unzueta et al., 2008), we focus instead on how *framing* may affect support: affirmative action policies framed as favoring one group are seen as less discriminatory than those framed as disfavoring one group (see also Brown & Jacoby-Senghor, in press; Harrison et al., 2006). Interestingly, scholarly work rarely uses favoring or advantage framing to discuss traditional discrimination in which the dominant group benefits (e.g., Whites being favored over Blacks), whereas the literature on affirmative action almost entirely uses favoring framing (e.g., Blacks being

favored over Whites). This pattern may emerge because scholars are implicitly using Whites as the default (i.e., whether a group is being disfavored or favored compared with Whites; Bell & Hartmann, 2007; Frankenberg, 1993). The prevalence of one frame but not another may even suggest a framing contest within our own scientific community; frames that are useful and comforting to power holders often win out over those that challenge (Kaplan, 2008). As such, future work might take a cue from the affirmative action literature, and consider whether *Whites* who are favored in traditional discrimination feel undermined or self-doubting (cf. Heilman et al., 1992; Leslie et al., 2014; Major et al., 1994), and if not, why?

### Study 5: Elaborated Thinking About Harm Does Not Moderate

Next, we explore whether elaborated thinking may increase the likelihood of perceiving favoring as discriminatory. Specifically, favoring might be said to first help the beneficiary, then as a result harm the rejected candidate; in comparison, disfavoring directly harms the rejected candidate. Thus, when people are thinking quickly, they may not fully connect favoring decisions to harmful consequences. If they instead elaborate more deeply, they may recognize the syllogistic results of favoring and disfavoring. Further, by focusing more explicitly on the harm experienced by the rejected candidate (the identified victim of favoring decisions), people may be more likely to recognize discrimination (e.g., Rosette & Koval, 2018). However, to the extent perceived *intentions* rather than harm are driving the asymmetry, then elaborated thinking about the harm experienced by the victim should not reduce this effect. We test this possibility in a 2 (framing)  $\times$  2 (elaboration) preregistered design (<https://aspredicted.org/iw3zh.pdf>).

### Method

#### Participants

We recruited 500 U.S. based adults from Prolific. Participants completed an online survey and were paid 70 cents each. Following our preregistered exclusion criteria, we removed duplicate (based on IP address, location coordinates, and platform-based unique participant identifiers) and incomplete responses, as well as responses from those who failed an antibot check, for a final sample of  $N = 427$  ( $M_{Age} = 32.21$ ,  $SD_{Age} = 12.24$ ; 51% female, 47% male, 2% nonbinary or unknown; 16% Asian, 8% Black, 1% Native American, 9% Latino, 62% White, 4% Other race).

#### Manipulations and Measures

##### Independent Variables.

**Framing.** Framing was manipulated as in Study 2: disfavoring ( $n = 218$ ) versus favoring ( $n = 209$ ). We used only the age domain (younger vs. older candidates).

**Elaboration.** Elaboration was manipulated by asking half of the participants, “Please think about the boss’ decision. How did this affect both candidates, Jake and David?” Participants then wrote about how both the selected and the rejected candidate were affected (elaboration  $n = 207$ ). The other half of the participants were simply asked to “Please click continue below” (no elaboration  $n = 220$ ).

To retain sufficient power, we did not vary the domain (and thus, legal protection status), nor beneficiary group status (the younger candidate, Jake was always selected). We therefore were unable to conduct exploratory analyses with domain, legal status, or beneficiary group status. We coded *participant group membership* consistent with Studies 2–4.

**Dependent Variables.** We measured *attributions to discrimination* and *perceived intentions*, as in Study 2.

## Results

First, and as expected, a two-way ANOVA revealed a significant main effect of framing condition on attributions to discrimination,  $F(1, 423) = 49.70, p < .001$ , such that those in the favoring condition ( $M = 4.28, SD = 1.71$ ) attributed the decision significantly less to discrimination than those in the Disfavoring condition ( $M = 5.37, SD = 1.49$ ). However, there was no effect of elaboration condition,  $F(1, 423) = .03, p = .87$ , nor any interactive effect,  $F(1, 423) = .01, p = .93$ . Specifically, those in the favoring-elaboration ( $M = 4.26, SD = 1.78$ ) and favoring-no elaboration ( $M = 4.30, SD = 1.64$ ) conditions did not differ, and those in the disfavoring-elaboration ( $M = 5.37, SD = 1.58$ ) and disfavoring-no elaboration ( $M = 5.38, SD = 1.41$ ) conditions did not differ.

Second, and as expected, a two-way ANOVA revealed a significant main effect of framing condition on perceived intentions,  $F(1, 422) = 67.11, p < .001$ , such that those in the favoring condition ( $M = 1.72, SD = 3.73$ ) perceived significantly more positive intentions than those in the disfavoring condition ( $M = -1.48, SD = 4.30$ ). Again, there was no effect of elaboration condition,  $F(1, 422) = .54, p = .46$ , nor any interactive effect on perceived intentions,  $F(1, 422) = 2.48, p = .12$ . Specifically, those in the favoring-elaboration ( $M = 1.24, SD = 3.75$ ) and favoring-no elaboration ( $M = 2.16, SD = 2.67$ ) conditions did not differ, and those in the disfavoring-elaboration ( $M = -1.32, SD = 4.52$ ) and disfavoring-no elaboration ( $M = -1.63, SD = 4.10$ ) conditions did not differ.

Finally, we found that participants' perceptions of the boss' intentions significantly mediated the effect of framing condition on attributions to discrimination: average causal mediation effect  $b = -.56, 95\% \text{ CI } [-.74, -.39], p < .001$  (see Figure 4).

### Exploratory Analyses

**Participant Group Membership.** Next, we explored how participant group membership affected attributions to discrimination.

We regressed attributions to discrimination on framing condition, participant age ( $-1 = \text{match selected candidate: under 30}, 0 = \text{no match}, 1 = \text{match rejected candidate: 50 or older}$ ), and their interaction. We found that the effect of framing persisted,  $b = -.48, SE = .11, t(421) = -4.22, p < .001$ . We also found a main effect of group membership (linear contrast),  $b = .27, SE = .13, t(421) = 2.11, p = .04$ , such that older participants were more likely to attribute the decision to discrimination than younger participants. However, we found no effect of matching either character or not,  $b = -.03, SE = .09, t(421) = -.33, p = .75$  (quadratic contrast). Furthermore, the effect of framing was not moderated by participant group membership:  $b = -.01, SE = .13, t(421) = -.07, p = .95$  (linear);  $b = -.11, SE = .09, t(421) = -1.27, p = .20$  (quadratic).

## Discussion

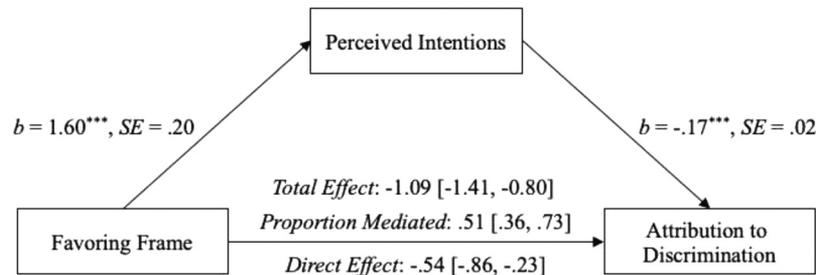
Study 5 replicates and extends the results of our previous studies. Even when observers think more deeply about the consequences of the hiring decision, they still perceive favoring as less discriminatory than disfavoring. Notably, we replicate these same results in a pilot study ( $N = 372$ ; see online supplemental materials) that preceded the preregistered Study 5.

What's more, in participants' open-ended elaborations, the vast majority noted that the other candidate suffered harm (80.7%; as coded by two independent raters, Cohen's  $k = .76$ ), and this did not vary by framing condition,  $\chi^2(2) = 1.76, p = .42$ . And still, participants found the favoring-framed decision to be less discriminatory. Thus, the asymmetry does not seem to be driven by differential focusing on the victim's experience or harm; rather, perceived decision maker intentions appear to drive the effect.

### Study 6: Selfish Intentions Does Moderate

Here we aimed to further examine the role of intentions, this time by directly manipulating both a hiring manager's intentions and inequity frame. We used a three-cell preregistered design (<https://aspredicted.org/bh243.pdf>), adding an experimental condition which described a manager favoring a candidate for self-serving reasons (i.e., bad intentions). Studies 2–5 suggest favoring frames imply positive intentions, and thus reduce attributions to discrimination; our newly added condition was included to attempt to detach perceived intentions from the favoring frame, and thus shift attributions to discrimination. We predicted that participants would attribute more discrimination in disfavoring and selfish-favoring-framed decisions, as compared with

**Figure 4**  
Mediation Analysis in Study 5



\*\*\* $p < .001$ .

favoring-framed decisions. We did not have strong predictions about whether the disfavoring or selfish-favoring frame would lead to more attributions to discrimination.

## Method

### Participants

We recruited 400 U.S. based adults from Prolific. Participants completed an online survey and were paid 70 cents each. Following our preregistered exclusion criteria, we removed duplicate (based on IP address, location coordinates, and platform-based unique participant identifiers) and incomplete responses, as well as those who failed an antibot check, for a final sample of  $N = 345$  ( $M_{Age} = 32.57$ ,  $SD_{Age} = 12.47$ ; 56% female, 43% male, 1% nonbinary or unknown; 14% Asian, 7% Black, 7% Latino, 1% Native American, 67% White, 4% Other race).

### Manipulation and Measures

#### Independent Variable.

**Framing** was manipulated by randomly assigning participants to one of three conditions: favoring ( $n = 120$ ), selfish favoring ( $n = 112$ ), or disfavoring ( $n = 113$ ). Favoring and disfavoring were manipulated using stimuli from Study 5. In the selfish favoring condition, participants received the favoring-framed decision, and additionally learned that the boss' favoritism was in fact selfish:

The boss had been trying for several months to get an award for supporting young people in their careers, given by the prestigious Chamber of Commerce Young Leaders' Forum. The boss wanted to make sure he impressed the committee members, since the award is very selective. So, the boss has been taking actions to bolster his reputation.

To retain appropriate power, we used only the age domain (younger vs. older candidates), and the younger candidate was always selected, as in Study 5. We were therefore unable to conduct exploratory analyses with domain, legal status, or beneficiary group status. We created a variable for *participant group membership* as in Studies 2–5.

**Dependent Variables.** We measured *attributions to discrimination* and *perceived intentions*, as in Study 2.

## Results

First, a one-way ANOVA revealed a significant difference across conditions for attributions to discrimination,  $F(2, 342) = 12.18$ ,  $p <$

.001. Next, using a Tukey's HSD approach, we probed pairwise comparisons. As expected, we found that participants in both the disfavoring ( $M = 5.10$ ,  $SD = 1.60$ ;  $\Delta 95\%$  CI [.56, 1.58],  $p < .001$ ) and selfish favoring ( $M = 4.61$ ,  $SD = 1.57$ ,  $\Delta 95\%$  CI [.07, 1.09],  $p = .02$ ) conditions attributed the decision significantly *more* to discrimination compared with those in the favoring condition ( $M = 4.03$ ,  $SD = 1.78$ ). Those in the disfavoring and selfish favoring conditions marginally differed,  $\Delta 95\%$  CI [-1.01, .03],  $p = .07$ .

Second, a one-way ANOVA revealed a significant difference across conditions for perceived intentions,  $F(2, 342) = 17.05$ ,  $p < .001$ . Using a Tukey's HSD approach, and as expected, we found that participants in both the disfavoring ( $M = -1.33$ ,  $SD = 4.41$ ,  $\Delta 95\%$  CI [-4.22, -1.67],  $p < .001$ ) and selfish favoring ( $M = -.83$ ,  $SD = 4.00$ ,  $\Delta 95\%$  CI [-3.73, -1.17],  $p < .001$ ) conditions perceived significantly *worse* intentions compared with those in the favoring condition ( $M = 1.62$ ,  $SD = 3.99$ ). Those in the disfavoring and selfish favoring conditions did not differ,  $\Delta 95\%$  CI [-.80, 1.79],  $p = .64$ .

Finally, using all three conditions (reference = *favoring*), we found that participants' perceptions of the boss' intentions significantly mediated the effect of condition on attributions to discrimination: average causal mediation effect  $b = -.42$ , 95% CI [-.63, -.24],  $p < .001$  (see Figure 5).

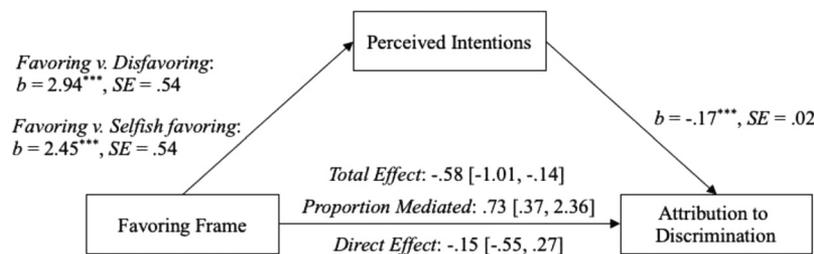
### Exploratory Analyses

**Participant Group Membership.** Next, we explored how participant group membership affected attributions to discrimination. We conducted a two-way ANOVA using framing condition, participant age, and their interaction. We found that the effect of framing persisted,  $F(2, 336) = 12.20$ ,  $p < .001$ . We found no main effect of group membership,  $F(2, 336) = 2.15$ ,  $p = .12$ , nor any moderation,  $F(4, 336) = .59$ ,  $p = .67$ .

## Discussion

Overall, Study 6 shows that favoring-framed decisions are seen as less discriminatory at least in part because observers attribute different intentions to decision makers. However, when decision maker intentions are made plain, rather than left up to observers to infer, then frame exerts less of an effect. Notably, we replicate these results in a pilot study ( $N = 146$ ; see online supplemental materials) that preceded the preregistered Study 6. As such, this may suggest that interventions should consider reframing or

**Figure 5**  
Mediation Analysis in Study 6



\*\*\* $p < .001$ .

removing communication of intentions in decisions, in order to reduce asymmetric attributions to discrimination.

### Study 7: Job Pursuit Intentions

Experiencing discrimination can harm people's sense of psychological safety, and thus reduce their commitment and motivation toward the perpetrating institution (e.g., Kang et al., 2016; Schmitt et al., 2014). Indeed, people are sensitive to a variety of cues that may signal organizational justice and diversity (Chaney et al., 2016; Danbold & Unzueta, 2020; Kang et al., 2016; Unzueta & Binning, 2012; Unzueta et al., 2012). Here, we predicted that favoring versus disfavoring-framed decisions would differentially affect potential employees' willingness to join a company. Job applicants who learn about an organization engaging in discrimination may retain higher job pursuit intentions when that discrimination is framed in terms of favoring, compared with disfavoring (again, despite equivalence in terms of objective discrimination). Therefore, in Study 7, we measured participants' job pursuit behaviors.

### Method

#### Participants

We recruited 242 students from a pool maintained by a large East Coast business school, who completed an online survey in exchange for \$1.00 each. Incomplete responses and duplicate entries based on unique participant identifiers were excluded, leaving a final  $N = 199$  ( $M_{Age} = 23.07$ ,  $SD_{Age} = 4.14$ ; 70% female, 27% male, 3% nonbinary or unknown; 49% Asian, 1% Black, 7% Latino, 30% White, 13% Other race).

#### Procedure

Participants were told that the study was about "competitive hiring," and that they would be reading about an event that happened at a company named "StratMore, a worldwide business strategy and consulting firm." Participants then completed dependent measures, reported their demographics, and were debriefed.

#### Manipulation and Measures

##### Independent Variables.

**Framing.** We manipulated frame as in Study 2: favoring ( $n = 98$ ) versus disfavoring ( $n = 101$ ).

**Discrimination Domain.** We again varied the domain of the discriminatory decision across participants. To preserve statistical power, we presented only five of the 10 scenarios from Study 2: age, alma mater, nationality, race (White/Asian) and sexual orientation.

As in our previous studies, we created variables for *legal status* (sexual orientation was not a federally protected class at the time), *beneficiary group status*, and *participant group membership* for exploratory analyses.

**Dependent Variables.** We measured participants' *attributions to discrimination* ( $r = .89$ ), and *perceived intentions*, as in Study 2. Additionally, we measured participants' job pursuit intentions with four different measures (one self-reported, three behavioral).

**Self-Reported Job Pursuit Intentions.** We asked participants, "To what extent are you interested in applying to a job at the company (StratMore)?" using a 7-point scale, 1 = *not at all* to 7 = *extremely*.

**Email Sharing.** Next, we directly assessed participants' interest in joining the company with a behavioral measure: we asked participants if they would be willing to share their e-mail address with a recruiter from StratMore. Participants indicated "yes" with space to input their email, or "no."

**Resume Sharing.** As another behavioral measure, we asked participants if they would be willing to share their resume with a recruiter from StratMore. Participants indicated "yes" with the ability to upload their resume, or "no."

**Job Information Pursuit.** As a final behavioral measure, at the very end of the survey, we gave participants an ostensible link to the web page of StratMore, stating the following: "For more information about StratMore, please visit StratMore Company Site" (underlined portion hyperlinked). Participants either clicked the link (indicating interest) or did not.

### Results

#### Replicating Studies 2–6

Replicating our previous findings, favoring-framed decisions ( $M = 4.16$ ,  $SD = 1.63$ ) were again perceived as *less* discriminatory than disfavoring-framed decisions ( $M = 5.31$ ,  $SD = 1.52$ ),  $t(197) = -5.19$ ,  $p < .001$ . Further, those in the favoring condition ( $M = 1.48$ ,  $SD = 3.59$ ) also perceived decision maker intentions as significantly more positive than did those in the disfavoring condition ( $M = -1.23$ ,  $SD = 3.95$ ),  $t(195) = 5.05$ ,  $p < .001$ .

We again found that participants' perceptions of decision intent significantly mediated the effect of framing on ratings of the decision as discriminatory: average causal mediation effect  $b = -.47$ , 95% CI  $[-.72, -.27]$ ,  $p < .001$  (see Figure 6).

#### Job Pursuit Intentions

Next, we examined whether framing condition significantly affected participants' job pursuit using each of the four measures. We expected favoring-framed decisions to lead to increased job pursuit.

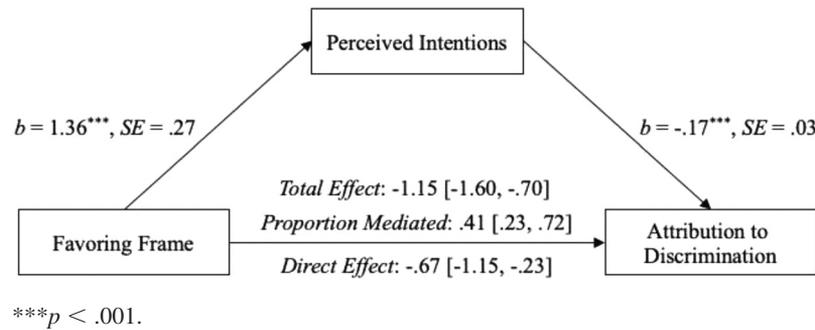
First, using a  $t$  test, we found no effect of framing condition for self-reported job pursuit intentions ( $M_{Fav} = 3.20$ ,  $M_{Dis} = 2.98$ ),  $t(197) = .83$ ,  $p = .41$ . Second, using a binomial logistic model, we regressed e-mail sharing on framing condition, and found no effect (favoring = 32%, disfavoring = 31%),  $b = .02$ ,  $SE = .15$ ,  $z = .14$ ,  $p = .89$ . Third, using a binomial logistic model, we regressed job website link clicking on framing condition, and found no effect (favoring = 64%, disfavoring = 64%),  $b = -.002$ ,  $SE = .15$ ,  $z = -.01$ ,  $p = .99$ .

Finally, using a binomial logistic model, we regressed resume sharing on framing condition. We found a marginally significant main effect,  $b = .39$ ,  $SE = .21$ ,  $z = 1.87$ ,  $p = .062$ . That is, participants were marginally more likely to upload their resumes to share with the company when they read about a favoring-framed discriminatory decision the company had made (19%), as compared with a disfavoring-framed decision (10%).

#### Exploratory Analyses

**Discrimination Domain.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by discrimination domain. We used a mixed-model approach, treating framing condition as a fixed effect and discrimination

**Figure 6**  
Mediation Analysis in Study 7



domain as a random effect (varying intercepts and slopes by framing condition). We found that the effect of framing on attributions to discrimination persisted,  $b = -.58$ ,  $SE = .11$ ,  $t(27) = -5.11$ ,  $p < .001$ . Further, comparing a random-intercepts to a random-slopes model suggested that varying slopes by framing condition does not improve the model,  $\chi^2(2) = .05$ ,  $p = .97$ , and thus that the effect of frame is not moderated by domain.

**Legal Status.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by legal status. We used a mixed-model approach, treating framing condition, legally protected status of the domain, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts and slopes by framing condition). We found that the effect of framing persisted,  $b = -.55$ ,  $SE = .12$ ,  $t(7) = -4.64$ ,  $p = .002$ . Further, comparing a random-intercepts to a random-slopes model suggested that varying slopes by framing condition does not improve the model,  $\chi^2(2) = .08$ ,  $p = .96$ , and thus that the effect of frame is not moderated by domain.

We found no main effect of legal status,  $b = .18$ ,  $SE = .13$ ,  $t(4) = 1.42$ ,  $p = .23$ , nor was there an interaction,  $b = -.09$ ,  $SE = .12$ ,  $t(7) = -.76$ ,  $p = .47$ .

**Beneficiary Group Status.** Next, we tested whether the framing effect on attributions to discrimination systematically differed by beneficiary group status. We used a mixed-model approach, treating framing condition, beneficiary group status, and their interaction as fixed effects, and treating discrimination domain as a random effect (varying intercepts and slopes by the interaction of framing condition and beneficiary group status). We found that the effect of framing on attributions to discrimination persisted,  $b = -.41$ ,  $SE = .15$ ,  $t(5) = -2.62$ ,  $p = .046$ . Further, comparing random-intercepts to a random-slopes model suggested that including random slopes does not improve the model,  $\chi^2(4) = 3.90$ ,  $p = .42$ , and thus that the effect of frame is not moderated by domain nor the interaction of domain and beneficiary group status.

We found no main effect of beneficiary group status,  $b = .46$ ,  $SE = .21$ ,  $t(3) = 2.15$ ,  $p = .12$ . Further, the effect of framing was not moderated by group beneficiary status,  $b = .02$ ,  $SE = .20$ ,  $t(3) = .08$ ,  $p = .94$ .

**Participant Group Membership.** In this study, participant group membership matching the candidates in the scenario meaningfully varied only in the Asian/White domain. Therefore, we used a linear regression approach, and regressed attributions to discrimination on framing condition, participant group membership, and their

interaction. We found that the effect of framing persisted,  $b = -.57$ ,  $SE = .22$ ,  $t(38) = -2.60$ ,  $p = .01$ . We found no main effect of group membership,  $b = .15$ ,  $SE = .23$ ,  $t(38) = .66$ ,  $p = .52$  (linear contrast),  $b = .28$ ,  $SE = .18$ ,  $t(38) = 1.57$ ,  $p = .12$  (quadratic contrast). Finally, the effect of framing was not moderated by participant group membership,  $b = .19$ ,  $SE = .23$ ,  $t(38) = .85$ ,  $p = .40$  (linear contrast),  $b = .12$ ,  $SE = .18$ ,  $t(38) = .68$ ,  $p = .50$  (quadratic contrast).

## Discussion

Study 7 replicated findings from Studies 2–6: Favoring-framed decisions were rated as less discriminatory than disfavoring-framed decisions, across a variety of domains. Again, we found this difference was driven in large part by perceptions of the decision maker's intentions. Favoring frames are seen as less discriminatory because they are seen as more well-intentioned.

Interestingly, we found only weak support for an additional downstream consequence: job pursuit intentions. Business students—themselves active applicants for internships and full-time jobs—were marginally more likely to share their resume with a company if they read about a favoring-framed decision the company made, as opposed to a disfavoring-framed decision. Given we found framing affected the most effortful behavioral measure of job pursuit intentions (uploading one's resume), as compared with merely stating interest or clicking a website link, it is possible that framing differences especially affect willingness to apply, as compared with more general interest. However, given this study revealed only a marginal effect of framing on one of our four measures of job pursuit intentions, future work is needed to understand to what extent framing exerts an effect on a range of job pursuit behaviors. To the extent that favoring-framed decisions go unnoticed, they may also go unpunished, thus contributing to the perpetuation of group inequity.

## Analytic Summary of Exploratory Moderators

Although we designed our studies to test the effect of framing on attributions to discrimination, we also used stimulus sampling techniques to probe robustness. Stimulus sampling discriminatory domains and counterbalancing the group status of the selected candidate allowed us to examine the role of exploratory moderators: beneficiary group status, legal protection status, participant group membership, and domain. We review the overall pattern of results for these exploratory moderators here.

First, Study 2 mixed-model results demonstrated that decisions are more likely to be recognized as discriminatory when higher status group members are selected (i.e., prototypical decisions), consistent with past research (Rodin et al., 1990). However, we did not find this effect in Studies 3 or 7, nor did beneficiary group status moderate the effect of framing in any study.

Second, we found an effect of legal status in Study 2, such that the effect of framing was still significant but smaller when the domain was legally protected, as compared with not protected. However, we did not find this effect in Studies 3 or 7, suggesting people may not be especially sensitive to legal standards.

Third, we found mixed effects of participants' own group membership on their attributions to discrimination. Those who shared group membership with the victim were less likely (Study 2) or more likely (Study 5) to attribute a decision to discrimination, or participant group membership had no effect (Studies 3, 4, 6, and 7). Again, participant group membership did not moderate the effect of framing in any study. Future work might consider additional individual factors that may increase the likelihood of perceiving discrimination, even as third-party observers (cf. Avery et al., 2008).

Finally, we considered the role of domain itself. Overall, our mixed-model results in Studies 2, 3, 4 and 7 suggest that domain exerts a significant main effect on attributions to discrimination (random-intercepts models), but that domain does not moderate the effect of frame itself (random-slopes models).

Nevertheless, as a supplement to these analyses, we conducted an internal meta-analysis probing the effect of framing on attributions to discrimination specifically within the domains of race (Black), sex, and sexual orientation. While internal meta-analyses continue to be debated, this approach may be useful for understanding effect sizes (e.g., Cumming, 2014). We included data from all studies in which the target domain appeared (Study 2, online supplemental materials Pilot Study 2, Study 3, online supplemental materials Pilot Study 3, Study 4, and Study 7), sampling the prototypical scenario from counterbalanced studies. An inverse variance meta-analytic approach (*meta* package in R) revealed a significant effect of framing for the Black domain, with those in the favoring condition attributing decisions to discrimination less than those in the disfavoring condition,  $z = -2.10$ ,  $p = .036$ ,  $d = .30$ , 95% CI [.02, .58]. We also found a significant effect for the sex domain, with those in the favoring condition attributing decisions to discrimination less than those in the disfavoring condition,  $z = -2.22$ ,  $p = .026$ ,  $d = .33$ , 95% CI [.04, .61]. Finally, we also found a significant effect for the sexual orientation domain, with those in the favoring condition attributing decisions to discrimination less than those in the disfavoring condition,  $z = -2.27$ ,  $p = .024$ ,  $d = .35$ , 95% CI [.05, .65].

## General Discussion

Across eight studies, using both qualitative and experimental approaches, we document and explain an important asymmetry in people's perceptions of discrimination: despite objective equivalence, people are less likely to attribute favoring-framed decisions to discrimination, compared with disfavoring-framed decisions. We find that working adults, business students, and human resource employees alike fail to recognize discrimination when decisions are framed in terms of favoring. We further find that this

reduced recognition is driven, at least in part, by observers' attributions of positive intent to favoring-framed decisions. Finally, we demonstrate important downstream consequences of this asymmetric recognition: People are less likely to support litigation, human resource employees are less likely to flag hiring decisions as problematic, and potential job candidates are marginally less likely to punish an organization by withholding their resume, when discriminatory decisions are framed in terms of favoring, as opposed to disfavoring.

## Theoretical Implications

The current work contributes to literatures on discrimination and diversity. First, we integrate literature on objective mechanisms of discrimination with theory on subjective perceptions of discrimination. While both disfavoring and favoring have been shown to fuel objective discrimination, research on perceptions of discrimination has tended to focus exclusively on disfavoring decisions. This oversight itself is instructive: If favoring decisions are less likely to be perceived as discrimination as our findings suggest, then it is not surprising that researchers and practitioners alike may fail to consider these kinds of discriminatory decisions (e.g., Jun et al., 2021). Our research begins to bridge this divide between objective discrimination and subjectively perceived discrimination by investigating individuals' perceptions of both favoring *and* disfavoring decisions.

Indeed, recent scholarship has registered concern that theoretical approaches to inequity broadly have focused on victims and the disadvantaged, rather than integrating the privileged and the advantaged (DiTomaso, 2015; Greenwald & Pettigrew, 2014; Lloyd & Phillips, 2006; Phillips & Lowery, 2018). By reconstituting theories of inequity with both favoring *and* disfavoring in mind, new inequity production processes may be illuminated. For instance, we find that favoring-framed decisions are less likely to be perceived as discriminatory, supported for litigation, or reported compared with disfavoring-framed decisions. In this way, the advantages accrued by members of dominant groups—Whites, men, elite university graduates, and more—may continue being enjoyed, while the inequity inherent in such advantage remains unrecognized. As discrimination must be recognized before it can be addressed, we hope that our work ultimately contributes to the burgeoning literature that aims to mitigate social inequity (Guryan & Charles, 2013; Kalev et al., 2006; Pager & Shepherd, 2008).

Second, we extend work on inequity frames theory by identifying how such frames can affect not only first-person actors, but third-person observers as well. Specifically, whereas previous work has focused on how inequity frames prompt different emotions among first-person parties, we show how inequity frames also affect third parties by shaping their perceptions of decision maker intentions. We find that third parties are less likely to notice discrimination when it is framed in terms of favoring because they attribute more positive intentions to the decision maker. As a result, observers are less likely to flag the decision as problematic or support litigation. Ultimately, third-party observers who can act as important gatekeepers to discrimination may miss opportunities for rooting out injustices.

Third, we illuminate an important cue to discrimination that acts across a wide range of domains: the inequity frame used to describe the decision. We find that inequity frames affect

perceptions of both more studied (e.g., age) and less studied discrimination domains (e.g., nationality, sexual orientation; Ruggs et al., 2013), as well as both protected (e.g., race) and not protected identities (e.g., social class). In doing so, we demonstrate how a perceptual asymmetry working across domains may lead some instances of discrimination to go unnoticed.

### Practical Implications

Because perceiving a problem necessarily precedes addressing the problem (Skarlicki et al., 2015), people's reduced likelihood of recognizing instances of discriminatory decisions is likely to hinder efforts to correct discrimination. The current research suggests a potential intervention: Rather than evaluating intent or harm, processes might focus on evaluating whether social identity was an element of any selection decision, in order to increase recognition of both favoring and disfavoring discrimination. In organizational contexts, managers could include this on a checklist, requiring specific justification (e.g., affirmative action policy) if a social identity was found to be a component of the hiring decision.

Indeed, advantages enjoyed by overrepresented groups pose just as large a threat to diversity, and therefore justice, as does disadvantage to underrepresented groups. Interestingly, research on attributions to discrimination has focused on understanding when and why people recognize biased treatment against disadvantaged group members. However, discriminatory decisions do not solely create victims; they also produce beneficiaries. Indeed, our results imply that people may be even more *comfortable* making discriminatory decisions, as long as they see those decisions as favoring, rather than disfavoring. By training decision makers to consider equity in terms of both disadvantage *and* advantage frames simultaneously (see also Hideg & Ferris, 2017; Tversky & Khaneman, 1981), people may better recognize inequitable decisions when they arise. As such, efforts toward diversity, inclusion, and ultimately equity might be more successful.

### Limitations and Suggestions for Future Research

We capitalize on experimental control, testing asymmetric attributions to discrimination across a variety of domains, stimuli and phrasings, and participant populations. We complement our experimental work with two qualitative surveys, which gather real-world experiences of how inequity frames are used to describe discrimination. However, more work is needed to probe these asymmetries further in the wild. Future work might consider when and how decision makers use different inequity frames to explain and justify personnel decisions. For instance, selection processes often emphasize person-organization fit (Edwards, 2008), which could lead to favoring-based justifications for discrimination: a selection decision may not be justified in terms of disadvantaged group members *not* fitting ("she does not fit in here"; disfavoring frame), but rather because advantaged group members *do fit* ("he fits in well here"; favoring frame). In some cases, people may not always talk openly about using demographics in selection, but rather use inequity frames more subtly. Indeed, our analyses suggest that framing may exert a smaller effect in scenarios that used more subtle "cultural fit" language. At the same time, our qualitative data suggest that individuals do indeed notice and openly describe the role of demographics

in selection, suggesting that frames used in the real world may often be explicit (see also Rosette et al., 2013).<sup>7</sup>

The current research finds that group-based favoring is attributed less to discrimination than is group-based disfavoring across a variety of social identity domains, but important variation may also manifest: for instance, framing may have exerted a somewhat stronger effect in the Asian/White domain than the Black/White domain. This suggests that people do not exhibit heightened sensitivity to racial discrimination per se, nor are they particularly well-tuned to the yoking between favoring and disfavoring when considering racial discrimination. To unpack this further, future work might consider how individuals make discrimination attributions when multiple groups are involved (e.g., White, Asian, and Black). It is possible that this multigroup complexity increases the likelihood a favoring frame will be used, thus reducing the likelihood of perceiving discrimination. On the other hand, to the extent disfavored individuals are seen as one entity (e.g., "racial minorities"), then observers may be more likely to perceive discrimination. More work is needed to parse generalized features of discrimination, as well as nuances of specific domains (see Dipboye & Colella, 2005; Joseph & Rousis, 2013).

As reviewed previously, a body of work on in-group love and out-group hate demonstrates that both favoring and disfavoring motivations and behaviors do indeed drive intergroup inequity (e.g., Brewer, 1999; DiTomaso, 2015). While such motives are theoretically independent of framing, motives and framing are likely to be deeply intertwined in real world decision making. Future work should explore the ways in which third-party observers, and actors themselves, parse intention, behavior, and outcome from the frame or justification used. For instance, while we find that inequity frames lead to differential perceived intent, previous work has found that frames might also affect how much attention individuals pay to a decision (Brockner et al., 1995). In general, more work should consider how people *perceive* in-group love versus out-group hate in action.

In some counterbalance conditions, disfavoring and favoring may not have been perceived as discrimination, but rather as affirmative action and thus justice correcting (see also Rodin et al., 1990). We explicitly consider two affirmative action policies in Study 4, using U.S. Supreme Court cases, and interestingly the effect of framing persists. This suggests that even when a decision is perceived to be justice correcting (rather than violating), the framing of that decision (favoring beneficiaries or disfavoring victims) can affect support for the policy. Further, whereas ample work has considered the potential stigmatizing effects of being perceived as a beneficiary of affirmative action (e.g., Heilman et al., 1992; Leslie et al., 2014; Major et al., 1994), it is interesting to observe that no work has considered the stigmatizing effects of being perceived as a beneficiary of traditional discrimination. Beyond which identities are objectively protected, future work should explore how people perceive different identities as worthy

<sup>7</sup> Indeed, a research assistant (who does not identify as White) informed us of his own interview experience with a top financial firm that occurred while he was working on this project. His potential manager asked him to what extent he was comfortable "fitting in" with the team, given the predominantly White team often made "race jokes." While managers may not readily admit or document their use of such social identities and framing language in their hiring decisions, it nevertheless occurs (EEOC, 2020).

of protection from discrimination, entirely irrelevant to selection decisions, or worthy of affirmative action.

The consistency of the inequity frames effect appears to be a double-edged sword: While favoring versus disfavoring framing produced asymmetric attributions to discrimination across a range of replications, this effect was also resistant to several forms of training interventions that we attempted (see online supplemental materials for details). Specifically, even when participants were given explicit instructions to focus on the outcomes of the discriminatory decisions rather than the intentions of the decision maker, they continued to rate favoring-framed decisions as less discriminatory than disfavoring-framed decisions. We also find that this asymmetry persists even when we explicitly instruct participants to focus on and write about the harm experienced by the unselected candidate (Study 5); this suggests again that the effect is driven by perceived intentions, rather than harm accessibility or identifiable victims (cf. Rosette & Koval, 2018; see also Footnote 4). Future work might explore additional interventions, whether cognitive (to turn off this effect) or policy-based (to reduce the impact of this effect on hiring outcomes).

Overall, the relative imperviousness of this discrimination framing effect to intervention may be related to the strength of generalized negativity bias (e.g., Rozin & Royzman, 2001). That is, to the extent people perceive more positive intentions under favoring frames, it may be difficult to overcome this strong cognitive bias toward rewarding positive intentions. Indeed, the power of perceived intention to shape impressions of morality have been corroborated even at the neural level (Young & Saxe, 2011; Young et al., 2010). At the same time, we use both evocative and neutral language to manipulate frames, and we do not find evidence that frames differentially affect positive or negative emotions (Study 4); this makes the role of negativity bias less clear. Nevertheless, our findings suggest that intervention may need to take a different form than traditional training and informational interventions (see also Chang et al., 2019; Kalev et al., 2006). For instance, selection decisions might be reviewed by simultaneously considering both frames, in order to prevent insensitivity to potential discrimination.

## Conclusion

Existing research finds that group-based discrimination is driven by bias against disadvantaged group members, and bias in favor of advantaged group members (Brewer, 1999; DiTomaso, 2013; 2015; EEOC, 2020; Greenwald & Pettigrew, 2014). And yet, this objective and legal reality is often ignored. The current research finds that observers, including working adults, business students, and human resource employees, are less likely to attribute favoring (vs. disfavoring) to discrimination, despite equivalent discriminatory outcomes. Further, we find that this asymmetry is driven by observers' perceptions of decision maker intentions. Even within our academic community codes of conduct, discrimination is often defined as harassment and action "against" members of marginalized groups. This winning frame of discrimination as disfavoring, perpetuated as an institutional myth in both the scientific and business communities, risks excusing favoring-based discrimination and exacerbating inequity. As such, discrimination may persist, cloaked behind assumed good intentions.

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