

A “quota silo” or positive equality reach? The equality impact of gender quotas on corporate boards in Norway

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Funding information

British Academy and the Society for the Advancement of Management Studies (SAMS), Grant/Award Number: SG140895

Abstract

10 years after its implementation, we explore the equality reach of the 40% Norwegian gender quota regulation for boards of public limited companies (PLCs) using a multi-strategy approach (administrative data and interviews with women directors) to capture interrelated macro and meso changes. We employ Acker's (2006) inequality regimes as our analytical framework, augmented by the “equality reach” concept. We found strong compliance with the 40% Quota. However, there was little evidence of voluntary spillover to limited companies as envisaged by Quota proponents; instead Quota coverage reduced as some PLCs changed status to avoid the Quota requirement. We reveal that positive equality reach in one of the most equal countries in the world is confined to a PLC “quota silo,” which has shrunk over the life of the Quota. Moreover, we suggest that PLC high levels of compliance may be a defensive strategy seen as necessary in the regulatory/high sanction context of the Quota. We demonstrate the need for further political and organisational interventions to improve equality reach beyond the quota silo. We also show the value of the equality reach

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concept for research on equality interventions and warn of the dangers of an intervention leading to an equality silo.

KEYWORDS

equality reach, gender quotas, inequality regimes, quota silo, spillover, women on boards

Practitioner notes**What is currently known about the subject matter**

- Gender quotas and/or targets for board positions are on the agenda globally.
- Norway is seen as an international leader in the field of gender quotas on company boards.
- The wider equality effects of gender quotas are under-researched.

What their paper adds to this

- We find that statutory quotas enforced by heavy sanctions for non-compliance are successful.
- Yet we show how the apparent success of the Norwegian quota has a narrow equality reach and in practice leads to a silo of equality, a quota silo.
- We therefore expose the limitations of voluntary equality reach beyond what becomes a quota silo.
- We uncover the strategies that former PLCs use to avoid Quota compliance and thereby heavy penalties for non-compliance.
- Theoretically we reveal the value of Acker's inequality regimes in the context of equality reach and quotas.

The implications of study findings for practitioners

- From a policy perspective, we find that the Quota alone is insufficient to achieve its wider equality objectives and argue for a statutory extension of the quota coverage coupled with a code of good practice.
- Political strategies are necessary to reduce the capacity for quota avoidance.
- Our research findings are pertinent to human resource (HR) interventions to improve gender representation on company boards; we suggest setting up an advisory group with a remit for extending the regulatory reach of the Quota.
- There is a case for HR leaders to initiate bridges between the boards of companies and HR aiming at wider equality reach.
- Both senior/CEO engagement and line-managers' accountability are crucial aspects of promoting gender and diversity values to broaden the policy equality reach.
- More challenging, but equally essential, is the fostering of cultural change with a diversity focus on mentoring, sponsoring and talent management initiatives.

1 | INTRODUCTION

Norway, one of the world's most equal countries (World Economic Forum, 2018), introduced a compulsory 40% gender quota for boards of public limited companies (PLCs)¹ more than 10 years ago. One of the aims was to create a more equal and democratic society through women's greater influence and opportunities (Ot.prp.nr.97, 2002), thereby leading to wider equality reach. "Equality reach" captures the effect of an equality intervention/reform; the greater the alignment with the intended effect of an intervention, the more positive the equality reach and vice versa. In this case, the greater the spread of women's representation, influence and opportunities in Norwegian companies, the greater the equality reach, which may be internal to an organisation, national or international.

Improving women's representation on boards and in senior positions in the private sector through quotas is a contemporary human resource (HR) issue for academics, politicians and practitioners (Doldor, Vinnicombe, & Sealy, 2016; Kirsch, 2018) and is on the agenda globally (e.g., Chartered Institute of Personnel and Development [CIPD], 2015; European Commission, 2017; Kirsch, 2018). Norway can claim some credit for the Quota's international equality reach (see Machold, Huse, Hansen, & Brogi, 2013; Mensi-Klarbach & Seierstad, 2020). In Europe, Spain, Iceland, France, Italy, Belgium, Netherlands, Germany, Austria and Portugal introduced quota regulations after Norway, nevertheless, the design of different quotas vary (see Mensi-Klarbach & Seierstad, 2020). The Icelandic case is most progressive, setting a 40% quota embracing all companies with over 50 employees (ibid). Despite the international reach of board quotas, it is rarely acknowledged that quota/target coverage is relatively narrow (e.g., PLCs in Norway, the FTSE 100/350 in the UK and around 100 companies, including the DAX 30, in Germany²). Moreover, the evidence that quotas increase diversity (Ferreira, 2015) or lead to a glass ceiling (Dahlerup & Freidenvall, 2010) is sparse. Thus, knowledge of equality reach is limited and equality implications are neglected in academic, practitioner and political discussions; we therefore respond to calls within HR, diversity and women on boards (WoB) research to consider the equality effects of quotas (CIPD, 2015; Kirsch, 2018; Terjesen & Sealy, 2016).

Our investigation of the Quota experience in all Norwegian PLC and limited companies uses Acker's (2006a, 2006b) analytical framework of inequality regimes, which emphasises uneven power relations and their consequent effects on inequality, privilege and HR processes and practices (Healy et al., 2019; Healy, Bradley, & Forson, 2011; Murray & Syed, 2010; Nkomo & Rodriguez, 2019). Acker's inequality regimes are rarely used in WoB literature, although she saw quotas as a potential "solution" to inequality, while warning they often fail to challenge inequalities in a capitalist economy (2006b). Acker (2006b, p. 443) defined inequality in organisations as "systematic disparities between participants in power and control over goals, resources, and outcomes..." and argued that "all organizations have inequality regimes, defined as loosely interrelated practices, processes, actions, and meanings that result in and maintain class, gender, and racial inequalities within particular organizations". She also highlighted how "even organizations that have explicit egalitarian goals develop inequality regimes over time" (p. 443).

We employed a multi-strategy approach, drawing on administrative and qualitative data, to understand the inter-related macro and meso changes of equality reach of women's representation on boards, chairs, deputy chairs and CEOs of PLCs (regulated by the Quota) and limited companies (unaffected by the Quota). In this study, macro analysis, influenced by Layder (1993), includes gender values and composition of company boards in Norway, whereas the meso level relates to organisational processes and practices through women directors' experiences of boards. Fundamental is Acker's (2006b) position that inequality regimes are highly variable, fluid and changing and their reproduction linked to inequality in the surrounding society, its politics, history and culture as well as the systems, norms and culture of an organisation as evidenced in Healy et al. (2019).

Our general research question (RQ) asks: does the Norwegian Quota challenge inequality regimes over time and lead to positive national equality reach in companies covered and not covered by the Quota regulation? We add "equality reach" to our inequality regimes analysis, to widen and deepen an understanding of the Quota equality effect and draw on Acker's (2006b) interrelated components of inequality regimes to enable an exploration of macro

and meso aspects of the general RQ. Macro components reflect the bases of inequality (women); shape and degree (steepness of hierarchy) of inequalities (board representation, female chairs, deputies and CEOs); meso components primarily focus on the organising processes that produce inequality, such as recruitment and hiring, and their link with visibility and legitimacy of inequality, control and compliance in organisations. Equality reach, which has macro/meso utility and broadens the “shape and degree” component of inequality regimes, together with the literature informs our specific RQs (see next section).

The article responds to calls for studies to utilise Acker's ideas to scrutinise key issues in management and organisation studies (e.g., Healy et al., 2019; Nkomo & Rodriguez, 2019). It particularly contributes important new insights on the wider effects of compulsory interventions revealing a quota silo, and offers a conceptual development of inequality regimes by adding “equality reach” as integral to the analysis of quotas and other equality interventions. Thus, notably, the article reveals the emergence of a PLC quota silo with positive internal equality reach but also exposes quota limitations through a narrow national equality reach. The quota silo emerged from the exploration of the multi-faceted nature of equality reach, with internal (to organisation) and external (national by country and international) aspects dependent on the regulatory reach of the Quota. The PLC quota silo is distinguished by its strictly regulated internal equality reach, in contrast to unregulated companies having weak internal reach and a resilient glass ceiling. Thus, while the quota silo may increase or reduce in size, its characteristics remain relatively impervious to other organisations. If those characteristics change, either through the extending or weakening of regulation or by outside companies emulating quota practices (through positive equality reach), it is possible that the silo disappears or reforms according to the new characteristics. Thus, our multi-strategy approach illustrates how positive equality reach can be hindered or enabled by external controls and internal processes and practices, resulting in the polarisation of policies and practices and the creation of equality silos by organisation type.

2 | THE NORWEGIAN QUOTA, INEQUALITY REGIMES AND VESTED INTERESTS AND VALUES

Norway has a long history of using quotas in the public sector and political arena. However, the strong opposition to the compulsory 40% Quota for PLC boards meant that its introduction became an important equality landmark (Teigen, 2012). A cabinet proposition to amend the Company Act included the gender balance requirement for PLC boards was presented to Parliament, stating:

...the low proportion of WoB is unfortunate, and we find it absolutely necessary to intervene to promote a society that recognises and makes use of both genders' expertiseThe proposal will entail greater equality and democracy (Ot.prp.nr.97, 2002, Section 1, p. 6).

The underlying Quota rationale reflected beliefs that women's lack of representation and exclusion of their talent deprived company boards of intellect and leadership (Huse & Solberg, 2006; Singh & Vinnicombe, 2004) and that women should be represented more widely in both economic participation and decision-making (Kirsch, 2018).

The amendment was ratified by Parliament in 2003, introduced in 2006 and fully implemented in January 2008, with strong penalties (fines and ultimately forced dissolution) for non-compliance. Thus, in Acker's terms (Acker, 2006a, 2006b), the Government was strongly enforcing this measure to tackle gender disparities in power and control of goals and decisions, thereby making gender inequalities visible on boards. However, the Quota reach is limited to PLC boards (around 500 companies at the time of ratification in 2003), but spillover internally and to other (unregulated) limited companies were expected to result in greater representation of senior women in and beyond PLC boards (Ot.prp.nr.97, 2002), thereby weakening gender segregation.

Acker (1990, p. 145) maintained that “gender segregation is an amazingly persistent pattern” and supported quotas with caution recognising that compliance was not straightforward because vested interests and competing

value systems come into play through a component called “organising processes that produce inequality” (2006b, p. 447). Formal commitments to quotas can be subverted by organising processes which are produced through the norms, values and vested interests of and within an organisation. Forstenlechner, Lettice, and Özbilgin's (2012) study of quota initiatives in the United Arab Emirates (UAE) found a diversity of vested interests, a multiplicity of discourses and the interplay of schemas of change, support and resistance between managers and employees. Kirton, Robertson, and Avdelidou-Fischer's (2016) UK-based study conjectured that female managers are simultaneously implementers and potential beneficiaries of diversity initiatives, unlike the majority of their male counterparts, viewing the corporate diversity agenda through a different (more positive) gendered lens based on their own experiences of marginalisation. These insights are apposite with respect to quotas on boards where we might expect that vested interests could circumvent the dominant state ideology, even in a relatively gender-equal society such as Norway, and in turn constrain the likely equality reach of the Quota. All the more so, given Acker's caution that the capitalist system may impede equality interventions. However, heavy sanctions for non-compliance with the Norwegian Quota, provides a countervailing force against dominant norms and values. Moreover, the high profile of the Quota could also lead to a higher degree of awareness of inequalities, resulting in high visibility and low legitimacy of inequalities thereby enhancing the possibilities for increased equality reach. We therefore ask the following RQ.

RQ1 Between 2006–16, how has the Quota changed the bases of inequality in (a) PLCs, (b) former PLCs and (c) limited companies?

Organisational context, including ownership, may have a positive or negative influence on women's representations and the visibility and legitimacy of inequalities (Acker, 2006a; Ng & Sears, 2017). Acker recognises that organisations are historically, geographically and politically located (2006a, 2006b, p. 106) and more specifically, Ng and Sears (2017) demonstrated that firm internationalisation and firm foreign ownership is negatively associated with women's representation in management. They show that host country pressures (e.g., affirmative action laws) were limited in compelling foreign-owned firms to actively recruit and promote women into management. Moreover, Acker (2006a, p. 9) reminds us that accountability to shareholders often leads to “non-responsibility for human and environmental survival and well-being unless these goals enhance profit”. The increasing global, capitalist shareholder society, if translated into the gender-aware, more equal Norwegian context, might suggest that foreign-owned firms would be the most reluctant to comply with compulsory quotas: we therefore ask:

RQ2 Between 2006–16, what was the impact on the bases of inequality (board representation) of foreign-owned companies?

The Norwegian Quota's intended outcome was to contribute to a more equal and democratic society through women's improved board representation leading to their greater influence and opportunities (Ot.prp.nr.97, 2002). While early research indicated PLC compliance with the 40% quota, it also revealed that women achieved only modest equality reach to positions of power and influence, such as chair and CEO positions (Bertrand, Black, Jensen, & Lleras-Muney, 2014; Seierstad & Opsahl, 2011; Wang & Kelan, 2013). The most cited literature assessing the link between increased gender diversity and corporate performance indicators has inconclusive results, (e.g., Ahern & Dittmar, 2012; Bøhren & Staubo, 2016; Dale-Olsen, Schøne, & Verner, 2013; Matsa & Miller, 2013). Moreover, Kirsch (2018) and Terjesen and Sealy (2016) critiqued the literature for neglecting the impact of quota/gender composition beyond the board level and the wider economic participation and decision-making for women.

The chair is an influential board role; through the chair, the board is managed, its agenda set and a close relationship with the CEO is formed (Seierstad & Opsahl, 2011). Only one person can hold the position of chair; therefore, legislation cannot be enacted to ensure gender balance. Thus, challenging inequality regimes demands some shift in control of power and resources so the presence of a female CEO and an organisation's active recruitment of women are found to be positively associated with increasing a firm's percentage of women in management (Ng & Sears,

2017). Thus, the proportion of chairs and deputy chairs held by women has, over time, become a further indication of the Quota's equality reach in reducing barriers to positions of influence. Moreover, spillover from board to chair to CEO might be most likely in a social democratic country such as Norway, with its gender-aware culture. Yet, Seierstad and Opsahl (2011) found that up until the end of the implementation period in 2008, the Quota had minimal effect on the sex of the chair, although a later study reported some increase in female chairs (Wang & Kelan, 2013). We therefore ask:

RQ3 Between 2006–16, how has the shape and degree (including steepness of hierarchy) changed leading to greater or lesser internal equality reach with respect to chair, deputy chair and CEO appointments over time?

At the meso level, organising processes often involve stereotypical and gendered expectations leading to women's experiences of discrimination and unequal opportunities at the workplace (Acker, 1990, 2006a, 2006b) and women having to be better to be good enough (Bradley & Healy, 2008). Moreover, building on Kanter's (1977) classic study, Holgersson (2013) suggests that homosocial processes/reproduction, active preferences for men not conscious discrimination of women, can lead to the exclusion of women in elite positions, even in pro-equality contexts and where equality initiatives exist due to unreflexive practices not being challenged. Moreover, Holgersson (2013) further argues that homosociality and gender discrimination can be two sides of the same coin. To counter these exclusionary processes, practitioners and academics typically advocate the use of formal policies and procedures to underpin equality in opportunity (e.g., Advisory, Conciliation and Arbitration Service, 2020; Konrad & Linnehan, 1995; Tatli, 2011); these have the potential to act as a formal challenge to Acker's (2006b, p. 447) "organising processes that produce inequality", although procedural effects are unclear (e.g., Dahlerup & Freidenvall, 2010; Ferreira, 2015). The triggers for formalisation may be found in external regulation and legal pressures, which shape the type of formalisation adopted (Noon, Healy, Forson, & Oikelome, 2013). Thus, Norway adopted a "Code of Practice for Corporate Governance", encouraging companies to "have a nomination committee" supported by company resources and/or external advice in board recruitment (2018, p. 27) leading to our fourth RQ:

RQ4 How have the organising processes that produce inequality (with particular reference to formalisation and perceived equality of recruitment) in PLCs been challenged by the introduction of the Quota?

3 | RESEARCH METHODS

This article has developed over a 10-year period. It is recognised that multi-strategy research methods take many forms (see Bryman, 2006; Layder, 1993; Robson, 2011). In this article, we used administrative (2006–16) data to uncover the macro picture of Acker's "base and degree of inequalities" of the Quota over its 10-year life and meso-level qualitative investigation in two time periods. In 2007/8 we conducted a study of women directors' early experience of the Quota introduction and informed by the earlier study, in 2016–17 we explored women directors' board experience during the 10-year Quota life. Our research design aimed to uncover the interrelationship of macro and meso findings through both completeness (of understanding) and complementarity of methods (see Bryman, 2006) and thereby understand the dynamic patterns and experiences of Norwegian board representation composition in the context of inequality regimes.

3.1 | The administrative data sample and collection

The macro analysis draws on administrative data collected from the National Register of Company Accounts (NRCA), which holds the population of all (app. 250,000) companies in its register. The register is an unusually rich and

authoritative source of company data that includes accounting figures, location, industry affiliation, sex, age and nationality of owners, board members, chairs and the CEO (including those in our qualitative sample) from all companies in Norway. We analyse the proportion of WoBs over time in PLCs (with mandatory Quota) and limited companies (including former-PLCs and foreign-owned) with no quota regulation, but where equality reach might be evident.

3.2 | Data analysis

To answer RQs 1–3, we focused on the inequality regime components: bases, shape and degree of inequality, including the steepness of hierarchy (i.e., board, chair, deputy and CEO representation). Table 1 shows the NRCA data analysis is based on three groups: (a) PLCs, 445 companies in 2006 and 211 companies in 2016, (b) limited companies, app. 156,000 companies in 2006 and app. 250,000 companies in 2016 and (c) former-PLCs (those that changed legal status in the period 2006–2016 from PLC to limited companies), 282 companies in 2006 and 240 in 2016.

The number of board members in these companies ranged from 341,000 in 2006 to 507,000 in 2016 among limited companies, from 2,347 in 2006 to 1,194 in 2016 among PLCs, and among the former-PLCs it ranged from 1,363 in 2006 to 897 in 2016.

Although we have the full population of companies, we have undertaken a robustness difference in difference (DID) test to calculate the effect of a treatment (Quota) on the proportion of WoB, women chair, women deputies and women CEOs. The introduction of the Quota may be regarded as a natural experiment where some companies (PLCs) were receiving the treatment (the regulation) whereas others (limited companies) did not receive the treatment and therefore constitute the control group in our analysis. The share of women on boards was tested using a standard Ordinary Least Squares regression, and the woman chair, deputy and CEO was tested using logistic regression as these dependent variables are dichotomous, or binary.

The variables included in the DID test were calculated as follows:

Share of women on board

Dependent variable. The ratio of women on board, measured by dividing the number of women on board on the total board members.

Woman chair

Dependent variable. Dummy variable with value 1 if the chair of the board is a woman, 0 otherwise.

Woman deputy

Dependent variable. Dummy variable with value 1 if the deputy of the board is a woman, 0 otherwise.

Woman CEO

Dependent variable. Dummy variable with value 1 if the CEO of a company is a woman, 0 otherwise.

Year 2016

Independent variable. Dummy variable with value 0 if the data is from 2006, and 1 if the data is from 2016.

TABLE 1 Number of companies and number of board members included in the analyses

Number of companies												
Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2016
Limited	155,826	175,085	191,875	198,121	186,349	204,057	201,853	224,404	238,390	248,762	258,333	258,333
Public limited companies (PLC)	445	461	403	349	304	295	271	240	217	219	211	211
PLC to limited	282	302	332	324	324	308	293	281	267	254	240	240
Number of board members												
Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2016
Limited	340,797	376,993	400,284	411,540	415,750	415,537	424,534	446,196	460,556	482,861	506,543	506,543
PLC	2,347	2,370	2,100	1,833	1,695	1,585	1,499	1,287	1,228	1,216	1,194	1,194
PLC to limited	1,363	1,428	1,508	1,414	1,383	1,305	1,234	1,114	975	967	897	897

PLC

Independent variable. Dummy variable with value 0 if the company is a Non-PLC, and 1 if the company is a PLC.

Interaction

Interaction term that shows the DID coefficients. This is only 1 if the data is from 2016 (i.e., Year 2016 = 1) and the company is a PLC (i.e., PLC = 1). All other combinations of Year 2016 and PLC are 0.

3.3 | Qualitative data collection and analysis

To answer RQ4, the qualitative analysis explores the “organising processes that produce inequality” (Acker, 2006b) through 38 semi-structured in-depth interviews (lasting 50–70 minutes) with women PLC directors, 19 took place 2007/08 and 19 in 2016/17. The rationale for having interviews at two points in time was to capture potential changes in terms of equality reach at the meso level and thereby complement our quantitative analysis. We utilised theoretical sampling (Strauss & Corbin, 1998), selecting a diverse group of participants by board experience and industry (see Table 2). For both sets of interviews, the key criteria for inclusion in this study was membership of the board of a PLC (minimum one PLC directorship at the time of the interview). For the 2016/17 set, an additional criterion was a minimum of 5 years' PLC director experience, although most interviewees had 10 years' experience, becoming directors shortly after the introduction of the Quota. Moreover, all participants had broad and varied industry experience including executive or non-executive directorships in companies not affected by the Quota. Table 2 presents participants' characteristics.

For the 2007/8 interviews, participants were largely recruited through the Confederation of Norwegian Enterprise (Norwegian employers' association) and attending their Female Future project (women's leadership programme), direct contacts to known/visible PLC directors followed by snowballing techniques. For the 2016/7 interviews, we again identified women directors through the NRCA and the webpage Proff.no and accessed them through personal and professional connections.

Both the 2007/8 and 2016/17 interview schedules captured women directors' views and board experiences on five broad themes drawn from the literature: “quota/equality initiatives,” “equality/diversity,” “recruitment/selection/nomination procedure,” “networking” and “board context.” Our semi-structured interviews were sufficiently open to allow participants to share new emergent insights. Importantly, the 2016/17 interviewees were able to reflect on the Quota introduction, its subsequent developments and provide insight into processes underpinning equality reach. All interviews (except one) were conducted face-to-face, recorded, transcribed and analysed using NVivo11. Both thematic coding (Ayres, 2008) and in-vivo (Corbin & Strauss, 2008) techniques were used to code the interview data. The interview transcripts were coded inductively. Coding statements and notes from interviews were grouped into similar categories and discussed to ensure consistency. The data analysis was an iterative process between the codes/interview data and the literature to identify relevant emergent concepts. Appendix 1 shows the coding framework that helped illuminate “the organising processes that produce inequalities”. In particular, the following codes (with their links to the literature) emerged from the interviews and literature: formalisation and professionalisation (e.g., Konrad & Linnehan, 1995; Tatli, 2011; Noon, Healy, Forson & Oikelome, 2013), informal processes and networks (e.g., Doldor & Vinnicombe, 2015; Holgersson, 2013) and gendered ideas of suitability and tokenism (e.g., Acker, 1990; Bradley & Healy, 2008; Holgersson, 2013; Kanter, 1977).

TABLE 2 Demographic characteristics of participants in 2006/7 and 2016/17

Personal characteristics	Total (N 38)	2006/7 (N19)	2016/17 (N19)
Age			
30–39	3	2	1
40–49	9	6	3
50–59	19	9	10
60–69	7	2	5
Educational background			
BA/Cand mag	5	4	1
MA/MSc/MBA	29	12	17
PhD	4	3	1
Professional background			
Research/academia	3	3	-
Politics	3	2	1
Private sector	32	14	18
Public limited companie (PLC) directorships before the quota			
Yes	18	10	9
No	20	9	10
Multiple PLC directorships at the time of interview			
One	17	9	8
Multiple	21	10	11
Total number of roles in the private sector (PLC boards, limited boards, executive positions)			
Two-five	21	13	8
Six or more	17	6	11

4 | FINDINGS

We present our findings in two main parts: firstly at the macro level (RQ1–3), quantitative analysis shows how the Quota changed the bases and shape and degree of inequality in different types of companies; secondly, at the meso level (RQ4), the qualitative analysis explores the “organising processes that produce inequality” in particular, the coding themes of recruitment/nomination, informality and gendered ideas of suitability within the board setting. While these thematic codes are fundamental to our analysis, importantly they intersect with each other and other inequality regime components (visibility and legitimacy of inequality and control and compliance).

4.1 | Between 2006–16, how has the Quota changed the bases of inequality in (a) PLCs, (b) former PLCs and (c) limited companies?

Predictably, in the context of heavy sanctions for PLC non-compliance with the Quota, gender representation increased significantly from 2003 to 2008, and full PLC compliance was found by the end of the implementation period. Figure 1 shows the rapid increase of WoBs in PLCs from 2002 to 2008 and the subsequent plateauing to 2016.

Figure 1 shows little evidence of a spillover effect from PLCs to limited companies, where women's board representation has remained stable 2006–2016. The data indicate that limited companies will not voluntarily follow the Quota regulations given the small national equality reach of only 2%.

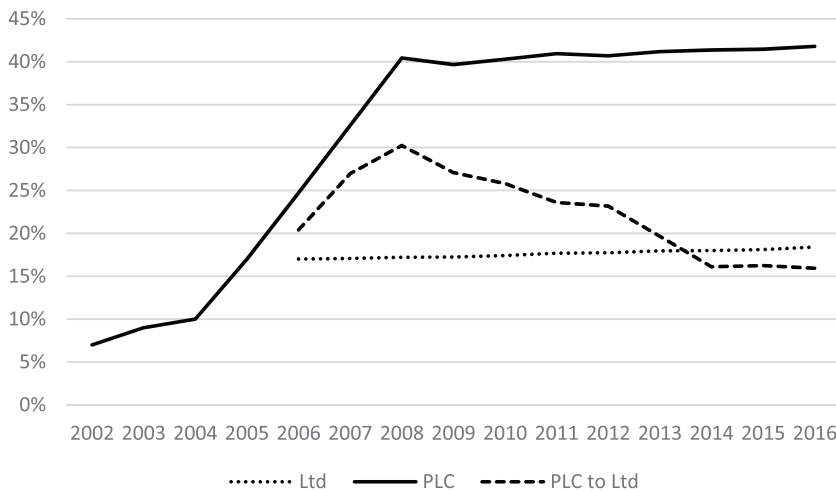


FIGURE 1 Share (per cent) of women on Norwegian Boards. 2002–2016 Data source: NRCA/Menon Economics and Seierstad and Opsahl (2011). *N*: see Table 1

An interesting dynamic is that some PLCs could change status to become limited companies thereby avoiding the penalty for non-compliance with the Quota (Teigen, 2012). A significant share of the PLCs changed their status in the period from 2006 to 2016. The majority of these companies, 57%, changed legal status 2006–2009 peaking in 2008. The peak in 2008 may be due to two separate events: (1) The Quota regulation was implemented in 2008. Any company that did not fulfil the 40% gender balance was liable for sanctions, (b) From 1 November, 2007, the Norwegian Securities Trading Act no longer required companies covered by this Act to be PLCs, as previously required, although our analyses indicate that well below 15% of the PLCs were affected by this Act. The extent to which former-PLCs used this strategy to avoid legal sanctions for non-compliance is debated (Bøhren & Staubo, 2014). Heidenreich and Storvik (2010) studied former-PLCs and found that the reason for a change in status included fewer regulations, the Quota and Securities Law³ (introduced virtually simultaneously with the Quota and affecting 25% of PLCs). Figure 1 reveals degrees of Quota compliance; women represented 20% of board memberships in 2006 and 30% in 2008 as PLCs got closer to meeting the Quota. By 2008, no former-PLC reached the required 40%, and between 2008–2016 women's board representation fell dramatically, to around 16%. From this, we surmise that implementation of the Quota was a significant reason for PLCs to change status.

4.2 | Between 2006–16, what was the impact on the bases of inequality (board representation) of foreign-owned companies?

Acker's (2006a, 2006b) and others (e.g., Healy et al., 2019; Nkomo & Rodriguez, 2019) emphasised the importance of the organisational contexts and influenced by Ng and Sears's (2017) study, we investigated if foreign-owned companies were more likely to avoid the Quota. Given Norway's egalitarian culture, resistance to initiatives such as quotas might be expected to be lower among Norwegian owners compared to foreign owners. The number of PLCs overall dropped considerably in the period, but Figure 2 confirms that the drop in foreign owned PLCs was substantially higher. In 2006, the overall share of foreign owned PLCs was 6.1%, ($N = 445$) whereas the same share was 2.7% in 2016 ($N = 211$). This means that the decrease in foreign owned PLCs was more than twice as high as among the Norwegian PLCs. The proportions in Figure 2 are based on the population of companies, and consequently these are the parameters, not estimations of the parameters. However, we did a two proportion z test to test whether these two proportions may be from the same population, that is, the same regime or situation. We applied a one-

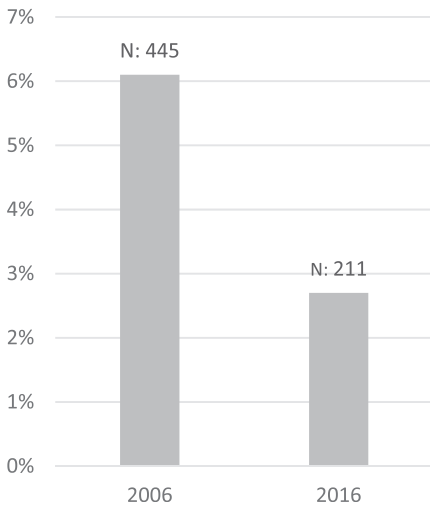


FIGURE 2 Share (per cent) of foreign owned public limited companies

tailed test because we expect that the foreign owned companies were more prone to drop out of the PLC domain. The test yielded a p value of 0.03144, meaning that there is a 3.144% chance of observing the proportions (6.1 and 2.7%) if the proportions are calculated based on two different samples from the same population. Consequently, it is very unlikely to observe these two proportions in two different samples from the same population. These proportions are seemingly from significantly different populations.

4.3 | Between 2006–16, how has the shape and degree (including steepness of hierarchy) changed leading to greater or lesser internal equality reach with respect to chair, deputy chair and CEO appointments over time?

While women continue to hold a relatively small share of chair position, Figure 3 shows that there is a significant upward trajectory for the proportion of women chairs among PLCs (3% in 2006, 13% in 2016), supporting Wang and Kelan's (2013) earlier study.

Over the same period, other limited companies showed a gradual increase as well, but from a higher starting point (10.5–12.5%). Interestingly, despite the retreat from PLC status, former-PLCs also showed an increase over that period (from 2 to 9%). Nevertheless, PLCs demonstrated the greatest increase in female chairs over and above that found in former-PLCs and limited companies and is likely to be an outcome of WoBs' greater visibility.

Figure 4 reveals that in PLCs, a sharp increase of deputy chair positions was seen during the period 2006–2016 (from 17 to 37%). A smaller increase was seen in the limited companies (from 22 to 26%), but a notable decrease was seen in former-PLCs (from 23 to 11%). This is a clear indication that the Quota has meso level but not national equality reach.

Figure 5 shows that over the same period, the proportion of women CEOs changed less than that for women chairs and deputy chairs, but an internal equality reach was demonstrated nonetheless. The greatest percentage increase was found among PLCs (4–8%), and more modest increases were found among limited companies and former-PLCs.

4.3.1 | Robustness test

Deepening our statistical analysis, we use the DID test (see Table 3) which gives robust confirmation of a substantial and significant effect of the Quota (the treatment). The results show a small time effect for all

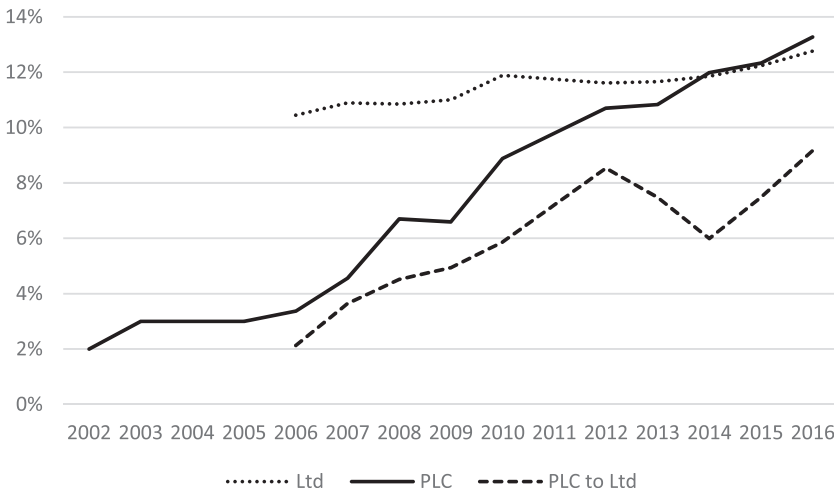


FIGURE 3 Share (per cent) of women as chairs on Boards 2002–2016. Data source: NRCA/Menon Economics and Seierstad and Opsahl (2011). *N*: See Table 1

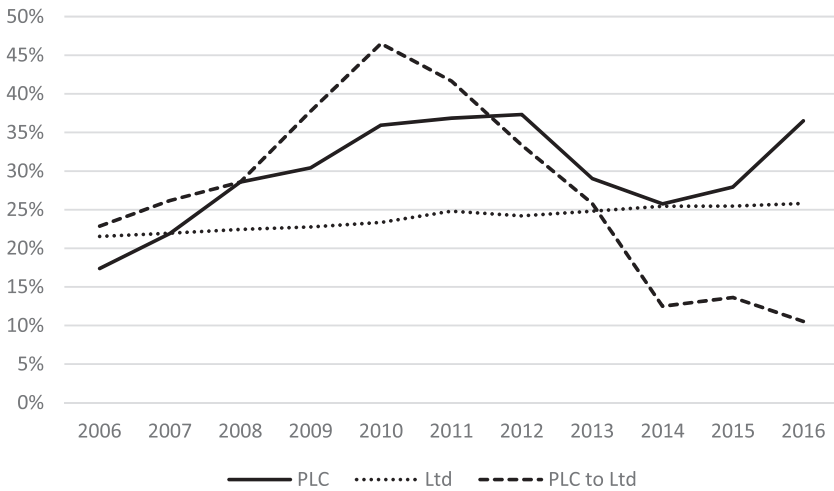


FIGURE 4 Share (per cent) of women as deputy chairs 2006–2016. Data source: NRCA/Menon Economics. *N*: See Table 1

companies (0.011), although it is only a fraction of the effect from the regulation (0.176). The results for women chairs also show a little time effect; the odds (column $\text{Exp}[B]$ minus 1) of observing a woman chair is 20.1% higher at the end of the period compared with the start of the period. The effect from the regulation over time is many times higher; the DID test shows that it was 238.3% times more likely to observe a woman chair among PLCs 10 years after the introduction of the regulation. However, there is also a positive DID (the odds ratios are higher than 1) with women deputies and women CEOs, as expected from the descriptive statistics, but these are not significant.

Thus, our data suggest that equal representation of women on PLC boards leads to greater increases in the proportions of women as chairs, deputy chairs and CEOs among PLCs, but less so among limited companies and former-PLCs.

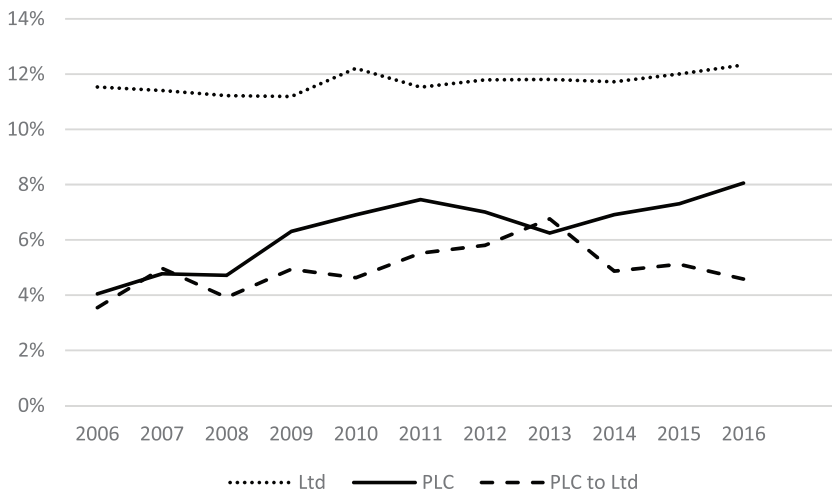


FIGURE 5 Share (per cent) of women as CEOs 2006–2016. Data source: NRCA/Menon Economics. *N*: See Table 1

4.4 | How have the organising processes that produce inequality in PLCs and limited companies been challenged by the introduction of the Quota (with particular reference to perceived equality of recruitment and formalisation)?

To answer RQ4, we draw on the 2007/8 and 2016/17 interviews in order to understand the meso levels changes over time. The vast majority of the 2007/8 interviewees revealed that hiring or nomination procedures for boards and senior positions in the private sector traditionally favoured men and the 'old boys' network.

In the old boys' network, there are a lot of similar men; same social background, same sexuality, education and work experience. I am sure they have a nice time, because they do choose each other, it stays within their network It makes it difficult to get in if you do not fit their criteria. (2007/8, 40–49).

I would like to be on more boards, but it is not that easy, you have to know the ones controlling the processes. I have been very active, I have flagged that I am interested, and I have the right experience and competence. I think it is in these situations the male networks are controlling. (2007/8, 50–59).

Hence, the gendered (homosocial) social networks within boards (and in the private sector in general) are shown in the above quotations to support women's exclusion from access to power (network) resources necessary for acquiring board positions. Stories from some of the women obtaining board positions following the introduction of the Quota revealed how they actively took steps to get into these (male-dominated) networks by contacting/meeting key gatekeepers.

I was not part of an influential network; I did not have a "way in." I was at a conference and there was a dinner with seating-cards. I found my name-card and put it next a very influential man I knew was part of the nomination committee for a PLC company. I sat next to him through four courses and talked a lot about work, had a follow up lunch and he said I should be a candidate for the shortlist for the board (PLC). I was elected. (2007/8, 50–59).

TABLE 3 The effect of the quota regulation on the proportion of women on boards, as chairs, deputies and CEOs

	Share of women on board		Woman chair		Woman deputy		Woman CEO	
	Beta	Sig.	Beta	Sig.	Beta	Sig.	Beta	Sig.
Constant	0.155	0.000	-2.114	0.000	0.121	0.000	0.274	0.000
Year 2016	0.011	0.000	0.183	0.000	1.201	0.000	1.243	0.000
Public limited companies	0.072	0.000	-1.223	0.000	0.294	0.674	0.9	0.000
Interaction	0.176	0.000	1.219	0.000	3.383	0.526	1.264	0.124
Adj R Square		0.001	Nagelkerke R Square		0.002	Nagelkerke R Square		0.003
F		99,526						

Note: Data source: NRCA/Menon Economics.

As the above quotation illustrates, lack of access and visibility were considered a barrier to boards, not merit. Several of the interviewees described having met career obstacles and negative stereotyping; by not fitting the expected image of “a director.” Hence, gendered expectations of both the role and women/men was evident in the early participants' stories.

I see a tendency that people in the position of hiring are reproducing themselves and have ideas of suitability, what “it” looks like. That it is easier for men to make it, especially in the private sector, is without doubt If it is mindful or not does not matter, it is discrimination. (2007/8, 40–49).

I think it is still the situation that power and a good career is a lot sexier in a man than in a woman. (2007/8, 50–59).

I think one of the barriers women face is related to stereotypes we have; such as “women do not want responsibility or a c-suit career.” I think those stereotypes are taken into consideration in the hiring procedures; women are given characteristics they might not possess (2007/8, 30–39).

As the above quotations illustrate, 2007/8 interviews reflect Acker's (2006a, 1990) view that images of appropriate gendered and radicalised bodies influence perceptions and consequently whom to hire and echo research which found homosocial reproduction in board recruitment (Holgersson, 2013) and gendered stereotypical ideas about suitability and competence affecting the selection process for boards (Doldor & Vinnicombe, 2015). Among the 2007/8 interviewees, there was a hope that the introduction of the Quota would be a step in challenging gendered organising practices and ideas of suitability.

In our 2016/17 sample, women with 10+ years PLC board experience highlighted that prior to and just at the introduction of the Quota, procedures and practices were informal and often undertaken on an *ad hoc* basis. Thus, interviewees described the then unprofessional stereotypical and gendered approaches.

I was contacted by several headhunters shortly after the introduction of the Quota and asked if I would be interested in being director on different types of boards. I always asked what kind of competencies they were looking for, what skills the board is missing. Often they couldn't answer; they [just] needed a woman (2016/7, 60–69).

I was once contacted by a headhunter asking me to be a director on the board for a (female workforce) company as I, as a woman, would “be interested and knowledgeable” in this industry, in the sole capacity of being a women! (2016/7, 60–69).

However, there was a noticeable change from 2007/8 interviewees and those 10-years later. 2016/7 interviewees reported greater perceived equality within the PLC board setting, with respect to recruitment, gendered ideas of suitability, increased formalisation and professionalisation. In particular, 2016/17 interviewees asserted that nomination procedures for PLC boards had become formalised, focusing on competence and experience. Interviewees revealed that gendered “unprofessional requests” of a decade earlier no longer occurred. While it was acknowledged that during the implementation period, “token women” might have been recruited to comply with the Quota, this no longer arose.

After a while, we saw some changes in the directorship pool. Now, all the directors are qualified, and many have relevant executive experience. This is a change. In the beginning, they would take almost anyone (2016/7, 50–59).

Nomination committees are working a lot more thoroughly and systematically in their approach, looking for competence of/for the board as well as complementarity of skills. When the Quota came, boards just went for a woman that was more or less qualified, now it is an increased focus on skills and overall “fit” of competences in the boards. (2016/7, 50–59).

The above quotations revealed positive equality reach in that the recruitment process was perceived as fairer resulting from greater formalisation and increased professionalisation in director recruitment. It involved fewer gendered stereotypical expectations, and the hiring process used more headhunters and nomination committees.

Companies are doing a more thorough job now. The nomination committees are more aware of the skills/qualities needed for the boards, not just looking for a woman. (2016/7, 50–59).

Moreover, more than half of the 2016/7 interviewees told how using board evaluations in the search process exposed skills and competencies needed for boards, created greater transparency in the search process and challenged gendered organising practices:

The election committees work completely different now. When I got my first directorship in the early 2000s, you sort of got a phone call, you accepted and you were in. Now, the nomination committee meets all the directors, interviews them, conducts board evaluations, meets potential candidates, reviews the “board mix” and evaluates the competencies needed, really engaging and understanding the complementarity of skills among the directors so that the board is ready for the challenges the specific companies are facing. (2016/7, 50–59).

It is evident how the increased PLC equality reach identified in the quantitative analysis is verified and expounded by the interviewees' discussion of formalisation, professionalisation and perceived fairness on PLC boards/within the PLC context, which has heightened the visibility of women directors.

Nevertheless, when asked if professionalisation of recruitment procedures or the “gender balance focus” was evident in non-PLCs, the majority of the 2016/17 interviewees (with current PLC and Limited board experience) responded that nomination/recruitment procedures in non-PLCs remained quite informal and that gender representation of directors was not necessarily part of board discussions. Interestingly, some of our interviewees revealed little awareness of the lack of Quota spillover to limited companies. Thus, in Acker's (2006a) terms, low visibility of inequality (awareness) in limited companies is linked to a strong belief in the halo effect of the success of the Quota, despite its very limited reach, leading to complacency and silos of awareness thereby constraining wider positive equality reach.

5 | DISCUSSION

We began by asking if the Quota had led to positive equality reach and exposed a PLC equality silo. By questioning the equality reach of the Quota over time and in its “surrounding society,” we demonstrate, the narrow national equality reach of the Norwegian Quota despite, somewhat paradoxically, its positive external international reach. Our analysis of national data revealed that quotas, underpinned by a radical regulatory approach, can dramatically change a gender balance within a short period of time. This has been the case in Norway, given the high level of compliance in achieving 40% gender representation on PLC boards and a notable international equality reach (Machold et al., 2013). This high level of compliance signals that Norway's radical strategy, resulting from sanction-based regulatory intervention, was a successful tool for improving the under-

representation of women on PLC boards. Moreover, we found increased internal equality reach *within* PLCs, where women's access to power and influence (to chair/deputy appointments) has increased. However, while the number of women CEOs increased for PLCs, the increase was at a slower rate than initially expected by the proponents of the Quota and was mainly confined to a quota silo. Moreover, while PLCs have met the Quota, they have not exceeded 40%, providing further evidence that the quota becomes a ceiling (Dahlerup & Freidenvall, 2010) within the silo.

Boards of limited companies, particularly former-PLCs, were more likely to exhibit high legitimacy and low visibility of inequalities. These findings are disappointing for those who believed that "greater equality and democracy" would result from the Quota and that it would "improve women's influence and opportunities in business" (Ot.prp. nr.97, 2002). The Quota has not led to greater equality or democracy beyond the PLCs with former-PLCs adopting an avoidance strategy by changing their status to limited companies. Having changed status, former-PLCs intensified their inequality regimes by reducing the proportion of women on their boards. Moreover, quota avoidance was more evident in foreign-owned organisations (see Ng & Sears, 2017), whose external cultures were not influenced by Norwegian strong values of gender equality.

We argue that organisations have different degrees of freedom to use their power and resources in relation to equality interventions. In the case of the Quota, the cost of non-compliance for PLCs is high and therefore, PLCs' freedom to use their gendered power and resources to limit women's board selection are severely constrained. In turn, limited companies are free to use their power and resources to maintain existing inequalities, thereby hindering equality reach and bolstering inequality regimes.

The quota silo with its positive internal equality reach, nevertheless has a hard casing, and only small evidence of national equality reach was found. However, within the silo, at the meso level, our qualitative interviews showed how the Quota affected the organising processes by leading to greater formalisation and professionalisation and thereby greater fairness and equality in PLC board members' recruitment. PLCs' duty to meet the Quota and Norwegian Corporate Governance Board (2018) recommendations to have nomination committees create an imperative for formalisation, which is boosted by PLCs' greater accountability for recruitment decisions. Therefore, our study reveals a defensive form of professionalisation and formalisation seen as necessary in the regulatory/high sanction context of the Quota. Whereas in the non-PLC voluntary context board members revealed that recruitment processes continued to operate informally. Nevertheless, in PLCs, it was clear that women directors approved of the increasing professionalisation and formalisation of the recruitment process and the subsequent reduction of stereotyping. This in turn was seen as having a positive impact on the recruitment of women and thereby equality reach. Thus, the positive equality reach revealed by the administrative data is shown in the qualitative data analysis to be enabled by changes in the recruitment organising processes and practices.

In essence, we construe that vested interests, as argued by Forstenlechner et al. (2012) and male values, as revealed with respect to diversity initiatives by Kirton et al. (2016), shape the organising processes that operate to counter the impact of radical initiatives beyond the immediate regulatory setting. Acker (2006b) displayed some ambiguity as to whether quotas can challenge inequality regimes; our results show that quotas (with sanctions) have a positive effect on women's equality, but in the Norwegian case is confined to a quota silo with small national equality reach. Echoing Acker (2006b, p. 443), Norwegian boards' inequality regimes are found to be highly variable, fluid and changing. Our multi-strategy findings indicate that the virtuous circle, anticipated by Quota proponents, leading to enhanced internal and national equality reach, needs to be tempered. Our research on the now 10-year-old Quota, and its finding that progress is partial, suggests that the resilience of inequality regimes might stultify additional equality reach without further political intervention. By bringing Norwegian boards under the scrutiny of Acker's inequality regimes analytical framework, we have provided an in-depth understanding of the workings of the Norwegian Quota and exposed both the extent of and limitations of equality reach. The conceptual development of our empirical work operating in different environments (e.g., PLC,

former-PLCs and limited companies) allowed the emergence of the concept of a quota silo in the context of tight and punitive regulation.

While our main focus in this article is at macro and meso levels of analysis, we recognise that further research on the exploration of women's and men's agency in shaping boards and equality reach at the micro level would be valuable. Moreover, our analysis is limited to sex and we have been unable to access data on vice principal/deputies of companies on whom further research would be beneficial.

5.1 | Policy implications

Our research findings are pertinent to HR interventions to improve gender representation on company boards. We expose both the potential strength of quota strategies and the limitations of voluntary equality reach. Our findings make the case for policy reform and show how political strategies are necessary to reduce the capacity for quota avoidance. The existing Quota and the exposed quota silo reflect the conservative drafting of the Quota. Moreover, we contend that after the Quota was met, a lack of policy focus and pressure on the underrepresentation of women in senior positions, including board positions beyond PLCs developed. Hence, a relatively low visibility of inequality was the result.

The resilience of gender quota silos and small external equality reach in Norway tarnishes what has been acknowledged internationally as a radical step forward in corporate governance. Indeed policy-makers need greater awareness of the Quota's narrow equality reach but are faced with an environment when Norway's position with gendered balanced boards are applauded in academic and political debates without acknowledging their rather narrow limited restricted scope (Mensi-Klarbach & Seierstad, 2020). Our findings indicate that there is a case for the Norwegian government to widen the Quota requirements based on the status and size of a company, if it is serious about enhancing equality and democracy in the private sector. Hence, greater attention now needs to be paid to other quota designs, such as the Icelandic example (see Mensi-Klarbach & Seierstad, 2020). While still in its early days, it would seem that Iceland offers an important new model that does not rely on a spillover from PLCs to limited companies.

A strength of our study is the robust data emerging from a multi-strategy analysis that can provide policy ammunition to challenge the silos of awareness and underpin reform initiatives. Our research indicates the importance of strong sanctions in Quota compliance but recognises that the Quota alone is insufficient to achieve its wider equality objectives and argues for the Norwegian government to extend regulatory interventions coupled with a code of good practice. To do this, it would benefit from setting up an advisory group with a remit for extending the regulatory reach of the Quota. The group would draw on expertise from women with board experience, as in our sample, academics researching gender and boards and HR policy experts, including from HR Norge,⁴ which could act as a pressure group for change among its membership. There is a case for HR leaders to initiate bridges between the boards of companies and HR aiming at wider equality reach. Equally, senior/CEO engagement and line-managers' accountability is a crucial aspect of promoting gender and diversity values to broaden the policy equality reach. For HR professionals, there is an imperative to ensure that they practise traditional HR functions, particularly HR planning, with respect to measuring gender representation at all levels, including executive and board levels, to establish pipeline indicators and targets where appropriate, thereby ensuring inequalities are visible. More challenging, but equally essential, is the fostering of cultural change with a diversity focus on mentoring, sponsoring and talent management initiatives. Bearing in mind that men and women articulate different degrees of value to the importance of strategic diversity initiatives (Kirton et al., 2016), HR professionals face creative challenges when tackling the *laissez-fair* culture of gendered value differences and should engage in multidisciplinary and mixed-gender teams to build strategies and actions designed to challenge inequality regimes.

6 | CONCLUSIONS

We argue that the inequality regime concept, while undoubtedly valuable for in-depth research on inequality, is strengthened by a more penetrating focus on the often unclear boundaries and equality reach around and within inequality regimes. Hence, we follow Nkomo and Rodriguez (2019) and Healy et al.'s (2019) call for expanding and developing Acker's work. Acker's (2006a, 2006b) recognition of inequality regimes as variable and changing, certainly emerged from our study where variability related to legislative intervention, bases and degree of inequality, organising processes, compliance and equality reach.

Our theoretical analysis and empirical findings lead us to encourage greater research scrutiny of equality interventions in differing contexts and consideration of possible differential impacts of equality reach and the potential outcome of an equality silo. Thus, some sensitivity and critical assessment is necessary to avoid the conflation of progress in one area with assumptions of wider equality reach.

This article offers a novel approach to board representation research by using Acker's interrelated inequality regimes conceptual approach to inform the multi-strategy exploration of the Norwegian board quota context over a 10-year period. The importance of equality reach and equality silo concepts enrich our understanding of inequality regimes in practice. The value of multi-strategy methods over time (including DID technique together with women board directors' interviews) was confirmed by showing high levels of compliance where the Quota applied, but that the anticipated voluntary national equality reach to enhance women's representation, visibility and influence at senior levels of the private sector had not materialised. Norway's Quota applies only to PLCs, a group that has declined in numbers, arguably because of quota avoidance, leaving the majority of companies unaffected by the Quota or its spillover. Within the silo, we reveal that the Quota has led to greater formalisation, professionalism and reduced gender stereotyping in hiring, thereby confronting quota critics who argue that merit may be ignored at the expense of sex (see Noon, 2010).

Norway was positioned as the example to follow when the Quota was described as the start of an "avalanche" (Machold et al., 2013). In reality, Norway has confined gender equality on boards to a shrinking quota silo. From a policy perspective, there is scope for Norway to widen its regulative reach and promote further organisational/HR initiatives, ensuring and promoting fairness in the executive/management pipeline for women and more involvement from internal stakeholders such as HR, line managers, diversity managers and diversity champions. Our inequality regime approach has value for other equality interventions, their assessment of equality reach and avoidance of potential equality silos. Most other European countries have now introduced strategies, ranging from quotas to targets, on women's board representation. While Norway was a first mover, other countries have caught up. As a consequence, Norway's leading gender credentials are in question, unless wider political and organisational policy interventions are adopted to improve equality reach beyond a quota silo.

ACKNOWLEDGEMENTS

This research was supported in part by the British Academy and the Society for the Advancement of Management Studies (SAMS) small research grant (SG140895). We are grateful to all the directors who participated in the interviews. We would also like to thank the Editor, Professor Dora Scholarios, and three anonymous reviewers for constructive feedback in revising this article.

CONFLICT OF INTEREST

The authors have declared that there is no conflict of interest.

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ENDNOTES

- ¹ We refer to it as the Quota. Formally, it was an adjustment of an existing law, the Company Act.
- ² Public Limited Companies (PLC) is an organization form with multiple owners and with a share capital above one million Norwegian Kroner. PLCs can be listed on the Norwegian Stock Exchange and there are gender balance regulations for their board. The Financial Times Stock Exchange Index (FTSE) is a share index of the companies with the highest market capitalisation. Often the focus is on the largest 100 (FTSE100) or 350 (FTSE350). The Davies report (Davies, 2011) set a target of a gender balance of 25% for the FTSE100 and gradual voluntary aspirational target for the FTSE350. The Quota in Germany applies to the supervisory boards of companies that are listed and subject to full co-determination. The German Quota applies to listed stock corporations and partnerships limited by shares that have more than 2000 employees. The German Quota apply to approximately 100 companies. This includes the DAX 30. The Deutscher Aktienindex/German Stock Index (DAX) consist of the largest 30 German Companies trading in the Frankfurt Stock Exchange.
- ³ The Quota and Securities Law affected a small proportion of PLCs who changed from PLC status whereas the Quota Regulation affects all PLCs; 63 of 256 companies that changed legal status from PLC to Limited were subject to the Securities Law.
- ⁴ A Norwegian HR network which is a member of European Association for People Management; The UK CIPD is also a member.

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SUPPORTING INFORMATION

Appendix one may be found online in the Supporting Information section at the end of this article.

How to cite this article: Seierstad C, Healy G, Sønju Le Bruyn Goldeng E, Fjellvær H. A “quota silo” or positive equality reach? The equality impact of gender quotas on corporate boards in Norway. *Hum Resour Manag J*. 2020;1–22. <https://doi.org/10.1111/1748-8583.12288>